

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.01 – RULES FOR THE CONTROL OF AIR POLLUTION IN IDAHO

DOCKET NO. 58-0101-1901

NOTICE OF NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, and IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality, Sections 810 through 815, notice is hereby given that this agency intends to promulgate a rule and desires public participation before publishing a proposed rule. This rulemaking action is authorized by Sections 39-105 and 39-107, Idaho Code.

METHOD OF PARTICIPATION: Those interested in participating in the negotiated rulemaking process are encouraged to attend the meeting at one of the following locations. The public may participate by telephone and web conferencing at any of the meeting locations or with individual connections. Individuals interested in participating by telephone and web conferencing should contact the undersigned by the date provided in the table below. For those who cannot participate by attending the meeting, information for submitting written comments is provided at the end of this notice.

MEETING SCHEDULE: The negotiated rulemaking meeting will be held as follows. Additional meetings will be scheduled if necessary.

ORIGINATING LOCATION – LIVE MEETING DEQ State Office Conference Center 1410 N. Hilton, Boise, Idaho	
Tuesday, April 9, 2019 - 9:00 a.m. to 12:30 p.m. (MDT) Contact the undersigned by <i>April 2, 2019</i> to make arrangements for participation by telephone and web conferencing.	
TELEPHONE AND WEB CONFERENCE LOCATIONS	
DEQ Coeur d’Alene Regional Office 2110 Ironwood Parkway Coeur d’Alene, Idaho	DEQ Lewiston Regional Office 1118 F Street Lewiston, Idaho
DEQ Twin Falls Regional Office 650 Addison Avenue West, Suite 110 Twin Falls, Idaho	DEQ Pocatello Regional Office 444 Hospital Way #300 Pocatello, Idaho

**DEQ Idaho Falls Regional Office
900 N. Skyline, Suite B
Idaho Falls, Idaho**

The meeting locations will be accessible to persons with disabilities, and language translators will be made available upon request. Requests for these accommodations must be made no later than five (5) days prior to the meeting date. For arrangements, contact the undersigned.

PRELIMINARY DRAFT RULE: DEQ did not draft a preliminary draft rule for public review prior to the first meeting. The first meeting has been scheduled for the purpose of discussing the current state of smoke management

in Idaho, an overview of the ecology of fire, and the future of prescribed fire activity. More information regarding this rule docket is available at www.deq.idaho.gov/58-0101-1901.

DESCRIPTIVE SUMMARY: Prescribed fire has long been used as a forest management tool in Idaho, and its use is expected to increase due to large wildfires becoming more frequent in the Western U.S. However, if not managed properly, smoke from prescribed burning may endanger human health. DEQ's air quality rules include prescribed burning as an allowable form of open burning when smoke emissions are managed. The prescribed burning rules have two goals: protect public health and provide flexibility to land managers to use prescribed fire as a management tool.

DEQ initiated this rulemaking to update the rules applicable to prescribed burning to ensure that smoke from this type of burning is properly managed and public health is protected. With the increase in the use of prescribed fire, the management of smoke from it is becoming more important.

The text of the rule will be drafted by DEQ in conjunction with a negotiating committee made up of persons having an interest in the development of this rule. Members of the Montana/Idaho Airshed Group, Idaho Department of Lands, Associated Logging Contractors, agricultural community, federal and state land managers, forest products industry, conservation and environmental groups, fire departments, health care providers, local governments, and members of the public may be interested in participating in this rulemaking. Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on questions concerning this rulemaking, contact Mark Boyle at mark.boyle@deq.idaho.gov or (208) 666-4607.

SUBMISSION OF WRITTEN COMMENTS: Written comments may be submitted by mail, fax or email at the address below. Information regarding public comment opportunities provided throughout the negotiated rulemaking process will be available at www.deq.idaho.gov/58-0101-1901 or by contacting the undersigned.

Dated this 6th day of March, 2019.

Paula J. Wilson
Hearing Coordinator
Department of Environmental Quality
1410 N. Hilton Street
Boise, Idaho 83706-1255
Phone: (208) 373-0418
Fax No. (208)373-0481
paula.wilson@deq.idaho.gov