



# Sierra Forest Legacy

Protecting Sierra Nevada Forests and Communities



February 3, 2016

U.S. Environmental Protection Agency  
EPA Docket Center  
Docket ID No. EPA-HQ-OAR-2015-0229  
Mail Code 2821T  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

RE: Comments on Docket ID No. EPA-HQ-OAR-2015-0229

The following comments by Sierra Forest Legacy pertain to the Draft Guidance on the Preparation of Exceptional Events Demonstrations for Wildfire Events that May Influence Ozone Concentrations (Ozone Guidance).

Sierra Forest Legacy (SFL) is a coalition of over 80 conservation organizations started in 1996 with a focus on science-based management of national forests lands in the Sierra Nevada. SFL also works in active partnership with Forest Service land managers, Forest Service researchers, academics, public health officials, and other key stakeholders regarding the use of prescribed and natural ignitions managed for multiple resource benefits.

We appreciate EPA's efforts to "[clarify] the required elements that exceptional events demonstrations must address." (p. 1). The proposed Ozone Guidance document was prepared to align with the proposed revisions to the Exceptional Events Rule (EER) released for public review on 11/10/2015. Our extensive comments regarding the EER revisions (see SFL's comments on Docket ID No. EPA HQ-OAR-2013-0572) express our concerns that by exempting wildfire smoke (and in the case of the Ozone Guidance, streamlining the review for EER demonstrations for ozone exceedances *only* for wildfire events<sup>1</sup>) the revisions and associated Ozone Guidance document will continue to create a disincentive effect on the use of planned fire that is necessary to mitigate smoke impacts from a natural, ecological process that Sierra Nevada forests depends upon.

As noted in our recommendations for the EER revisions, as well as the 1/22/2016 letter provided by multiple air quality and forestry experts (submitted with our EER comments), we believe that wildfires should not be exempt from air quality regulations. Rather, EER demonstrations should only be approved if an active fire program is being implemented. This will help incentivize the use of planned fire to mitigate smoke impacts (and therefore, ozone impacts) and prevent the current dichotomy in air quality regulations which discourages planned fire and thereby,

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<sup>1</sup> "This draft version of the guidance addresses wildfire events only, although many technical analyses described in section 3 apply to both wildfire and prescribed fires. Prescribed fires may be added in a later version, or may be addressed in a future companion guidance document." (p. 2).

facilitates unplanned (often catastrophic) wildfires, which result in far greater air quality impacts to the public (as documented in our comments on Docket ID No. EPA HQ-OAR-2013-0572).

**Proposed Change:**

The Ozone Guidance states that the “EPA is inviting comment on whether additional guidance to address prescribed fires is needed and, if so, whether this guidance should be included in this document or in a separate guidance document.” (p. 4).

**Comment:**

We believe the proposed Ozone Guidance should apply to *both* planned and unplanned wildfire. In the case of unplanned fires, EER demonstrations should also include information regarding the applicable active fire program, implementation, and how well the program is achieving air quality and ecological objectives (**detailed comments regarding parameters to consider are included in our comments on the EER revisions**).

In conclusion—it is critical to re-think the key role of prescribed fire and use of natural ignitions for minimizing impacts to public health. Air quality policies and plans must address and incorporate the need for increased use of managed fire as a key mitigation to reduce the ozone precursors emitted by forest fires.

Sincerely,



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