



# Georgia Prescribed Fire Council

December 6, 2007

Ms. Charlene Spells  
US EPA (E143-03)  
Office of Air Quality Planning and Standards  
109 T.W. Alexander Drive  
Research Triangle Park, NC 27711

Dear Ms. Spells,

On behalf of the National Coalition of Prescribed Fire Councils (National Coalition), I would like to thank you for the opportunity to provide written input for the revision process of the Interim Air Quality Policy on Wildland and Prescribed Fires. We also appreciate your willingness to listen to the purpose and achievements of each state prescribed fire council. The October 29th phone call was an excellent way to formally introduce the National Coalition to the Environmental Protection Agency (EPA) and to establish an open dialogue between the two groups.

The National Coalition is currently comprised of thirty prescribed fire councils and is actively mentoring several more groups engaged in forming new councils. Some states are represented by multiple fire councils, while in other cases prescribed burners have banded together across state lines to form a regional fire council. Each council is comprised of organizations/individuals —federal, state, or private—that use prescribed fire. Together, these councils represent more than 12 million acres burned per year.

The mission of the National Coalition is to serve as the umbrella organization in support of prescribed fire councils and prescribed fire managers across the United States. We provide national leadership and

Albany Area Game  
Management Project

Consulting Foresters

Georgia Forestry Association

Georgia Forestry Commission

Georgia DNR, Wildlife  
Resources Division

Georgia Heritage and Wildlife  
Conservation Association

Georgia Wildlife Federation

Joseph W. Jones Ecological  
Research Center

National Park Service

The Nature Conservancy

Private Landowners/Managers

Tall Timbers Research Station  
and Land Conservancy

UGA, Warnell School  
of Forest Resources

U.S.D.A. Natural Resources  
Conservation Service

U.S. Department of Defense

U.S. Fish & Wildlife Service

U.S. Forest Service

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direction for all aspects of prescribed fire. We are a growing, dynamic group and continue to reach out to embrace the full spectrum of prescribed fire users. Our core belief is that prescribed fire is THE ecological imperative. Virtually all terrestrial ecosystems in the United States are classed as fire dependent and without an appropriate fire regime, ecosystem health will decline and species extirpation will become more common.

The ecological need for prescribed fire is becoming evermore crucial as unnatural fuel loads accumulate. Research continues to quantify the benefits of fire and clarify its role in maintaining ecosystem health and has produced a preponderance of evidence that shows biodiversity decreases and unnatural successional changes occur in the absence of an appropriate fire regime. Prescribed burning improves overall environmental quality by reducing air pollution caused by wildfires and by promoting healthy forests which sustain a suite of indigenous flora and fauna, sequester carbon, filter airborne pollutants and improve water quality. However, prescribed fire also produces combustion products which can have a significant short-term impact on air quality affecting both human health and safety, even though the result of its judicious use is an improvement in overall air quality. EPA is charged with maintaining/improving America's air quality and in that capacity has developed policy and rules that regulate the use of prescription fire. Any rules that impede a land manager's ability to carry out well planned prescribed burns will result in higher risk of catastrophic wildfire, greater human suffering (public and firefighter safety), economic loss, and most importantly, natural resource damage that cannot be mitigated for future generations.

The only practical way these threats can be minimized or eliminated in the long run is if the following conditions are met: 1) prescribed fire practitioners become knowledgeable regarding the emissions they produce 2) prescribed fire practitioners continually strive to reduce both the amount and impact of these emissions 3) prescribed fire practitioners work in unison with state air regulatory agencies, and 4) state air quality agencies and EPA institutionally recognize the necessity of fire. EPA and stakeholders must develop policies and rules that encourage appropriate fire regimes in fire-adapted communities and work in unison with the National Coalition and others to facilitate pyrodiversity.

The National Coalition respects the role that state air regulatory agencies and EPA play in protecting human health and welfare and recognizes that non-essential use of prescribed fire might become more tightly regulated if air quality standards become more strict. Developing fair and effective smoke management programs is a complex task and the National Coalition desires to work with all air quality agencies to assist in developing and enforcing air quality policies and rules that pertain to wildland and prescribed fire management.

The National Coalition conference call overlapped in many ways with other agency/EPA conference calls. Due to the fact that a variety of agencies are involved with state prescribed fire councils, many of our comments will support comments from other calls. We recognize the important role that state fire management agencies play in prescribed fire mitigation and the National Coalition supports their mission.

### **General comments related to the revision of Interim Air Quality Policy on Wildland and Prescribed Fires:**

- We believe that a statement similar to the following should be included in the revised policy: “Prescribed burning improves overall environmental quality by reducing air pollution caused by wildfires and promoting healthy forests which sequester carbon, filter airborne pollutants, and improve water quality.”
- Emerging and planned policies and rules should provide maximum flexibility because of differences among states such as landownership patterns, fuel types, topography, state land management agency capabilities, and statutory authorities.
- Some mechanism should be developed and made public which will assure the timely incorporation of new research results into EPA policy.
- Maintain the de minimis rule as in the current policy.
- Continue to encourage and reward cooperation between state air quality managers and land managers.
- Basic smoke management practices should be allowed to substitute for written smoke management plans.
- Incorporate the following philosophy into the revised policy, “There must be socially, environmentally, and financially acceptable levels of prescribed fire smoke and emissions in order to mitigate a greater social, environmental, and financial impact of wildfire.”
- The support of EPA could have a positive impact on general fire liability issues and its impact on acres burned in a region.
- Based on the facts that “No Fire is Not an Option” and “No Smoke is Not an Option”, there is a tradeoff between implementation of prescribed fire, where the amount, type, timing, location, and duration of smoke can be predetermined with a high degree of accuracy, and wildfire, where the amount, type, timing, location, and duration of smoke can not be predetermined. Thus by being proactive using prescribed burning, the risk of uncontrolled smoke in time, location, and duration can be mitigated significantly.

## **General Questions for EPA based on the Interim Air Quality Policy on Wildland and Prescribed Fires:**

- Because EPA recognizes the necessity of burning for ecosystem health, what does EPA plan to do to protect this use of fire? When other anthropogenic sources of criteria pollutants are high enough to curtail ecosystem burning, how will EPA ensure that these burns for ecological health can take place?
- Where does prescribed fire fit in between acute and chronic sources of emissions? We are preemptively trying to prevent a greater human health impact from wildfire and unilaterally taking on increased personal risk in the process when implementing the correct decision from an ecological standpoint. The “pollution” created by prescribed fire does have social and economic benefits. How is this benefit calculated by EPA?
- How does resource management fit into the equation of smoke management? Are we meeting our land management objectives, or are we more concerned with managing smoke?
- What mechanisms are available to change/alter/amend policy in the future if implementation is not meeting objectives?
- Regarding the impressive number of acres burned reported on the call, what was the reaction by EPA? Does EPA have any use or intentions for the data? Twelve years ago, similar data was collected by the Grand Canyon Visibility Transport Commission. At that time, land managers had to quantify how many annual acres burned by fuel type and by objective for all agencies in the 11 western states. How was that data used by EPA?
- The acreage currently treated with prescription fire in the United States is not sufficient to correct the declining ecological health on most landscapes that is the legacy of more than half a century of attempted fire exclusion. How does EPA intend to make sure its policies/rules do not constrain this needed increase in treated acres?
- Why is the final revision of the Interim Policy due before the ozone standards are finalized? How can fire ecologists and related organizations stay involved with current O<sub>3</sub>, CO<sub>2</sub>, and carbon studies being performed by EPA contractors?

## **Specific comments/Questions on the Interim Air Quality Policy on Wildland and Prescribed Fires:**

### Section I – Purpose

- We request a section in the revisions clearly defining if there still is a federal need to increase acreage or evaluating whether federal objectives/goals were achieved in the 1998 version. If

federal fire implementation programs were successful in the last ten years by the service of the policy, please describe how are these objectives are being measured.

- The purpose section should include a statement such as: “Prescribed burning improves overall environmental quality by reducing air pollution caused by wildfires and promoting healthy forests which sequester carbon, filter airborne pollutants, and improve water quality.”
- Define Basic Smoke Management Practices, including how an EPA certified Smoke Management Program (SMP) will differ from Basic Smoke Management Practices, and the process surrounding using one or the other. This will synchronize the Interim Policy with other rules, like the Exceptional Event Rule (EER), and should be consistent throughout the document.

## Section II – Scope and Application

- Wildland Fire Use: We request to include the exact definition of wildland fire use and the process to be followed when incorporating wildland fire use into resource management planning. We feel that state and private land managers, not just federal, should have the ability to utilize wildland fire use. Land managers who pre-plan for wildland fire have the ability to have their emissions exempt under the EER. All land managers should have equitable treatment regarding wildland fire use.
- Define agricultural burning. Explain exactly how EPA will convey the agricultural community’s responsibilities relative to other land management organizations.

## Section III – Background

- It should be noted that various state fire programs differ by regions because of climate, fuels, different burn seasons, different organizational capacities and mandates, and other regional unique characteristics.
- Include a section dedicated to the new Regional Haze Rule (RHR), how it will impact state burning programs, and where the RHR fits into an EPA certified state SMP.
- It is our understanding that the Regional Planning Organizations (RPOs) were created to assist with development of the Regional Haze (RH) State Implementation Plans (SIPs) that are currently due. We suggest that the role of the RPOs be more thoroughly explained, including what role they will play during the implementation process of the RHR and the Interim Policy revisions. Will EPA continue to fund the RPOs? How do the RPOs interact with the federal and state fire management/air quality agencies and other land management organizations? What is the “chain of command” and how do all levels of prescribed fire managers engage

with the RPOs?

#### Section IV – Description of Policy

- Retain the statement at the bottom of page seven: “EPA will allow states/tribes flexibility in their approach to regulating fires managed for resource benefits.”
- Retain incentives for states to implement a SMP.
- Retain the state’s right to certify that a SMP or basic smoke management practices are in place. What criteria is EPA suggesting to determine if a state needs BSMP or an SMP? The effectiveness of either alternative could be based on annual evaluation from data reports identifying the contribution of natural resource management smoke.
- On page 8, retain the statement, “states/tribes may allow participation by burners in the basic SMP to be voluntary and the SMP does not have to be adopted into the SIP” and include basic smoke management practices.
- On page 8, under guiding principles add: “Prescribed burning improves overall environmental quality by mitigating air pollution caused by wildfires and promoting healthy forest which sequester carbon, filter airborne pollutants, and improve water quality.”
- On page 8, under guiding principles, retain the statement “Air quality and visibility impacts from fires managed for resource benefits should be treated equitably with other source impacts.” However, equitable treatment can only be achieved through a database that identifies natural resource management’s contribution to National Ambient Air Quality Standards (NAAQS) violations. The database should identify and separate non-natural resource agency smoke and emissions. Now that wildland and prescribed fire activity are part of the national emissions inventory as a pollution source, we would like a definitive process to determine how we are going to “compete” with other emission sources. The support of EPA is imperative to a nationally/regionally consistent data collection system. The requirement to work with individual state air quality people in the absence of standards is one of the leading causes of problems. Flexibility is suitable for many things, but not for all things, particularly data management.
- On page 8, referring to the third bullet point, prescribed fire councils are providing the framework to “foster collaborative relationships among wildland owners/managers, air quality managers and the public to develop and implement SMP’s.” The Coalition would like prescribed fire councils to be recognized by EPA in the future. Will states have incentives to form prescribed fire councils?

## Section V – Collaboration Among Land and Air Quality Managers

- Collaboration between organizations is extremely important. It is imperative that federal and state land/air quality management agencies work together. There should be incentives for meaningful joint actions.
- Page 15 contains the statement: “State/tribal air quality managers are responsible for adopting plans and rules sufficient to attain and maintain national and state air quality standards, prevent significant deterioration of air quality, remedy existing visibility impairment and prevent future impairment in mandatory Class I Federal areas caused by man made sources of pollution.” An informed position on air quality, including the appropriate remedies and prevention measures, can only be obtained if the information can be quantified from an air quality database that defines and clarifies emission sources. Only then can it be determined that the deterioration of air quality is from natural resource smoke.
- We consider prescribed fire smoke to be a “socially acceptable” source of emissions that is acute, not chronic like other types of pollution. Prescribed fire is a safe way to apply a natural process, ensure ecosystem health and reduce wildfire risk. We will strive for the recognition from EPA that prescribed fire is a tool that can enhance human health and safety and cleaner air in many regions, and thus should be encouraged through EPA policy and/or rule.
- We request a section of the revised Interim Policy describing more thoroughly the best way for prescribed fire managers to familiarize themselves with the air quality management process. This section should include specific websites, documents, and contact people that can ease the process of gathering accurate information and engaging in the decision making stage. We are required as prescribed fire managers to adopt EPA rules, however, it seems as though it is extremely difficult to obtain the correct information/contact/process to follow.

## Section VI – Smoke Management Programs (SMPs)

- Retain flexibility such as the statement “If a state/tribe determines that a SMP is needed, they can adopt any type of program they believe will prevent NAAQS violations and address visibility impairment.”
- Retain flexibility such as the statement “States/Tribes may allow wildland owners/managers to voluntarily notify them of fire plans or may require prior authorization.”
- Retain allowance for exemption of de minimis fires (fires that will cover fewer than X acres or consume less than Y tons of fuel, as established by the state/tribe).
- Retain flexibility to not require written burn plans within a SMP.
- Page 17, paragraph 1, refers to “citizens increasingly complain of smoke intrusions” could

indicate a strong need for an SMP. Define nuisance smoke and how it should be addressed within an SMP. Definitive answers need to be determined relative to how nuisance smoke complaints can affect a policy or program.

- Definitive guidelines need to be implemented based on what emission contribution is actually derived from natural resource management and how those values are determined.
- We request that the Air Quality Index (AQI) be addressed and updated in the Interim Policy. We feel that this will serve to increase national consistency and establish scientifically based air quality levels. The significance of this is that any air quality impacts from prescribed burning tend to be a few hours in duration, not a 24-hour impact, and the AQI refers to an hourly and 24 hour index. Will prescribed burners be able to use the AQI as a tool to communicate with the public?
- Currently, pages 19 through 21 describe ideal roles for the “central authorities” to play in the smoke management process. The reality is that each state is limited based on technology and human resources. To implement a statewide system that envelopes the requirements of the Interim Policy revisions will require time, funding, flexibility to adapt, and possible sharing of responsibilities.

#### Section VII – Accountability

- We request that EPA include an updated section with specific instructions on regulating and recording interstate transport of smoke, emissions, and violations. States that receive another state’s smoke should not bear the burden of having it in the receiving state’s air quality database nor have to go to extreme measures to prove its case.
- We recognize that the revised policy will provide guidelines to follow when managing prescribed fire emissions and that the EER is a rule that addresses what to do when a “breakdown” in the system occurs. The current policy does not correspond completely with the EER when addressing Basic Smoke Management Programs (BSMPs) and wildland fire use. We also acknowledge that prescribed fire will rarely be exempt under the EER. We would like the specific revisions made to correctly correspond with the EER. The Interim Policy and the EER are linked in very important ways, and we suggest that this fact needs more clarification in the revisions.

#### Section IX – Meeting Other Clean Air Requirements

- On page 3 the Interim Policy states, “This policy does not apply to other open burning activities, such as burning at residential, commercial or industrial sites; open burning of land

clearing waste or construction debris.” It also does not apply to open burning of agricultural waste, crop residue or land in the USDA Conservation Reserve Program.

- We request clarification, in the policy, regarding how the policy will address other open burning activities. The RH SIPs do not distinguish among types of wood smoke. This section should include how burning at residential, commercial or industrial sites and open burning of land clearing waste or construction debris will be included in emissions inventory and regulated.

Again, we appreciate the opportunity to provide input and engage in the revision process of this policy. We consider EPA a partner in our efforts as prescribed fire managers to improve overall environmental quality by reducing air pollution caused by wildfires and promoting healthy forests which sequester carbon, filter airborne pollutants, and improve water quality.

Sincerely,

Mark A. Melvin  
Chair, National Coalition of Prescribed Fire Councils