

Agriculture Environmental Stewardship Act of 2017: U.S. Senate Introduction



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Senators Sherrod Brown (Ohio) and Pat Roberts (Kansas) introduced legislation that would amend the Internal Revenue Code to allow energy tax credits through 2021 for investments in:

1. Qualified biogas property; or
2. Qualified manure resource recovery property

The legislation is titled the Agriculture Environmental Stewardship Act of 2017 and numbered S. 988.

The legislation also permits new clean renewable energy bonds to be used for such properties.

S. 988 defines “qualified biogas property” as a system that:

1. uses anaerobic digesters, or other specified processes to convert biomass into a gas which is at least 52 percent methane, and
2. captures the gas for use as a fuel.

This term includes property that cleans and conditions the gas for use as a fuel.

“Qualified manure resource recovery property” is defined to include a system that:

1. uses specified processes to recover the nutrients nitrogen and phosphorus from a non-treated digestate or animal manure by reducing or separating at least 50 percent of the nutrients, excluding any reductions during the incineration, storage, composting, or field application of the non-treated digestate or animal manure.

Also included within the term is certain processing equipment.

The American biogas Council stated in a May 9th news release that the legislation will:

... increase the sustainability of farms by helping to deploy new nutrient recovery and biogas systems to recycle organic material into baseload renewable energy and healthy soil products.

The organization further states that the introduction of S. 988 “reflects the critical need to support economically and environmentally sustainable agricultural practices that protect waterways and enrich soils.”

The absence of a tax incentive to incentivize biogas or nutrient recovery systems is also referenced.

The legislation has been referred to the Senate Committee on Finance.

[A copy of S. 988 and the American biogas Council news release can be downloaded here.](#)