



RILEY STEGNER AND ASSOCIATES

August 29, 2019

Mark Boyle
Smoke Management Supervisor
DEQ Coeur d'Alene Regional Office
2110 Ironwood Parkway
Coeur d'Alene, ID 83814
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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 the opportunity to comment on the Idaho Department of Environmental Quality's (DEQ) preliminary draft rule regarding the DEQ Negotiated Rulemaking - Rules for the Control of Air Pollution in Idaho/prescribed burning, Docket No. 58-0101-1901. We have actively participated in all four of DEQ's public meetings on the negotiated rulemaking. At each meeting we have sought clarification on the specific data regarding smoke conditions that the preliminary draft rule seeks to remedy. Such information would help us better understand how significant changes to current operations will be responsive to occurrences when air quality has reached levels of non-attainment from prescribed fire. We continue to seek a comprehensive data set that clearly demonstrates the need for additional regulations and request that information be provided quickly in these proceedings.

As DEQ notes in the "Prescribed Fire Negotiated Rulemaking April 9, 2019 – DEQ PowerPoint Presentation", large industrial landowners have voluntarily participated in the Montana-Idaho Airshed Group since the 1990s. Created in 1978, the MT/ID Airshed Group—consisting of representatives from the forest products industry and federal, state, and local agencies—manages the daily impacts of smoke generated in the two-state area from prescribed burning to meet the requirements of the Clean Air Act. Numerous statements for the record attest, and available evidence confirms, the MT/ID Airshed Group process is both highly successful at ensuring smoke abatement for participating landowners and very efficient for government and landowners to implement. The DEQ proposed rule would duplicate this in-place and effective program with additional compliance requirements and permits without providing any rationale or justification. Any additional regulations would not only be overlapping and duplicative, but unnecessarily and unjustifiably disruptive to the Group's operations.

The preliminary draft rule would make sweeping changes to the current management operations for all forestland owners in Idaho—including current members of the MT/ID Airshed Group—in relation to fire on the landscape. We have significant concerns about the level of coordination between DEQ, the Idaho Department of Lands (IDL), and other relevant stakeholders. As DEQ presented at the April 9, 2019, public meeting, IDL is the lead agency currently regulating prescribed fire operations in Idaho. Given IDL's long experience with forestland management and fire operations in Idaho, we request DEQ suspend the current rulemaking, coordinate with IDL, industry, and the appropriate federal agencies to better balance the need for fire on the landscape and proper smoke management.

Additionally, we request DEQ reassess and clearly define the fundamental rationales for new regulations on prescribed fire, based on facts and data describing the problem. Then, if an additional regulatory action is affirmed, we recommend a narrowly-focused negotiated rulemaking process be initiated on the defined problems that may be causing air quality issues.

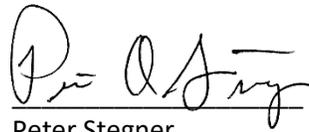
We write on behalf of Bennett Lumber Products Inc., Hancock Forest Management, Idaho Forest Group, Molpus Woodlands Group, PotlatchDeltic Corporation (also represented by Risch Pisca), and Stimson Lumber Company. These companies collectively manage over one million acres of commercial forestland in Idaho.

Thank you for allowing us to comment on the preliminary draft rule.

Sincerely,



Jim Riley
Principal
Riley Stegner and Associates



Peter Stegner
Principal
Riley Stegner and Associates