

**AMENDMENT TO H.R. 2454**  
**OFFERED BY MR. BOUSTANY OF LOUISIANA**

Page 14, strike lines 1 through 3 and renumber the following paragraphs accordingly.

Page 15, strike lines 8 through 17 and renumber the following paragraphs accordingly.

Page 18, strike line 13 and all that follows down through line 22 on page 22 and insert:

1           “(14) RENEWABLE BIOMASS.—The term ‘re-  
2           newable biomass’ means—

3                   “(A) materials, pre-commercial thinnings,  
4           or invasive species from National Forest Sys-  
5           tem land and public lands (as defined in section  
6           103 of the Federal Land Policy and Manage-  
7           ment Act of 1976 (43 U.S.C. 1702)) that—

8                           “(i) are byproducts of preventive  
9           treatments that are removed—

10                                   “(I) to reduce hazardous fuels;

11                                   “(II) to reduce or contain disease  
12           or insect infestation; or

13                                   “(III) to restore ecosystem  
14           health;

1                   “(ii) would not otherwise be used for  
2                   higher-value products; and

3                   “(iii) are harvested in accordance  
4                   with—

5                   “(I). applicable law and land  
6                   management plans; and

7                   “(II) the requirements for—

8                   “(aa) old-growth mainte-  
9                   nance, restoration, and manage-  
10                  ment direction of paragraphs (2),  
11                  (3), and (4) of subsection (e) of  
12                  section 102 of the Healthy For-  
13                  ests Restoration Act of 2003 (16  
14                  U.S.C. 6512); and

15                  “(bb) large-tree retention of  
16                  subsection (f) of that section; or

17                  “(B) any organic matter that is available  
18                  on a renewable or recurring basis from non-  
19                  Federal land or land belonging to an Indian or  
20                  Indian tribe that is held in trust by the United  
21                  States or subject to a restriction against alien-  
22                  ation imposed by the United States, including—

23                  “(i) renewable plant material, includ-  
24                  ing—

25                  “(I) feed grains;

1 “(II) other agricultural commod-  
2 ities;

3 “(III) other plants and trees har-  
4 vested in accordance with state water  
5 quality best management practices  
6 and consistent with sustainable man-  
7 agement practices; and

8 “(IV) algae; and

9 “(ii) waste material, including—

10 “(I) crop residue;

11 “(II) other vegetative waste ma-  
12 terial (including wood waste and wood  
13 residues);

14 “(III) animal waste and byprod-  
15 ucts (including fats, oils, greases, and  
16 manure); and

17 “(IV) food waste and yard waste;

18 or

19 “(C) residues or byproducts from wood,  
20 pulp and paper products facilities.”

Page 26, after line 12, insert:

21 “(23) SUSTAINABLE MANAGEMENT PRAC-  
22 TICES.—The term sustainable management practices  
23 means any of the following:

1           “(A) a written harvest plan, that provides  
2           for forest regeneration, developed by a  
3           credentialed forestry professional;

4           “(B) a written forest management plan,  
5           that is equivalent to a forest stewardship plan  
6           (as defined under the Cooperative Forestry As-  
7           sistance Act of 1978 (16 U.S.C. 2103));

8           “(C) state wood biomass harvesting guide-  
9           lines that address water, soil, wildlife and other  
10          on-site resources, if such guidelines exist;

11          “(D) a third-party audited forest certifi-  
12          cation program or similar land management  
13          protocol, including a wood fiber procurement  
14          system that is third-party certified to a stand-  
15          ard specifying responsible procurement prac-  
16          tices; or

17          “(E) other programs and services as deter-  
18          mined by the state forester that achieve sus-  
19          tainable management of biomass using such  
20          regulatory or voluntary policies as may be ap-  
21          propriate; and

22          “(F) in the case of conservation forest  
23          land, additional practices, determined by the  
24          state forester, that help maintain or enhance  
25          ecological conditions of such forests over time.

1           “(24) CONSERVATION FOREST LAND.—The  
2           term ‘conservation forest land’ means a forested eco-  
3           logical community that is not federal land and is  
4           identified by a state forester or equivalent state offi-  
5           cial through a public process as having unique eco-  
6           logical value.”.

Page 9, after line 20, insert:

7   **SEC. 4. ADMINISTRATION OF BIOMASS-RELATED PROVI-**  
8   **SIONS.**

9           The provisions of sections [????] shall be administered  
10 by the Secretary of Agriculture in partnership with the  
11 State forester or equivalent state official in each State.

12 **SEC. 5. INTER-AGENCY BIOMASS SUSTAINABILITY STUDY.**

13           (a) )IN GENERAL.—The Secretary of Agriculture, in  
14 consultation with the Secretary of the Interior shall con-  
15 duct a study that assesses the impacts of biomass har-  
16 vesting for energy production on—

17                   (1) landscape-level water quality, soil produc-  
18                   tivity, wildlife habitat, and biodiversity; and

19                   (2) conservation forest land.

20           (b) TIMING.—The Secretary shall complete the study  
21 required under this paragraph not later than 5 years after  
22 the date of enactment of this subsection, and update the  
23 study not later than every 5 years thereafter.

1 (c) BASIS.—The Secretary shall base the study on the  
2 best available data and science.

3 (d) RECOMMENDATIONS.—The Secretary shall in-  
4 clude in the study such recommendations as are appro-  
5 priate to reduce the impacts described in subsection (a).

6 (e) PUBLIC PARTICIPATION AND AVAILABILITY.—In  
7 carrying out this paragraph, the Secretary shall consult  
8 with States, Indian tribes, and other interested stake-  
9 holders, make available, and seek public comment on, a  
10 draft version of the study results, and make the final study  
11 results available to the public.

Page 34, line 11, strike “(13)” and insert “(11)”.

Page 116, strike line 2 and all that follows down  
through line 16 on page 120 and insert:

12 **SEC. 126. AMENDMENT TO RENEWABLE FUELS STANDARDS.**

13 Section 211(o)(1)(I) of the Clean Air Act (42 U.S.C.  
14 7545(o)(1)(I)) is amended to read as follows:

15 “(I) RENEWABLE BIOMASS.—The term ‘re-  
16 newable biomass’ means—

17 “(i) materials, pre-commercial  
18 thinnings, or invasive species from Na-  
19 tional Forest System land and public lands  
20 (as defined in section 103 of the Federal

1 Land Policy and Management Act of 1976  
2 (43 U.S.C. 1702)) that—

3 “(I) are byproducts of preventive  
4 treatments that are removed—

5 “(aa) to reduce hazardous  
6 fuels;

7 “(bb) to reduce or contain  
8 disease or insect infestation; or

9 “(cc) to restore ecosystem  
10 health;

11 “(II) would not otherwise be used  
12 for higher-value products; and

13 “(III) are harvested in accord-  
14 ance with—

15 “(aa) applicable law and  
16 land management plans; and

17 “(bb) the requirements  
18 for—

19 “(AA) old-growth main-  
20 tenance, restoration, and  
21 management direction of  
22 paragraphs (2), (3), and (4)  
23 of subsection (e) of section  
24 102 of the Healthy Forests

1 Restoration Act of 2003 (16  
2 U.S.C. 6512); and

3 “(BB) large-tree reten-  
4 tion of subsection (f) of that  
5 section; or

6 “(ii) any organic matter that is avail-  
7 able on a renewable or recurring basis  
8 from non-Federal land or land belonging to  
9 an Indian or Indian tribe that is held in  
10 trust by the United States or subject to a  
11 restriction against alienation imposed by  
12 the United States, including—

13 “(I) renewable plant material, in-  
14 cluding—

15 “(aa) feed grains;

16 “(bb) other agricultural  
17 commodities;

18 “(cc) other plants and trees  
19 harvested in accordance with  
20 state water quality best manage-  
21 ment practices and consistent  
22 with sustainable management  
23 practices (as defined in section  
24 610(a)(14) of the Public Utility

1 Regulatory Policies Act of 1978);  
2 and  
3 “(dd) algae; and  
4 “(II) waste material, including—  
5 “(aa) crop residue;  
6 “(bb) other vegetative waste  
7 material (including wood waste  
8 and wood residues);  
9 “(cc) animal waste and by-  
10 products (including fats, oils,  
11 greases, and manure); and  
12 “(dd) food waste and yard  
13 waste; or  
14 “(iii) residues or byproducts from  
15 wood, pulp and paper products facilities.”.

Page 692, strike lines 9 through 12.

Page 693. strike line 13 and all that follows down  
through line 2 on page 694.

Page 696, strike line 15 and all that follows down  
through line 25 on page 699 and insert:

16 “(42) RENEWABLE BIOMASS.—The term ‘re-  
17 newable biomass’ means—  
18 “(A) materials, pre-commercial thinnings,  
19 or invasive species from National Forest Sys-

1           tem land and public lands (as defined in section  
2           103 of the Federal Land Policy and Manage-  
3           ment Act of 1976 (43 U.S.C. 1702)) that—

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5                   treatments that are removed—

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8                           or insect infestation; or

9                           “(III) to restore ecosystem  
10                          health;

11                          “(ii) would not otherwise be used for  
12                          higher-value products; and

13                          “(iii) are harvested in accordance  
14                          with—

15                                  “(I) applicable law and land  
16                                  management plans; and

17                                  “(II) the requirements for—

18    “(aa) old-growth mainte-  
19    nance, restoration, and manage-  
20    ment direction of paragraphs (2),  
21    (3), and (4) of subsection (e) of  
22    section 102 of the Healthy For-  
23    ests Restoration Act of 2003 (16  
24    U.S.C. 6512); and

1                   “(bb) large-tree retention of  
2                   subsection (f) of that section; or  
3                   “(B) any organic matter that is available  
4                   on a renewable or recurring basis from non-  
5                   Federal land or land belonging to an Indian or  
6                   Indian tribe that is held in trust by the United  
7                   States or subject to a restriction against alien-  
8                   ation imposed by the United States, including—  
9                   “(i) renewable plant material, includ-  
10                  ing—  
11                  “(I) feed grains;  
12                  “(II) other agricultural commod-  
13                  ities;  
14                  “(III) other plants and trees har-  
15                  vested in accordance with state water  
16                  quality best management practices  
17                  and consistent with sustainable man-  
18                  agement practices (as defined in sec-  
19                  tion 610(a)(14) of the Public Utility  
20                  Regulatory Policies Act of 1978); and  
21                  “(IV) algae; and  
22                  “(ii) waste material, including—  
23                  “(I) crop residue;

1                   “(II) other vegetative waste ma-  
2                   terial (including wood waste and wood  
3                   residues);

4                   “(III) animal waste and byprod-  
5                   ucts (including fats, oils, greases, and  
6                   manure); and

7                   “(IV) food waste and yard waste;  
8                   or

9                   “(C) residues or byproducts from wood,  
10                  pulp and paper products facilities.”.

