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Last Minute Amendments Could Keep Biomass Facilities Running

Early Wednesday morning, Senate Bill 859, a budget trailer bill originally applying to drinking water and water rights, was amended to include provisions that place requirements on utilities to keep existing in-state biomass facilities open and help with mitigation of dead and dying trees in the State's high hazard tree mortality areas.

The bill requires utilities to procure 125 megawatts of generating capacity from already existing, in-state biomass facilities that were operating before June 1, 2013 through five-year contracts. At least 80 percent of the feedstock (annually) from an eligible facility must be a byproduct of sustainable forest management practices, which includes the removal of dead and dying trees from Tier 1 and Tier 2 high hazard tree mortality zones.

While many stakeholders who have been working on the tree mortality and biomass front supported the provisions in the bill, utilities and environmental groups were not so quick to praise the amended bill. Utilities expressed displeasure at having to pass costs onto ratepayers for energy that wouldn't be used statewide, while environmental groups feared that not only would older, less clean biomass facilities benefit from the bill, but that healthy trees would be sacrificed in order to provide feedstock for the facilities to continue operating. The bill was one of the last items to pass the Legislature on Wednesday night as it waited for the final votes needed to pass in the Senate. SB 859 now awaits the Governor's signature.

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