INFORMATION SHARING ONLY

Renewable Fuel Standard

- Four forest feedstock categories
- Historical engagement with EPA
- Public comment opportunity

Congress

- Created the RFS Program through the Energy Policy Act of 2005.
- Further expanded it in the Energy Independence and Security Act of 2007.

Renewable Fuel Standard Progra

epa.gov/renewable-fuel-standard-program

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Renewable Fuel Standard Program

Congress created the renewable fuel standard (RFS) program to reduce greenhouse gas emissions and expand the nation's renewable fuels sector while reducing reliance on imported oil. This program was authorized under the Energy Policy Act of 2005 and expanded under the Energy Independence and Security Act of 2007.

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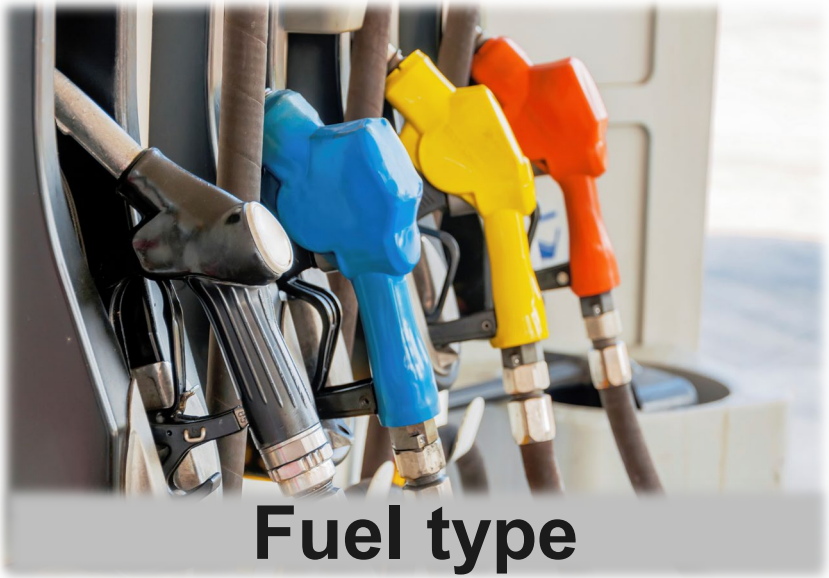
3 components to a renewable fuel pathway

Feedstock

Production process



Fuel type

Public Comment

- Changes to the RFS program – referring to 2010 Rule.
- **“Program enhancements to increase the use of qualifying woody-biomass to produce renewable transportation fuel.”**
- (1) Biomass in areas of risk of wildfire; and (2) Manufacturing residues.

"(i) Planted crops and crop residue harvested from agricultural land cleared or cultivated at any time prior to the enactment of this sentence that is either actively managed or fallow, and nonforested.

"(ii) Planted trees and tree residue from actively managed tree plantations on non-federal land cleared at any time prior to enactment of this sentence, including land belonging to an Indian tribe or an Indian individual, that is held in trust by the United States or subject to a restriction against alienation imposed by the United States.

"(iii) Animal waste material and animal byproducts.

"(iv) Slash and pre-commercial thinnings that are from non-federal forestlands, including forestlands belonging to an Indian tribe or an Indian individual, that are held in trust by the United States or subject to a restriction against alienation imposed by the United States, but not forests or forestlands that are ecological communities with a global or State ranking of critically imperiled, imperiled, or rare pursuant to a State Natural Heritage Program, old growth forest, or late successional forest.

"(v) Biomass obtained from the immediate vicinity of buildings and other areas regularly occupied by people, or of public infrastructure, at risk from wildfire.

"(vi) Algae.

"(vii) Separated yard waste or food waste, including recycled cooking and trap grease.

These are statutory definitions – that is, this is the law that EPA must follow.

Four "Renewable Biomass" categories associated with forestry feedstock:

#1	*Planted trees and tree residue (plantation)*	*Non-federal lands only*
#2 and #3	*Slash and pre-commercial thinnings*	*Non-federal lands only.*
#4	*Biomass from areas at risk from wildfire*	***Federal*** *or non-federal lands*

EISA statutory definition:

Biomass obtained from the immediate vicinity of buildings and other areas regularly occupied by people, or of public infrastructure, at risk from wildfire.

EISA - Energy Independence and Security Act of 2007. 42 USC 17001.

USDA Forest Service
U.S. DEPARTMENT OF AGRICULTURE

Renewable Fuel Standard

Biomass in Certain Areas at Risk of Wildfire

Kristen Bergstrand
National Forest System Biomass Coordinator

6/26/25

Forest Service RFS Work

Biomass Obtained from Certain Areas at Risk of Wildfire, 40 CFR part 80: 40 CFR 80.2 Definitions
Current Rule Language

40 CFR 80.2 Definitions

- Renewable biomass means each of the following (including any incidental, de minimis contaminants that are impractical to remove and are related to customary feedstock production and transport):

(5) Biomass (organic matter that is available on a renewable or recurring basis) obtained from within 200 feet of buildings and other areas regularly occupied by people, or of public infrastructure, in an area at risk of wildfire.

- Areas at risk of wildfire are those areas in the ‘‘wildland-urban interface’’, where humans and their development meet or intermix with wildland fuel. Note that, for guidance, the SILVIS laboratory at the University of Wisconsin maintains a website that provides a detailed map of areas meeting this criteria at: www.silvis.forest.wisc.edu/projects/US_WUI_2000.asp. The SILVIS laboratory is located at 1630 Linden Drive, Madison, Wisconsin 53706 and can be contacted at (608) 263–4349.

FS Documentation Provided to EPA “Biomass in Certain Areas at Risk of Wildfire”

FS has provided EPA with:

- **Latest Wildfire Science research** Publication showing (1.5 mi. fire branding distance to infrastructure) in the Wildfire transition zone.
- **6 recent life-cycle assessments** that have been done for wood waste and wood energy products.
- **Maps** of Wildfire Crisis Strategy Landscapes, High Risk Firesheds, Municipal Supply Watersheds and Wildfire Hazard Potential, including supporting wildfire risk science.
- **Documentation showing wildland urban interface maps do not represent “wildfire risk”** rather proximity of undeveloped land to populations and housing densities “
  - Wildland Urban Interface is the area where land that has been developed by humans, meets land that is unoccupied and undeveloped”.

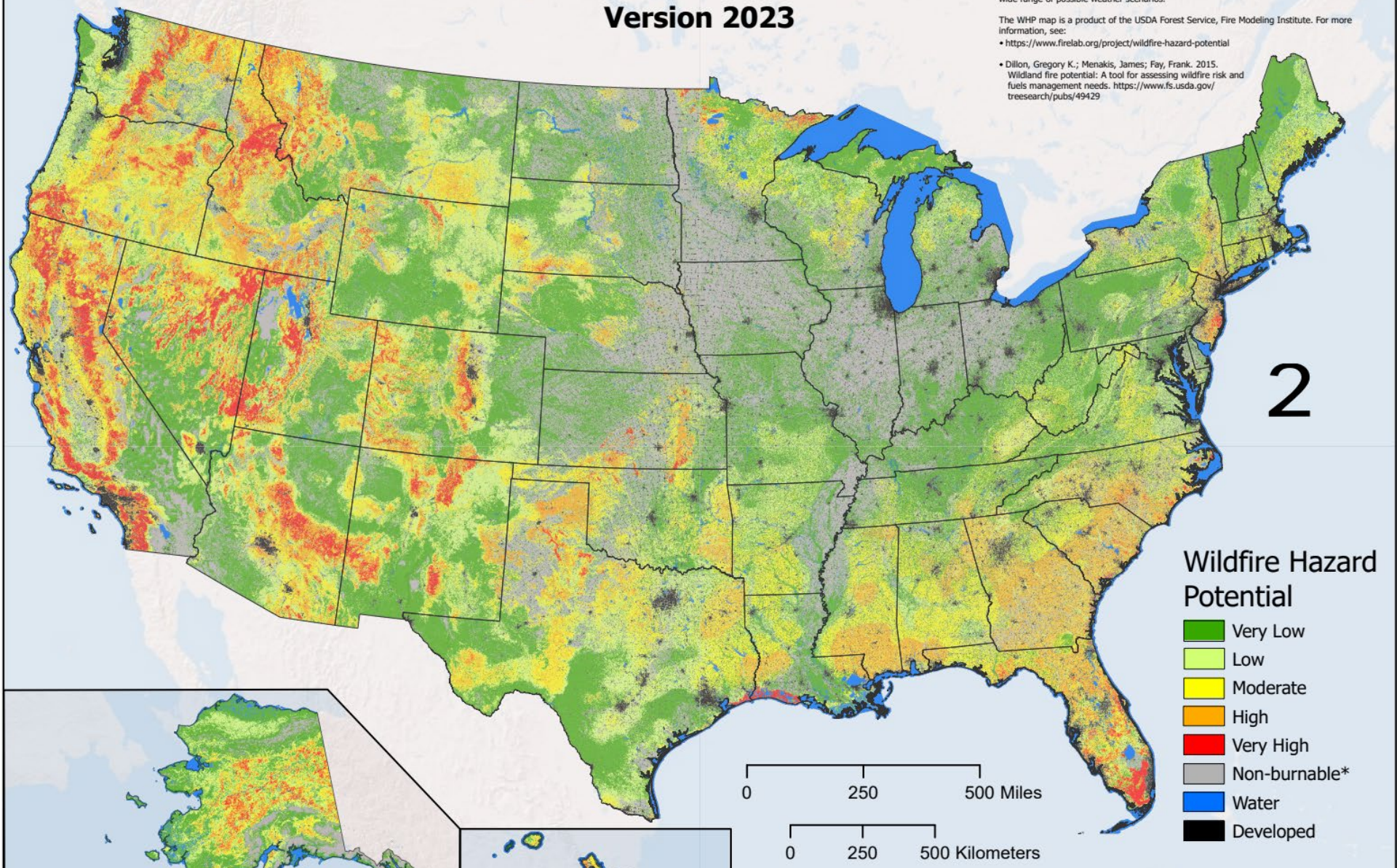
Wildfire Hazard Potential

Version 2023

The wildfire hazard potential (WHP) map is a raster geospatial product that can help to inform evaluations of wildfire risk or prioritization of fuels management needs across very large spatial scales. The specific objective of the WHP map is to depict the relative potential for high intensity wildfire that may be difficult to manage. This 2023 version is based on landscape conditions at the end of 2020 and wildfire simulation modeling that incorporates a wide range of possible weather scenarios.

The WHP map is a product of the USDA Forest Service, Fire Modeling Institute. For more information, see:

- https://www.firelab.org/project/wildfire-hazard-potential
- Dillon, Gregory K.; Menakis, James; Fay, Frank. 2015. Wildland fire potential: A tool for assessing wildfire risk and fuels management needs. https://www.fs.usda.gov/treesearch/pubs/49429



Dillon, Gregory K. 2023. Wildfire Hazard Potential for the United States, version 2023 (270m). 4th Edition. Fort Collins, CO: Forest Service Research Data Archive. https://doi.org/10.2737/RDS-2015-0047-4.

* non-burnable agricultural fields, perennial snow/ice, and bare ground

USDA FOREST SERVICE

Manufacturing residues

- Typically generated at facilities that take diverse feedstock.
- EPA approach to date: Any amount of ineligible feedstock renders residues ineligible.

Renewable Fuel Standard

Top 4 Agency Priorities for Years

1. Biomass from areas at risk of wildfire
2. Sawmill/manufacturing residuals
3. Biomass power sector
4. Slash & pre-commercial thinnings

Biofuels industry stakeholders

ENSYN

The only major facility using forestry residues to participate in RFS. Opened in 2006.

RED ROCK BIOFUELS

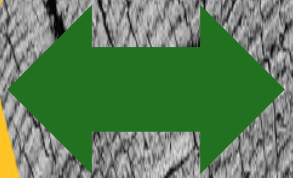
Foreclosure auction after roughly 75% construction completed.

BIOMASS POWER ASSOCIATION

EPA proposes to exclude all electricity from the RFS, which would exclude biomass power.

Strategic Biofuels Practical Guide

Cooperative agreement with Strategic Biofuels



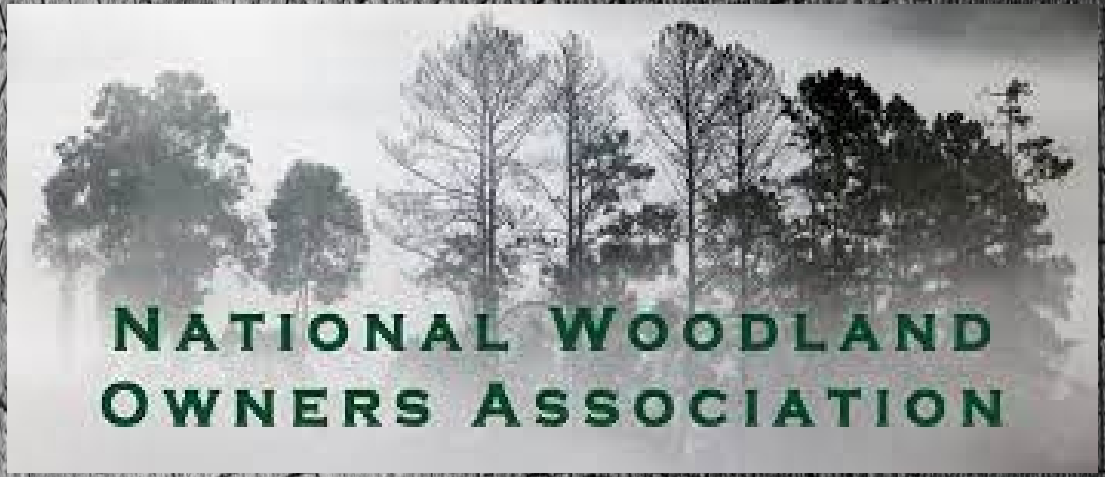
STRATEGIC BIOFUELS

weaver

Assurance • Tax • Advisory

Strategic Biofuels Practical Guide

Advisory Team



Timeline

- EPA public hearing on July 8, 2025
- Deadline for public comments Aug. 8, 2025
- Finalize rule by Oct. 31, 2025.

Please contact me with any questions

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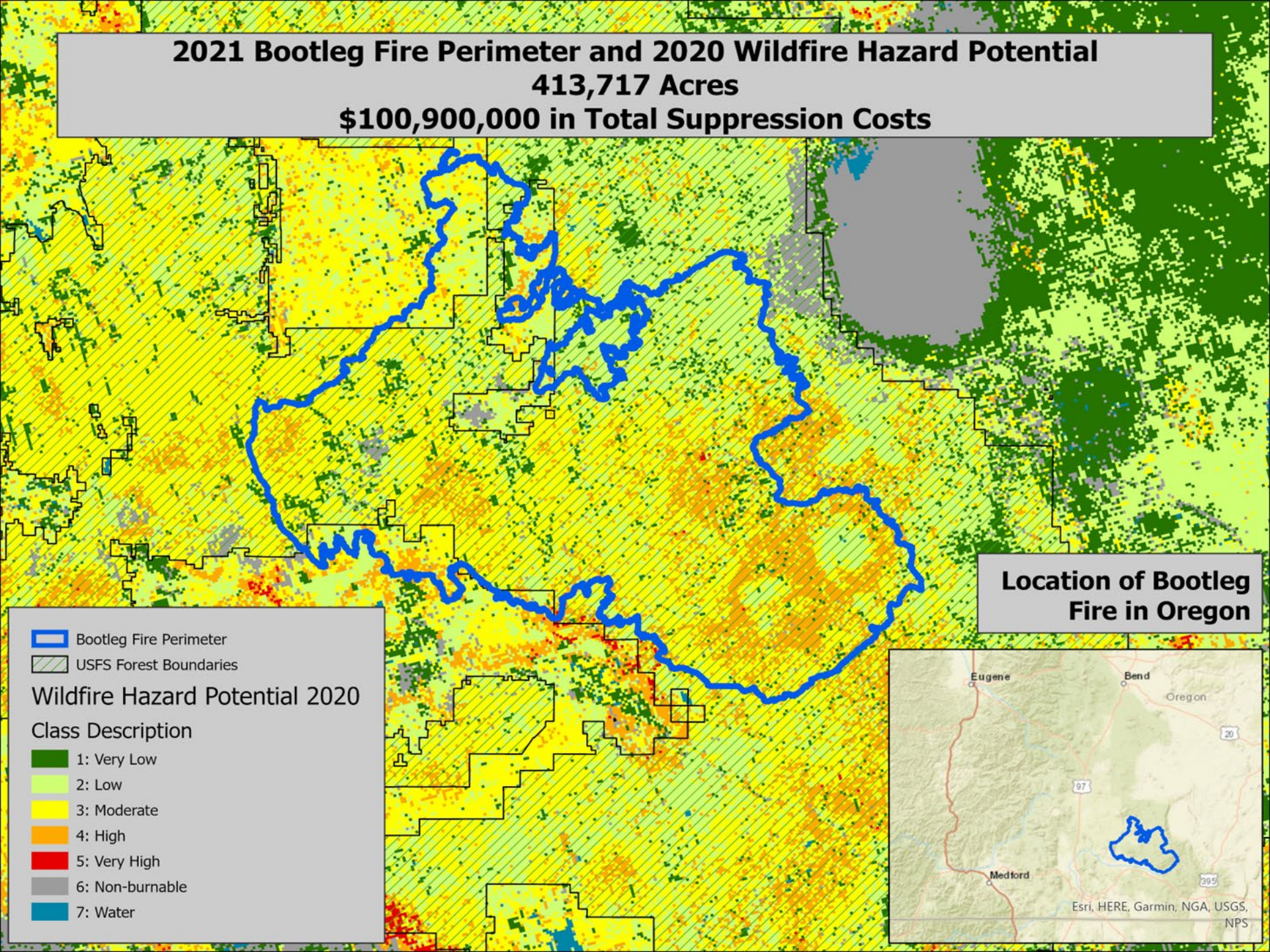
Forest Service

U.S. DEPARTMENT OF AGRICULTURE

2021 Bootleg Fire Perimeter and 2020 Wildfire Hazard Potential
413,717 Acres
$100,900,000 in Total Suppression Costs



Moderate, High, or Very High Wildfire Hazard Potential

- 58% of National Forest System lands.
  98,900,000 acres!

- 17% of non-federal lands.
  238,310,000 acres!