

109TH CONGRESS
2^D SESSION

H. R. 5756

To provide additional authority to the Secretary of Agriculture and the Secretary of the Interior to implement hazardous fuel reduction projects in the State of Colorado in response to dangerous fuel levels and insect infestations in forested Federal land in Colorado, to extend the maximum duration of stewardship contracts carried out in Colorado, to amend the Internal Revenue Code of 1986 to extend the credit for electricity produced from biomass, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2006

Mr. BEAUPREZ introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Resources, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide additional authority to the Secretary of Agriculture and the Secretary of the Interior to implement hazardous fuel reduction projects in the State of Colorado in response to dangerous fuel levels and insect infestations in forested Federal land in Colorado, to extend the maximum duration of stewardship contracts carried out in Colorado, to amend the Internal Revenue Code of 1986 to extend the credit for electricity produced from biomass, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
 5 “Colorado Emergency Wildfire and Insect Infestations Re-
 6 sponse Act of 2006”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
 8 this Act is as follows:

Sec. 1. Short title and table of contents.

Sec. 2. Implementation of hazardous fuel reduction projects in Colorado in re-
 sponse to dangerous forest fuel levels and insect infestations.

Sec. 3. Extension of authorized maximum duration of stewardship contracts
 carried out in Colorado.

Sec. 4. Expansion of Forest Service Fuels for Schools program to include Colo-
 rado.

Sec. 5. Extension of credit for electricity produced from biomass.

9 **SEC. 2. IMPLEMENTATION OF HAZARDOUS FUEL REDUC-**
 10 **TION PROJECTS IN COLORADO IN RESPONSE**
 11 **TO DANGEROUS FOREST FUEL LEVELS AND**
 12 **INSECT INFESTATIONS.**

13 Section 104 of the Healthy Forests Restoration Act
 14 of 2003 (16 U.S.C. 6514) is amended by adding at the
 15 end the following new subsection:

16 “(i) **TEMPORARY ALTERNATIVE ANALYSIS PROCESS**
 17 **FOR PROJECTS IN COLORADO.**—

18 “(1) **PROPOSED AGENCY ACTION.**—For an au-
 19 thorized hazardous fuel reduction project that is pro-
 20 posed to be conducted on Federal land in Colorado,
 21 the Secretary is not required to study, develop, or

1 describe any alternative to the proposed agency ac-
2 tion in the environmental assessment or environ-
3 mental impact statement prepared pursuant to sec-
4 tion 102(2) of the National Environmental Policy
5 Act of 1969 (42 U.S.C. 4332(2)).

6 “(2) DURATION.—Paragraph (1) shall apply
7 during the 10-year period beginning on the date of
8 the enactment of the Colorado Emergency Wildfire
9 and Insect Infestations Response Act of 2006.”.

10 **SEC. 3. EXTENSION OF AUTHORIZED MAXIMUM DURATION**
11 **OF STEWARDSHIP CONTRACTS CARRIED OUT**
12 **IN COLORADO.**

13 Section 347(c) of the Department of the Interior and
14 Related Agencies Appropriations Act, 1999 (as contained
15 in section 101(e) of division A of Public Law 105–277;
16 16 U.S.C. 2104 note), is amended by adding at the end
17 the following new paragraph:

18 “(6) LONGER TERM FOR PROJECTS IN COLO-
19 RADO.—Notwithstanding paragraph (2), an agree-
20 ment or contract under subsection (a) to be carried
21 out in Colorado may have a term of up to 20 years.
22 The Forest Service or the Bureau of Land Manage-
23 ment may extend the term of an agreement or con-
24 tract entered into before the date of the enactment
25 of the Colorado Emergency Wildfire and Insect In-

1 festations Response Act of 2006 to be carried out in
2 Colorado, with the consent of the other party or par-
3 ties to the agreement or contract, to reflect the
4 longer term authorized by this paragraph.”.

5 **SEC. 4. EXPANSION OF FOREST SERVICE FUELS FOR**
6 **SCHOOLS PROGRAM TO INCLUDE COLORADO.**

7 (a) EXPANSION.—The Secretary of Agriculture, act-
8 ing through the State and Private Forestry Division of
9 the Forest Service, shall expand the Fuels for Schools pro-
10 gram to include the State of Colorado.

11 (b) GRANTS.—The Secretary is authorized to make
12 grants in the total amount of \$5,000,000 each fiscal year
13 to carry out the Fuels for Schools program in Colorado.

14 (c) DURATION.—This section shall apply during the
15 five-year period beginning on the date of the enactment
16 of the Colorado Emergency Wildfire and Insect Infesta-
17 tions Response Act of 2006.

18 **SEC. 5. EXTENSION OF CREDIT FOR ELECTRICITY PRO-**
19 **DUCTION FROM BIOMASS.**

20 (a) IN GENERAL.—Clause (i) of section 45(d)(3)(A)
21 of the Internal Revenue Code of 1986 (relating to open-
22 loop biomass facilities) is amended by striking “January
23 1, 2008” both places it appears and inserting “January
24 1, 2010”.

1 (b) BIOMASS ELIGIBLE FOR FULL CREDIT RATE.—
2 Subparagraph (A) of section 45(b)(4) (relating to credit
3 rate) is amended by striking “(3),”.

4 (c) EFFECTIVE DATES.—

5 (1) The amendment made by subsection (a)
6 shall take effect the date of the enactment of this
7 Act.

8 (2) The amendment made by subsection (b)
9 shall apply to electricity produced and sold after the
10 date of the enactment of this Act in taxable years
11 ending after such date.

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