

“Biomass” is any organic material including:

- (a) Materials, pre-commercial thinnings, or invasive species from US Forest Service, National Forest System lands, Department of Interior, Bureau of Land Management, Department of Defense lands or public lands (as defined by federal law) that:
 - (i) are byproducts of preventive treatments or removed:
 - (A) to reduce hazardous fuels;
 - (B) to reduce or contain disease or insect infestation; or
 - (C) to restore ecosystem health and resiliency; and
 - (ii) are harvested in accordance with applicable forest management laws, rules and regulations, and
- (b) From private land, non-Federal land or land belonging to a Native American or Native Tribe that is held in trust by the United States or subject to a restriction against alienation imposed by the United States, including:
 - (i) residual materials, including
 - (A) crop residue;
 - (B) other vegetative materials and oils (including wood waste and wood residues);
 - (C) animal waste, bedding materials, and byproducts (including fats, oils, greases, and manure); and
 - (D) the biogenic fraction of municipal materials including all residuals segregated, after reasonably practicable efforts, from waste material, food waste, yard waste, and waste water treatment plant biosolids; or
 - (ii) plant materials, including
 - (A) grains;
 - (B) other agricultural products;
 - (C) trees harvested in accordance with applicable forest management laws, rules and regulations;
 - (D) other plants; and
 - (E) algae, aquatic plants and byproducts (including oils).