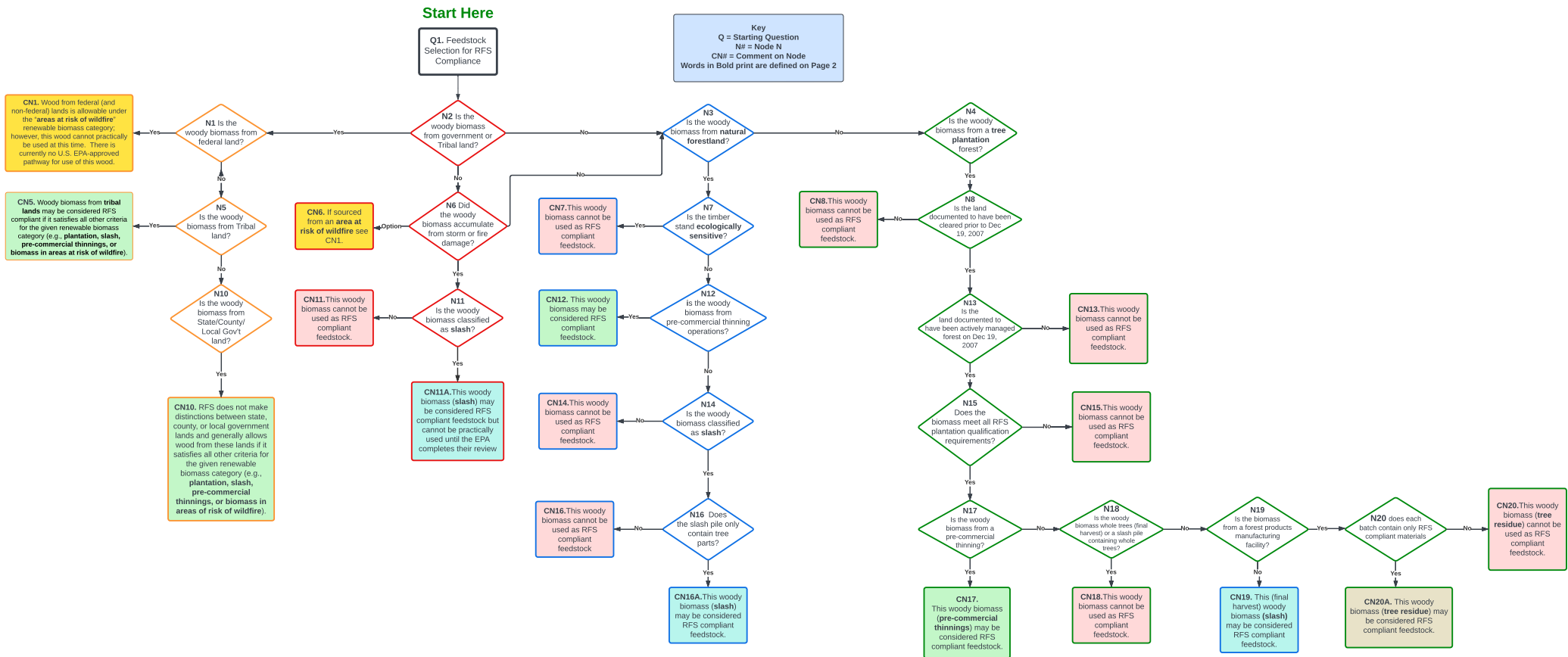


RFS Woody Biomass Compliant Feedstock Flowchart



Disclaimer

This document is for **general guidance only**, and is not exhaustive or comprehensive. Those planning on using forestry feedstocks for fuel production under the Renewable Fuel Standard are encouraged in the early stages of project development to work directly with the U.S. EPA and third-party compliance auditors to assess qualification and required documentation of their specific intended feedstock. Neither Strategic Biofuels nor the U.S. Forest Service is responsible for decisions made by any organization based on the information presented in this document, which represents a perspective as of December 1, 2023. **Note:** Biomass from areas at risk of wildfire could become more readily eligible in the future if there is legislative action and/or U.S. EPA issues a rulemaking to clarify and/or expand the acceptability of this renewable biomass category.

40 CFR §80.2 RFS Definitions related to woody biomass in alphabetic order

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 previously maintained a Web site that provided a detailed map of areas meeting this criteria, however this website is no longer available. For more information regarding areas at risk of wildfire please see the following links:

[The wildland-urban interface in the United States | US Forest Service Research and Development \(usda.gov\)](#) ; [What is the WUI? \(fema.gov\)](#) ; [Wildland–urban interface - Wikipedia](#); [WUI Definitions | NIST](#) ; [FHT_Fall2008.qxd \(foresthistor.org\)](#)

Ecologically sensitive forestland means forestland that meets either of the following criteria:

- (1) An ecological community with a global or state ranking of critically imperiled, imperiled or rare pursuant to a State Natural Heritage Program. For examples of such ecological communities, see “Listing of Forest Ecological Communities Pursuant to 40 CFR 80.1401; S1-S3 communities,” which is number EPA-HQ-OAR-2005-0161-1034.1 in the public docket, and “Listing of Forest Ecological Communities Pursuant to 40 CFR 80.1401; G1-G2 communities,” which is number EPA-HQ-OAR-2005-0161-2906.1 in the public docket. This material is available for inspection at the EPA Docket Center, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington DC. The telephone number for the Air Docket is (202) 566-1742.
- (2) Old growth or late successional, characterized by trees at least 200 years in age.

Forestland is generally undeveloped land covering a minimum area of 1 acre upon which the primary vegetative species are trees, including land that formerly had such tree cover and that will be regenerated and tree plantations. Tree-covered areas in intensive agricultural crop production settings, such as fruit orchards, or tree-covered areas in urban settings, such as city parks, are not considered forestland.

Pre-commercial thinnings are trees, including unhealthy or diseased trees, removed to reduce stocking to concentrate growth on more desirable, healthy trees, or other vegetative material that is removed to promote tree growth.

Slash is the residue, including treetops, branches, and bark, left on the ground after logging or accumulating as a result of a storm, fire, delimiting, or other similar disturbance.

Tree plantation is a stand of no less than 1 acre composed primarily of trees established by hand- or machine-planting of a seed or sapling, or by coppice growth from the stump or root of a tree that was hand- or machine-planted. Tree plantations must have been cleared prior to December 19, 2007 and must have been actively managed on December 19, 2007, as evidenced by records which must be traceable to the land in question, which must include [one of the following¹]:

¹ Inserted for clarity by Weaver

- (1) Sales records for planted trees or tree residue together with other written documentation connecting the land in question to these purchases;
- (2) Purchasing records for seeds, seedlings, or other nursery stock together with other written documentation connecting the land in question to these purchases;
- (3) A written management plan for silvicultural purposes;
- (4) Documentation of participation in a silvicultural program sponsored by a Federal, state or local government agency;
- (5) Documentation of land management in accordance with an agricultural or silvicultural product certification program;
- (6) An agreement for land management consultation with a professional forester that identifies the land in question; or
- (7) Evidence of the existence and ongoing maintenance of a road system or other physical infrastructure designed and maintained for logging use, together with one of the above-mentioned documents.

Tree residue is slash and any woody residue generated during the processing of planted trees from tree plantations for use in lumber, paper, furniture, or other applications, provided that such woody residue is not mixed with similar residue from trees that do not originate in tree plantations.

Tribal lands are those lands belonging to an Indian tribe, Indian business, or an Indian individual that is held in trust by the U.S. or subject to a restriction against alienation imposed by the U.S.

Other useful definitions

Biomass-based diesel means a renewable fuel that has lifecycle greenhouse gas emissions that are at least 50 percent less than baseline lifecycle greenhouse gas emissions and meets all of the requirements of paragraph (1) of this definition:

(1)

(i) Is a transportation fuel, transportation fuel additive, heating oil, or jet fuel.

(ii) Meets the definition of either biodiesel or non-ester renewable diesel.

(iii) Is registered as a motor vehicle fuel or fuel additive under [40 CFR part 79](#), if the fuel or fuel additive is intended for use in a motor vehicle.

(2) Renewable fuel produced from renewable biomass that is co-processed with petroleum is not biomass-based diesel.

Cellulosic biofuel means renewable fuel derived from any cellulose, hemi-cellulose, or lignin that has lifecycle greenhouse gas emissions that are at least 60 percent less than the baseline lifecycle greenhouse gas emissions.

Cellulosic diesel is any renewable fuel which meets both the definitions of cellulosic biofuel and biomass-based diesel. Cellulosic diesel includes heating oil and jet fuel produced from cellulosic feedstocks.