[This is a "generic" version of the letter that was personalized and sent to all State Air Directors by the FWS Branch of Air Quality and NPS Air Resources Division.]

FWS/ANWS-AR-AQ

August 1, 2006

«MrMs» «First» «Last»
«Title»
«State_Agency»
«MailAddress»
«MailCity», «State» «MailZip»

Subject: Regional Haze Rule Consultation with Federal Land Management Agencies

Dear «StateAirDirector»

Over the past several years, the U.S. Fish and Wildlife Service (FWS), National Park Service (NPS), and Forest Service have participated in regional planning efforts addressing ways for States, and Tribes if they so choose, to protect and improve visibility in Class I national parks and wildernesses through implementation of the Regional Haze Rule (RHR). Along with other stakeholders, we have had many opportunities to contribute to ongoing Regional Planning Organization (RPO) development of policy guidance and technical information. As States begin to develop their regional haze State implementation plans (SIPs) based on RPO work, we are interested in working directly with your staff to offer our perspective as managers of affected Class I areas and to maintain our support for an effective national regional haze program.

The primary purpose of this letter is to provide you general insights about FWS and NPS interests with respect to upcoming SIP development and consultation activities. It is not intended to dictate policy or guidance. Rather, in the enclosure to this letter we include discussion on a list of topics to enhance your understanding of our views on key SIP components. We also provide lead contacts for FWS and NPS staff that will be available to work with your staff during early phases of SIP development as well as coordinate the required formal 60-day review/consultation with the official Federal Land Manager (FLM) for the Department of the Interior.

The RHR requires States to inform the FLMs of the appropriate State contact for exchange of information regarding SIP development. Many States provided us with a contact person shortly after the RHR was published. It would be helpful if you could confirm your contact or provide a current single point of contact for your State to the individuals noted in the enclosure. Additional information regarding your SIP timelines would also be very helpful.

Our highest priority in working with you over the course of the next year and a half will be to help you develop a successful SIP. We understand the complexities of developing a plan reliant on non-linear relationships between emissions and subsequent visibility improvements. Our emphasis is to work with you and, as your partners, to ensure each plan utilizes all reasonable means to obtain realistic goals. We share the common goal of improving visibility in all Class I areas throughout the United States, and we would like to use this planning process to maximize goal achievement. Our hope is that through this communication we can complete the RHR requirement of formal consultation with ease and productivity.

We are looking forward to continuing our work with you and your staff as the regional haze SIPs are developed. Please don't hesitate to contact us with questions.

Sincerely,

Sandra V. Silva
Chief, Air Quality Branch
U.S. Fish and Wildlife Service

Christine L. Shaver
Chief, Air Resources Division
National Park Service

Enclosure

cc:
Forest Service: Rich Fisher, Donna Lamb
EPA Regional Air Division Directors
Regional Planning Organization Directors

Regional Haze State Implementation Plan Coordination
Fish & Wildlife Service and National Park Service
August 1, 2006

This document is designed to provide you general insights about U.S. Fish and Wildlife Service (FWS) and National Park Service (NPS) interests with respect to upcoming Regional Haze Rule (RHR) State Implementation Plan (SIP) development and consultation activities. It is not intended to dictate policy or guidance.

Baseline, Natural Condition, and Uniform Rate

These factors apply mainly to States that have Class I areas. Other States that contribute to visibility impairment in Class I areas should consider including discussion and conclusions on these factors in their individual plans.

As you know, the basic calculation of baseline, natural condition, and uniform rate builds the foundation for the entire RHR SIP process. Considerable discussion and debate at the science and policy level has occurred regarding appropriate methods to be used. As a consequence, several equations that include varying parameters or multipliers are available. Because these calculations can have a significant effect on the resulting progress goal, it is critical that the State provide a detailed description of the methods used in its SIP. If calculations include only portions of established methods or utilize previously undocumented or unsupported approaches, more justification should be included in the SIP or its supporting documentation. We encourage States to consider calculations that are based on equations recommended by the IMPROVE steering committee and that are consistent with recommended approaches from the appropriate RPO and Environmental Protection Agency (EPA) region.

Emission Inventories

Given the complexities associated with modern, comprehensive emission inventories, considerable effort should be placed on describing how these inventories were developed and used. We would like to see emission descriptions demonstrate an evolution that includes: an actual, base-year inventory used to evaluate model performance; a typical, base-year inventory that represents the five year, average condition which establishes modeled visibility impacts; and various future year, control scenarios (e.g., for required air pollution control programs or long term strategy measures) that demonstrate future visibility conditions. It would assist our review if future year inventories were clearly partitioned to delineate source types (by text, charts, or graphics) that are included in each model simulation. Improved future visibility conditions claimed in the SIP that are not also clearly identified in a future inventory or are not clearly included in future model analysis, will likely need additional and possibly considerable, attention and justification.

One part of your emission inventory includes the implementation of “Best Available Retrofit Technology” (BART) on a subset of pre-Prevention of Significant Deterioration sources. BART source identification, elimination, and control determinations will be of particular interest for review. We would prefer to see a clear progression through the

three basic BART phases and a thorough description of the RHR prescribed factor analysis (if applicable). Discussions should clearly identify whether BART control levels apply to individual or grouped source categories.

Area of Influence

As you are aware, the area of influence of significant, visibility-impairing sources is an important SIP element. This area should clearly be identified or apportioned by State, or other geographic means, to encompass emission sources that contribute significant levels of pollutants to each Class I area as identified in your regional haze SIP. As such, these areas should be developed in conjunction with neighboring States and Tribes. Discussions of source areas of influence at both the base- and future-year levels can help establish a strong showing for SIP progress. States should consider the benefits of presenting this information in the form of transported mass by pollutant or through individually calculated visibility impairment indices. Using a percentage or "Top 10" ranking for current contributions by geographic area may not clearly describe progress over time.

Reasonable Progress Goals and Long Term Strategy

As you also know, establishing reasonable progress goals for Class I areas in your State and/or acknowledging reasonable progress goals for Class I areas in other States that are affected by emissions from your State, as well as defining associated emissions strategies to meet these goals, form the basis of the SIP process under the RHR.

In developing the Long Term Strategy (LTS) required by the RHR, your State has broad flexibility when determining reasonable progress goals and associated emissions. As noted earlier, the RHR includes a requirement for States to assess a uniform rate of progress and compare that rate to the reasonable progress goals set by those States with Class I areas. We believe that this uniform rate of progress assessment is useful in determining the geographic and economic extent a State should consider when developing the LTS associated with the reasonable progress goals.

In general, we are looking at the degree to which the LTS is supported by RPO technical work and at the level of consistency among the contributing States. For Class I areas where the State is setting a 2018 reasonable progress goal of equal or less impairment compared to the uniform rate of progress, it would assist our review to present information on how local, regional, and national emission strategies were considered and applied to address visibility impairment broken down by source category.

For Class I areas where the reasonable progress goal is more impaired than the uniform rate of progress, States should consider presenting additional information on a component basis. Components could consist of emission source categories as before, but also include contributions from individual pollutants or by geographic source area. Our intent is to better understand where and why a strategy falls short of the uniform progress rate goal. Because each region has focused their emission control strategy on different conditions, presenting results in a component format may assist in showing what level of progress was made in the focus area, versus other less controllable factors.

Fire

Your State has considerable flexibility as it addresses all anthropogenic sources of visibility impairment, including fire. The RHR requires consideration of smoke management techniques for agricultural and forestry management practices in the development of the LTS part of the SIP. On a short-term basis, fire, both natural and anthropogenic, has the potential to cause significant visibility reduction in Class I areas. If anthropogenic fire contributes to the index used to track long-term, reasonable progress in a Class I area, the visibility SIP should identify how it will be addressed. Your State may already have a smoke management program (SMP) that adequately describes how visibility impairment from fire will be addressed. If fire has been determined to contribute to visibility impairment, the SIP should contain a comprehensive emissions inventory for all fire emissions and a statement relating to its accuracy. It should also identify whether or not fire emissions are projected to increase, decrease, or stay the same, and how these projections were determined. For those States with a SMP, the SIP should identify its type, i.e., a basic smoke management program or an enhanced smoke management plan, and if the plan has been certified consistent with EPA's *Interim Air Quality Policy on Wildland and Prescribed Fire*. It would also be useful to know specific SMP requirements for minimizing visibility impairment in Class I areas and classification of the various types of wildland fire (wildfire, prescribed fire, and wildland fire use fire) as either natural or anthropogenic. Any differences regarding the regulation of agricultural burning versus prescribed burning by private, State or Federal land managers should also be identified with discussion of the basis for any differences provided.

Regional Consistency

The Regional Planning Organizations (RPOs) have been working toward regionally-consistent approaches to address visibility impairment throughout the SIP development process. There may be circumstances when different methods were used or impairment assessments reached different conclusions. We understand that each State knows what emission control methods or air quality management strategies work best for its areas. Each State may wish to develop strategies that are independent from their RPO or neighboring areas.

In this context, our review of "regional consistency" will have less to do with individual discretion each State has in making decisions, and more on how well a group of States identifies and addresses similar goals for each Class I area within a common area of influence.

Regional consistency can also be difficult to evaluate if neighboring SIPs (or portions of SIPs) are released for review at different times. It is our hope that thorough inter-State consultation processes will lead to consistent descriptions of apportionment and emission control goals, thus resulting in development of similar progress goals, regardless of release dates.

Verification and Contingencies
Little emphasis has been placed in the RHR on verification and even less on contingency planning. Each SIP must identify monitoring data as part of the original baseline and should include continued monitoring data collection and assessment as part of an ongoing progress review at five year intervals. Given the uncertain future of any individual monitoring site, the SIP should address the representativeness of both primary and alternative data sites.

We encourage States to not only consider the need for these data to measure progress, but also how the plan accounts for and reconciles both unexpected and reasonably foreseeable emissions growth, changes to the geographic distribution of emissions, and substantive errors that may be found in emission inventories or other technical bases of the SIPs. These factors, as well as other unanticipated circumstances, may adversely affect your State's ability to achieve the emissions reductions projected by the SIP. Considering these factors through adaptive management or routine review processes may assist in mitigating these circumstances.

Coordination and Consultation
The 1999 RHR requires States to consult with the Federal Land Management agencies at least 60 days prior to holding any public hearing on a RHR SIP or SIP revision (40 CFR 51.308(i)). Specifically, the Federal Land Manager (FLM) for the Department of the Interior (DOI) is the Assistant Secretary for Fish and Wildlife and Parks. However, assistance in the development and technical review of Regional Haze SIPs will be conducted by the FWS Branch of Air Quality and NPS Air Resources Division.

To help facilitate consultation with the FLMs, each Bureau has developed a review strategy that includes a single point of contact for all interaction with us. For your State, primary DOI contact names are:

Tim Allen
U.S. Fish & Wildlife Service

Mailing Address:
7333 W. Jefferson, Suite 375
Lakewood, CO 80235
Phone: 303-914-3802 Fax: 303-969-5444
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Bruce Polkowsky
National Park Service

Mailing Address:
NPS-ARD
P.O. Box 25287
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Phone: 303-987-6944

Overnight Packages:
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12795 W. Alameda Parkway
Lakewood, CO 80228
Fax: 303-969-2822

Email: Bruce_Polkowsky@nps.gov

All questions and inquires regarding formal or informal consultation can be directed to these contacts. We would appreciate communications in electronic form as much as possible. This will allow us to quickly share appropriate documents among staff and between agencies. The contacts listed above will also be able to inform you of additional resources and information we can provide. Resource and information examples include progress reports, discipline experts, or implementation advice. Although the RHR places a strong emphasis on individual discretion in developing these plans, the NPS and FWS would be happy to provide more specific suggestions or information, in a form most useful to you, upon request.