

# FINAL BILL REPORT

## HB 2165

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**C 163 L 09**  
Synopsis as Enacted

**Brief Description:** Authorizing the department of natural resources to conduct a forest biomass energy demonstration project.

**Sponsors:** Representatives Van De Wege, Haler, Blake, Kretz, McCoy, Hinkle, Ormsby, Nelson, Eddy, Hasegawa, Takko, Chase, Kenney, Warnick and Morrell; by request of Department of Natural Resources.

**House Committee on Technology, Energy & Communications**  
**House Committee on General Government Appropriations**  
**Senate Committee on Natural Resources, Ocean & Recreation**

### **Background:**

The Department of Natural Resources (Department) manages 5.6 million acres of forest, range, agricultural, aquatic, and commercial lands for the people of Washington. Much of this land (3 million acres) is state trust land that provides revenue to help pay for construction of public schools, universities, and other state institutions, and funds services in many counties.

There are three primary sources of woody biomass in Washington. Wood products residue is the wood waste generated at sawmills and wood products mills. Urban wood waste includes discarded wood and yard debris. Forest biomass is residual biomass material generated from logging or thinning activities on forests.

Tree tops, limbs, and cull material left over from logging activity represents a large potential resource for biomass energy.

### **Summary:**

The Department may develop and implement forest biomass energy demonstration projects (demonstration projects), one east of the crest of the Cascade mountains and one west of the crest of the Cascade mountains.

The demonstration projects must be designed to: (1) reveal the utility of Washington's public and private forest biomass feedstocks; (2) create green jobs; (3) generate renewable energy;

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(4) generate revenues or improve asset values for beneficiaries of state lands and state forest lands; (5) improve forest health; (6) reduce pollution; and (7) restore ecological function. In designing the demonstration project, the Department must avoid interfering with the current working area for forest biomass collection surrounding an existing fixed location biomass energy production site.

To develop and implement the demonstration projects, the Department may form forest biomass energy partnerships or cooperatives. The forest biomass energy partnerships or cooperatives are encouraged to be public-private partnerships focused on convening the entities necessary to grow, harvest, process, transport, and utilize forest biomass to generate renewable energy. Particular focus must be given to recruiting and employing emerging technologies that can locally process forest biomass feedstock to create local green jobs and reduce transportation costs.

The forest biomass energy partnerships or cooperatives may include, but are not limited to: (1) entrepreneurs or organizations developing and operating emerging technology to process forest biomass; (2) industrial electricity producers; (3) contractors; (4) tribes; (5) federal land management agencies; (6) county, city, and other local governments; (7) the Department of Community, Trade and Economic Development; (8) state trust land managers; (9) an organization dedicated to protecting and strengthening the jobs, rights, and working conditions of Washington's working families; (10) accredited research institutions; (11) an industrial timber land manager; (12) a small forest landowner; and (13) a not-for-profit conservation organization.

The Department is authorized to seek grants or financing from the federal government, industry, or philanthropists for the purpose of the demonstration projects.

#### Report to the Legislature.

By December 2010, the Department must provide a progress report to the Legislature regarding its efforts to develop, implement, and evaluate forest biomass energy demonstration projects and any other Department initiatives related to forest biomass.

The report may include an evaluation of:

- the status of the Department's abilities to secure funding, partners, and other resources for the demonstration projects;
- the status of the demonstration projects resulting from the Department's efforts;
- the status and, if applicable, additional needs of forest landowners within the demonstration project areas for estimating sustainable forest biomass yields and availability;
- forest biomass feedstock supply and forest biomass market demand barriers, and how they can best be overcome, including actions by the Legislature and the U.S. Congress; and
- sustainability measures that may be instituted by the state to ensure that an increasing demand for forest biomass feedstocks does not impair public resources or the ecological conditions of forests.

#### Definition.

"Forest biomass" means the byproducts of: (1) current forest practices prescribed or permitted under chapter 76.09 RCW; (2) current forest protection treatments prescribed or permitted under chapter 76.04 RCW; or (3) the byproducts of forest health treatments prescribed or permitted under chapter 76.06 RCW. Forest biomass does not include wood pieces that have been treated with chemical preservatives such as: (1) creosote, pentachlorophenol, or copper-chrome-arsenic; (2) wood from old growth forests, except wood removed for forest health treatments under chapter 76.06 RCW; (3) wood required by chapter 76.04 RCW for large woody debris recruitment; or (4) municipal solid waste.

**Votes on Final Passage:**

House	96	0	
Senate	44	0	(Senate amended)
House	96	0	(House concurred)

**Effective:** July 26, 2009