Amendment to Rules Committee Print 116-63

Offered by Mr. LaMalfa of California

Add at the end of title II the following:

Subtitle G—Biomass

SEC. 201. BIOMASS ENERGY INFRASTRUCTURE PROGRAM.

(a) Definitions.—In this section:

(1) Area of economic need.—The term “area of economic need” has the meaning given the term “qualified opportunity zone” in section 1400Z–1(a) of the Internal Revenue Code of 1986.

(2) Biomass.—The term “biomass” means slash, thinnings, or invasive species from National Forest System land and public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)) that—

(A) are byproducts of preventive treatments that are removed—

(i) to reduce hazardous fuels;

(ii) to reduce or contain disease or insect infestation; or

(iii) to restore ecosystem health;
(B) are byproducts of wildfire fuel treatments;

(C) would not otherwise be used for higher-value products; and

(D) are harvested—

(i) in accordance with applicable law and land management plans;

(ii) in accordance with the requirements for—

(I) old-growth maintenance, restoration, and management direction under paragraphs (2), (3), and (4) of subsection (c) of section 102 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6512); and

(II) large tree retention under subsection (f) of that section; and

(iii) in a manner that retains a minimum quantity of coarse woody debris for habitat, nutrient recycling, and soil conservation.

(3) BIOSMAS CONVERSION FACILITY. — The term “biomass conversion facility” means a facility that converts or proposes to convert biomass, including through gasification, into—
(A) heat;
(B) power;
(C) biobased products;
(D) advanced biofuels; or
(E) any combination of the outputs described in subparagraphs (A) through (D).

(4) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a business;
(B) a limited liability company;
(C) a cooperative or an entity with a business arrangement similar to a cooperative, as determined by the Secretary;
(D) a nonprofit organization; and
(E) a public entity.

(5) HIGH HAZARD ZONE.—The term “high hazard zone” means an area identified as being at high risk of wildfire—

(A) through the use of a fire hazard mapping tool; and
(B) by—

(i) the Secretary; and
(ii) the Governor of the State in which the area is located.
(6) PROGRAM.—The term “program” means the program established under subsection (b).

(7) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(b) PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program to provide grants, direct loans, and loan guarantees to eligible entities—

(1) to establish a biomass conversion facility;

(2) to expand the infrastructure of a biomass conversion facility;

(3) to make infrastructure or technological changes to a biomass conversion facility; or

(4) to remove, harvest, and transport dead or dying trees and small diameter low-value trees.

(e) GRANT AMOUNT.—

(1) IN GENERAL.—The amount of a grant awarded under the program shall be based on—

(A) in the case of a grant for an activity described in paragraphs (1) through (3) of subsection (b), the number of kilowatt hours of energy generated by the biomass conversion facility; and

(B) in the case of a grant for an activity described in paragraph (4) of that subsection,
the contribution of the activity to reducing the risk of wildfire in high hazard zones.

(2) MAXIMUM PAYMENT.—An eligible entity shall not receive more than $750,000 in grant funds under the program in a single calendar year.

(d) PRIORITIES.—In awarding a grant, direct loan, or loan guarantee under the program, the Secretary shall give priority to an eligible entity that—

(1) seeks to remove dead or dying trees and small diameter low-value trees;

(2) seeks to locate a biomass conversion facility in—

(A) an area of economic need; or

(B) an area in which there has been a decline in forest occupation, as determined by the Secretary; or

(3) is a small business, as determined by the Administrator of the Small Business Administration.

(e) GRANT MATCHING REQUIREMENT.—Each eligible entity that receives a grant under the program shall provide an amount equal to 50 percent of the amount of the grant to carry out the activities supported by the grant.
(f) FUNDING.—There is authorized to be appropriated to the Secretary $100,000,000 to award grants under the program, to remain available until expended.