

OFFICE OF SPECIES CONSERVATION

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June 10, 2022

Attn: Daniel Scaife
Coeur d'Alene Ranger District
2502 E Sherman Ave
Coeur d'Alene, ID 83814

RE: Character Fire Salvage

Dear District Ranger Scaife,

The State of Idaho, through the Office of Species Conservation (OSC), appreciates the opportunity to comment on the Idaho Panhandle National Forest (IPNF), Coeur d'Alene Ranger District's Character Fire Salvage Project. Fire salvage and subsequent reforestation efforts are beneficial to not only Idaho's timber economy through the reduction of lost commodity value, but also reducing hazards to human health and safety within the Wildland Urban Interface (WUI) and moving the Forest towards desired vegetation conditions that can benefit wildlife habitat.

The State commented during the scoping period for this project back in December 2021. Some of our comments included requests to:

- Leave trees, reserves, and peninsulas for wildlife habitat
- Maintain a 300' stream buffer for riparian zones
- Utilize front end obliteration during road decommissioning whenever possible
- Maintain motorized and other recreation access
- Retain uphill vegetation and timing treatments to achieve TMDL goals
- Address the potential of mobilizing metals in the soil from current/historic mining operations.

OSC has coordinated the thoughts and comments of several state agencies for this comment period. Many of the previous comments were addressed in the comment response table, Biological Assessment, and analysis of effects within the EA which the State appreciates. After review of the draft EA, the State offers the following comments below. Please continue to coordinate with state agencies as this and other projects move forward. If you have any questions regarding these comments, please contact OSC's Federal Land Coordinator at 208 332 1553 or jace.hogg@osc.idaho.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan B.", with a stylized flourish at the end.

Daniel Bertram
Acting Administrator

Reference: Section 8.4, Clean Air Act, pg. 49

Comment: The Idaho Department of Environmental Quality (DEQ) is the Clean Air Act delegated authority for open burning including prescribed fire use in Idaho. This should be included in section 8.4. (See section 8.7 for example on how IPNF acknowledges the State of Idaho authority for Clean Water Act standards). Similar to water quality, DEQ administers air quality regulations through authority from the Idaho Environmental Protection and Health Act (Title 39, Ch. 1, Idaho Code).

Reference: Section 8.4, Clean Air Act, pg. 49

Comment: All IPNF's burn plans previously reviewed by DEQ follow the Interagency Prescribed Fire Planning and Implementation Procedures Guide and appear to provide adequate consideration for controlling smoke by using the MIAG processes and keeping smoke consideration in all applicable plan elements. IPNF burn plans should be routinely shared with DEQ to provide opportunity for ongoing collaboration to ensure they continue to provide adequate consideration for smoke management. IPNF is encouraged to review and consider addressing IDAPA 58.01.01.614.01 requirements:

IDAPA 58.01.01.614.01.a States: Whenever a burning permit or prescribed fire plan is required by the Department of Lands, U.S.D.A. Forest Service, or any other state or federal agency responsible for land management, any person who conducts or allows prescribed burning shall meet all permit and/or plan conditions and terms which control smoke.

IDAPA 58.01.01.614.01.a is understood to require IPNF to follow their required burn plan which contains adequate consideration for controlling smoke from prescribed burning. DEQ appreciates the IPNF's commitment to the purpose and goals of the Montana/Idaho Airshed Group (MIAG). Continuing to rely on the MIAG is undoubtedly a critical and effective smoke management part of the IPNF's burn plans. In Idaho however, the MIAG is a voluntary group used to support members in implementing basic smoke management practices but does not meet smoke management requirements independently from the State of Idaho rule. IPNF's use of their burn plans, as identified in 58.01.01.614.01.a is the basis for IPNF's compliance with the state rule. IPNF should ensure they follow all commitments to smoke management and air quality protection contained within the forest's burn plans as the rule directs.

IDAPA 58.01.01.614.01.b States: The Department will seek interagency agreements to assure permits or plans issued by agencies referred to in Subsection 614.01.a. provide adequate consideration for controlling smoke from prescribed burning.

Coordination with the State of Idaho Air Quality Planning Bureau Smoke Management Program to ensure prescribed fire plans provide adequate consideration for controlling smoke should continue.