

10589 S. HIGHWAY 95
P. O. BOX 671
COEUR d'ALENE ID 83816-0671



PHONE (208) 667-6473
TOLL FREE (800) 632-8743
FAX (208) 667-2144
E-MAIL: alc@idahologgers.com

August 26, 2019

Mark Boyle
Smoke Management Supervisor
DEQ Coeur d'Alene Regional Office
2110 Ironwood Parkway
Coeur d'Alene, ID 83814
paula.wilson@deq.idaho.gov

RE: DEQ Preliminary draft rule - Rules for the Control of Air Pollution in Idaho/prescribed burning,
Docket No. 58-0101-1901

Dear Mr. Boyle,

Thank you for this opportunity to submit comments on the proposal referenced above. The Associated Logging Contractors of Idaho (ALC) is a non-profit trade association representing 481 member businesses in Idaho. Our members are logging, equipment, and wood products hauling contractors located across Idaho. Our members harvest timber in Idaho's forests. Idaho law requires that material generated during the harvest of timber – slash – be treated in order to minimize the danger of wildfire. Our logging contractors are held responsible for treating this slash. It is with this background that we are participating in this process and submitting these comments.

The ALC respectfully requests that the DEQ discontinue this rulemaking process at this time. We believe that DEQ has not adequately conferred with their fellow state agency the Idaho Dept. of Lands which is the state agency legally responsible for the Idaho Forest Practices Act, the oversight of slash treatment, and wildfire management and response. Further, we believe that the DEQ has not acknowledged or adequately addressed the conflict between the proposed rule and the legal requirement that slash be treated. We are also concerned that there is no proposal for carrying out the 'smoke management' training requirements indicated by the proposed tiers of major and minor burners nor an evaluation of the costs to putting a framework in place nor the regulatory cost and burden placed upon those who will be compelled to participate.

And finally, the ALC has not received any response to the comments submitted on June 24, 2019. For the record and repeated here those comments were as follows:

"We wish clarification on two items.

1. In DEQ's powerpoint from the June 20, 2019 presentation there is a statement that indicates that reports have been made to DEQ with "concerns about the health impact caused from prescribed fire smoke." What data does DEQ have that distinguishes "prescribed fire smoke" from that of wildfires or other fires?
2. What is DEQ's definition of "prescribed fire"? What types of burning does this term contain? What are excluded?"

We ask these questions again and await DEQ's response.

For the reasons outlined above, and to repeat, the ALC respectfully asks that the DEQ discontinue this rulemaking process in order to bring the Idaho Dept. of Lands and other affected parties to the discussion table and to more fully examine the issues.

Thank you for your time and consideration.

Sincerely,


Shawn Keough
Executive Director

cc: John Tippetts, Director, Idaho Dept. of Environmental Quality
Sam J. Eaton, Office of Governor Little
Jerry Deckard, CapitolWest Public Policy