

Policy Updates

NC Prescribed Fire Council

August 11, 2015



Overview

- Proposed changes to the NC Prescribed Burning Act
- Updates on federal legislation to end “fire borrowing”
- Proposed revisions to the National Ambient Air Quality Standards for Ozone

NC Prescribed Burning Act

- NC General Statute Chapter 106, Article 80. The Act recognizes the value of prescribed fire and provides some protection from liability for certified prescribed burners.
- Proposed changes to the Prescribed Burning Act in NC Farm Act of 2015 (S513):
 - Reciprocity: Allows the NC Forest Service to accept prescribed burner certifications from other states
 - Section to expand immunity from liability for damage caused by fire (in addition to smoke) was removed from the bill
 - The bill has passed the Senate and is still pending in the House, but is expected to pass

Legislation to End “Fire Borrowing”

- The cost of fighting wildfires has nearly tripled over the last three decades.
- Each year the cost of fighting wildfires exceeds the amount Congress has budgeted. When this happens, funds are “borrowed” from other parts of the USFS and Department of Interior budgets.
- Often these funds would have gone to other management activities, including some programs that help reduce fire risk and costs, such as hazardous fuels removal.

Legislation to End “Fire Borrowing”

- The Wildfire Disaster Funding Act (WDFFA) would end this practice by funding a portion of the USFS and DOI wildfire suppression through a budget cap adjustment similar to that currently used by the Federal Emergency Management Agency (FEMA) for other natural disasters.
- The House has passed a version of this bill, and the Senate appears to be committed to passing some form of the bill later this year.

Proposed Revisions to Ozone NAAQS

- Ozone is 1 of 6 criteria pollutants regulated by the EPA.
- The EPA sets National Ambient Air Quality Standards (NAAQS) for each pollutant.
- Areas that don't meet NAAQS are considered to be in “nonattainment” and are subject to stricter air quality regulations.
- The current NAAQS for ozone is 75 parts per billion (ppb).
- The EPA has proposed lowering the NAAQS for ozone to 65-70 ppb.

Proposed Revisions to Ozone NAAQS

- An ozone standard of 65 ppb will increase the number of areas in the US in ozone nonattainment, including many rural and forest areas.
- Federal agencies will be required under the General Conformity Rule to do more planning and air quality consultations before conducting burns within these new nonattainment areas.
- Public comment on the proposed change has ended.
- The rule is expected to be finalized by October 2015.

Questions? Concerns?

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