

110TH CONGRESS
2D SESSION

H. R. 5216

To promote as a renewable energy source the use of biomass removed from forest lands in connection with hazardous fuel reduction projects on certain Federal land, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2008

Mr. UDALL of Colorado introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To promote as a renewable energy source the use of biomass removed from forest lands in connection with hazardous fuel reduction projects on certain Federal land, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wildfire Risk Reduc-
5 tion and Renewable Biomass Utilization Act”.

1 **SEC. 2. PROMOTION OF USE OF BIOMASS REMOVED**
2 **THROUGH HAZARDOUS FUEL REDUCTION**
3 **PROJECTS AS ENERGY SOURCE.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) Large-scale insect infestations in several re-
7 gions of the United States, combined with other fac-
8 tors, such as accumulation of fuel materials, in-
9 creased settlement in and near forested areas, and
10 prolonged drought, have increased the likelihood of
11 unusually severe wildfires that pose a threat to lives
12 and property in nearby communities.

13 (2) The Healthy Forests Restoration Act of
14 2003 (Public Law 108–148; 16 U.S.C. 6501 et seq.)
15 is intended to facilitate removal of biomass from for-
16 est lands, particularly those located within the
17 wildland-urban interface, in order to reduce the fuels
18 for severe wildfires.

19 (3) Reducing the risk of severe wildfires would
20 be further facilitated if the biomass removed in con-
21 nection with hazardous fuel reduction projects under
22 the Healthy Forests Restoration Act of 2003 were
23 considered a source of renewable fuel for purposes of
24 the renewable fuel standard established by subtitle A
25 of title II of the Energy Independence and Security
26 Act of 2007 (Public Law 110–140).

1 (b) PURPOSE.—The purpose of this section is to re-
2 vise the definition of renewable biomass established by sec-
3 tion 201 of the Energy Independence and Security Act
4 of 2007 so as to facilitate and encourage the use of bio-
5 mass removed from certain additional forest lands as an
6 energy source, in order to reduce the risk of severe wildfire
7 to communities, infrastructure, and water supplies.

8 (c) EXPANSION OF DEFINITION OF RENEWABLE
9 BIOMASS TO INCLUDE CERTAIN FOREST BIOMASS.—Sub-
10 paragraph (I) of section 211(o)(1) of the Clean Air Act
11 (42 U.S.C. 7545(o)(1)), as amended by section 201 of the
12 Energy Independence and Security Act of 2007 (Public
13 Law 110–140; 121 Stat. 1519), is amended by adding at
14 the end the following new clause:

15 “(viii) Biomass removed in connection
16 with an authorized hazardous fuel reduc-
17 tion project, as defined in paragraph (2) of
18 section 101 of the Healthy Forests Res-
19 toration Act of 2003 (16 U.S.C. 6511),
20 from lands within the wildland-urban inter-
21 face, as defined in paragraph (16) of such
22 section, except that the term—

23 “(I) does not include biomass re-
24 moved from Federal land containing
25 old growth forest or late successional

1 forest unless the Secretary of the In-
2 terior or the Secretary of Agriculture,
3 as appropriate, determines that the
4 removal of organic material from such
5 land is appropriate for the applicable
6 forest type and maximizes the reten-
7 tion of late-successional and large and
8 old growth trees, late-successional and
9 old growth forest structure, and late-
10 successional and old growth forest
11 composition; and

12 “(II) does not apply to biomass
13 removed from Federal land on which
14 the removal of vegetation is prohib-
15 ited, including components of the Na-
16 tional Wilderness Preservation Sys-
17 tem, wilderness study areas, inven-
18 toried roadless areas, components of
19 the National Landscape Conservation
20 System, units of the National Park
21 System, or National Monuments.”.

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