

Thank you for the opportunity to comment on the proposed adoption of DNR's SMP into the SIP. I previously commented on the DNR's SEPA submittal for the SMP. The issues I documented still appear to remain, and are incorporated on the page below as reference to DNR's inability to provide "practical enforceability" to the current SMP, which is of concern toward SIP adoption of this proposed SMP.

Further, and most applicable to the issue of Ecology's desire to submit this new SMP to EPA for SIP adoption, I would strongly recommend that Ecology NOT make this recommendation, for the following reasons:

1: Day of vs Day-before burn decisionmaking. The 110-L "anti-backslide" demonstration is woefully inadequate. Please see my comments to DNR's SEPA submittal below, in section 7. As far as I can tell, the submitted 110-L documentation/study ONLY assessed one single modelling tool (UW ventilation index). DNR staff making burn decisions have asserted/admitted that this is not the only tool used in burn decisionmaking. Time and again, in public forums, DNR references (as just one example) a significant reliance on NWS "spot wx forecasts" in decisionmaking. No other tools beside UW ventilation index being included in the "anti-backslide" analysis of a decision-making process that claims to be (and SHOULD be) much more robust, is a failure of due process to the EPA's SIP adoption standards.

2: Proposed change from avoiding "intrusions" to "NAAQs exceedance." Please see my comments to DNR's SEPA submittal below, under section 6. I can find no 110-L demonstration that assesses the adequacy of any monitoring network that would support this change as being either "practically enforceable" nor at least as protective as the current SMP. This omission of 110-L analysis is a failure of due process to the EPA's SIP adoption standards.

3: UGA burning. This proposed change to the DNR's SMP was not included in the version of the SMP that DNR proffered for SEPA approval. Therefore, no one was provided opportunity for public comment/input to this part of the plan. This should be considered a breach of due process that, along with my comments below regarding several RCW/WAC requirements that are not currently being met, should send strong signal to Ecology and EPA regarding DNR's ability and intent to perform and enforce under their newly proposed SMP.

It is for these reasons (and more as I outlined below) that I do not believe that Ecology should recommend this current SMP proposal for EPA SIP adoption.

Thank you for the opportunity to comment on the proposed update to DNR's Silvicultural Smoke Management Plan (SMP). Some questions should be asked and assumptions challenged, and it seems prudent that DNR, in proposing this new Smoke management plan that has the potential to increase adverse human health impacts from smoke, should provide some scientific demonstrations for these assumptions:

- A greater effort and resources need to be directed to the increased use of alternatives to burning. What happened to the state commitment to consider alternatives? Is prioritizing the use of prescribed fire as the solution really the right approach to the wildfire problem? Many alternative silvicultural practices exist to reduce the need for burning and there are also alternatives to burning that do not come at the cost of increased smoke exposure for the public. The Washington Clean Air Act, state law RCW 70A.15.5140, requires this hierarchy.

The department of natural resources shall encourage more intense utilization in logging and alternative silviculture practices to reduce the need for burning. The department of natural resources shall, whenever practical, encourage landowners to develop and use alternative acceptable disposal methods subject to the following priorities: (1) Slash production minimization, (2) slash utilization, (3) nonburning disposal, (4) silvicultural burning. Such alternative methods shall be evaluated as to the relative impact on air, water, and land pollution, public health, and their financial feasibility

State law RCW 70A.15.1005, establishes "air pollution is the most serious environmental threat in Washington State. Air pollution causes significant harm to human health." RCW 70A.15.5130, and RCW 70A.15.5140 direct DNR in its duty to regulate silvicultural burning to "reduce statewide emissions from silvicultural burning" and to encourage "alternative silviculture practices to reduce the need for burning.

What is the relationship between more prescribed fire and less "catastrophic wildfire"?

If severity of wildfire impact is to be measured with a "cost plus loss" approach, is prioritizing more prescribed fire before alternative protections to affected communities that do not come at the cost of increased smoke exposure really the right approach to the wildfire problem? Concerns with this approach revolve around the following understandings:

- All sources of PM2.5 harm human health.
- Wildfire is a given and will continue to happen.
- The return interval for effectiveness of prescribed fire as a protection against wildfire may simply be lengthening the calendar of exposure to smoke for communities/populations at risk.

How much more prescribed fire is proposed and how do proponents propose to accomplish this without significant risk to communities at risk of exposure and exceedance of standards?

- Within this new SMP proposal, how has DNR demonstrated that they can conduct increased burning without increased impacts to public health? Have the desired prescribed fire efforts and locations been quantified, and the potential impacts to populations at risk of exposure (and potential air quality standards violation) been modelled and found to be at least as protective of the standards as the current SMP?
- Has DNR developed a comprehensive plan, that identifies values and communities at risk, quantifies the desired outcomes (i.e. WUI protection vs ecosystem restoration) and assessed the

best treatment tools. This plan should also address potential air quality impacts to nearby communities from prescribed fire activity.

In areas where prescribed fire is deemed necessary for wildfire defense and/or ecosystem management that are identified as having direct potential for impacts to air quality on sensitive populations, then prescribed fire should be the last option, not the first, and should be prefaced with adequate monitoring, communication to the affected public, and clean air technologies provided as mitigation. All this should be put in place BEFORE fire is put to the ground. Trained Wildland firefighters know that it is not good practice to conduct burn operations without prepping homes first.

I have the following direct questions for DNR in regards to this SMP proposal, as relates to protection of human health and compliance with current Washington State Law:

- 1: Where precisely does DNR's emissions data show current levels of activity fall under the emissions limits set by RCW 70A.15.5130?
- 2: When was the last data audit conducted and when was the last report to legislature performed, as required by this law? Are these data and reports publicly available?
- 3: How does DNR define the "forest health burning" that is to be catalogued as potentially exempt from emissions ceilings required by RCW 70A.15.5130? If this is not adequately defined, then any activity conducted east of the cascades could be considered "exempt" from the ceiling. Is this really in compliance with the intent of the law?
- 4: Where in the burn permit and data collection process is the assessment of alternatives to burning being conducted/captured and utilized as required by RCW 70A.15.5140? How often in the past 5 years has DNR determined that a proposed burn was not the preferred alternative?
- 5: Are current burn permit fees covering the cost of administering this program, as required by RCW 70A.15.5120(3)? When was the last program audit performed? Does this funding requirement also include adequate funding to support a robust monitoring network, as would be needed in order to ensure compliance with the proposed burn decisionmaking criteria?
- 6: With regard to the proposed large-burn approval criteria, has DNR conducted a monitoring study to ensure adequate coverage in order to comply/enforce the decision making? Has this study been peer-reviewed and is it publicly available? The plan appears very vague as to exactly what devices will be relied upon where.
- 7: DNR is proposing to make large-burn decisions the day before rather than the morning of the planned ignition, as is the current practice. What tools will DNR's decision-makers use to make these decisions, and how does DNR propose that this change will provide the same level of accuracy in forecast Has the National Weather Service been consulted on this new practice and provided assurance that the accuracy of their forecast tools does not degrade over the change in time period, and that this tool, if used day before, will be just as protective as current practice?