



IDAHO FOREST PRACTICES ACT

*Want to harvest trees in Idaho?
Here's what you need to know.*

State Forester Forum

The [Idaho Forest Practices Act](#) (FPA) was passed by the 1974 Idaho Legislature to assure the continuous growing and harvesting of forest trees, while maintaining forest soil, air and water quality. The intent of this statute is to promote the active management of timberlands, while also protecting forest health, wildlife habitat and aquatic resources. The FPA requires compliance with its coordinating administrative rules ([Forest Practices Rules](#)) to protect and enhance natural resources on Idaho's forestlands.

Private Forestry Specialists, located at Idaho Department of Lands (IDL) Area Offices statewide, can provide technical assistance prior to any timber harvest for forest landowners and operators who wish to learn more or seek advice about forest practices. When an operation is found in violation of the rules and corrective measures are not taken in a reasonable amount of time, IDL will take enforcement action against the responsible Operator.

Forest Practices Rules

The FPA provides for an advisory committee of forest landowners, operators, informed general public representatives, and other natural-resource experts to recommend rule amendments and additions. This advisory body, the Idaho Forest Practices Advisory Committee (FPAC), represents statewide interests as new rules are promulgated.

This Forester Forum provides highlights about the FPA and the Forest Practices Rules. For a booklet of the Forest Practices Rules, contact the nearest IDL Area Office. Audits performed across the state show that the vast majority of forest operators in Idaho conduct harvest operations in full compliance with the Forest Practices Rules.

Notification of Forest Practice

Operators must notify IDL of forest practices prior to commencing an operation. Notification is achieved by providing information for a *Notification of Forest Practice*. This notification shares a form with the *Certificate of Compliance—Fire Hazard Management Agreement*, and is often referred to as a "compliance." Five categories of forest-management activities are defined as forest practices:

1. Timber harvesting, related road construction and installation of stream-crossing structures
2. Road construction, reconstruction or maintenance of existing roads out of the operational area but associated with harvesting
3. Reforestation
4. Use of pesticides, fertilizers and petroleum products for forest-management purposes
5. Management of slash, resulting from forest management or the use of prescribed fire

The conversion of commercially harvested forestland to another land use requires a notification if timber is removed and sold as a commercial product.

A *Notification of Forest Practice* can be submitted at any local IDL Area Office. The Operator assuming responsibility for compliance with the Forest Practices Rules must sign the notification. The forest practice may begin after IDL accepts the notification.

Special practices may be required in some watersheds. IDL recommends pre-operational consultations with Private Forestry Specialists prior to conducting harvesting operations, especially in areas containing fish-bearing,

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Class I streams.

The *Notification of Forest Practice and Certificate of Compliance—Fire Hazard Management Agreement* is valid for a maximum of two years. Upon expiration, the notification must be renewed before the practice can continue. Extensions and other changes in the notification must be made within 30 days by the Operator.

Notification of emergency forest practices due to fire, flood, windthrow or earthquake may be made up to 48 hours after such practices are started.

Notification Exemptions

No notification is required for the following practices performed on forestlands:

1. Routine road maintenance, recreational uses, grazing by domestic livestock, cone picking, culture and harvest of Christmas trees (on lands designated solely as Christmas tree plantations), or harvesting of other minor forest products.
2. Non-commercial cutting and removal of trees by a person for personal use.
3. Clearing forestland for conversion to mining operations under a reclamation plan or dredge mining permit.

Non-Resident Operators

Operators who do not own property in Idaho must submit a performance bond to IDL prior to starting a forest practice. The bond amount is \$200 per acre (in the contract area), with a minimum of \$5,000 and a maximum of \$15,000.

Penalties

Violation of the Forest Practices Rules is a misdemeanor. If an Operator fails to perform requisite remediation for a violation, IDL can make repairs to any operational area experiencing resource degradation due to a forest practice. IDL can then take civil action to recover remediation costs and associated legal fees. IDL will not accept notifications from Operators who have outstanding violations that have not been remedied. Operators that repeatedly violate these rules may be required to submit a bond to perform future operations.

Use of a Forest Practice Notification in a fraudulent or illegal manner is a felony under Title 18, Chapter 46 Idaho Code, Section 18-4630.



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Filling Out

The Notification of Forest Practice

To adequately fill out the *Notification of Forest Practice* and *Certificate of Compliance—Fire Hazard Management Agreement*, an Operator will need to supply IDL the following information:

1. Name and address of **Operator** (assuming responsibility for compliance with the Forest Practices rules)
2. Name and address of **Contractor** (assuming responsibility for compliance with the slash-management rules)
3. Name and address of the landowner
4. Complete legal description of the operational area covered by the notification
5. A map of the operational area covered by the notification
6. The mill purchasing the harvested logs
7. The estimated harvested volume
8. Road construction associated with the harvesting operation
9. Use of herbicides or chemicals associated with managing trees
10. Reforestation plans (e.g., planting seedlings)
11. The presence of Class I (fish-bearing or domestic-water use) or Class II streams in the operational area
12. The presence of steep (over 45%) slopes in the operational area
13. The presence of highly erodible or unstable soils
14. Descriptions of planned stream-crossing installations (e.g., bridges, fords and culverts)

Forest Practices and

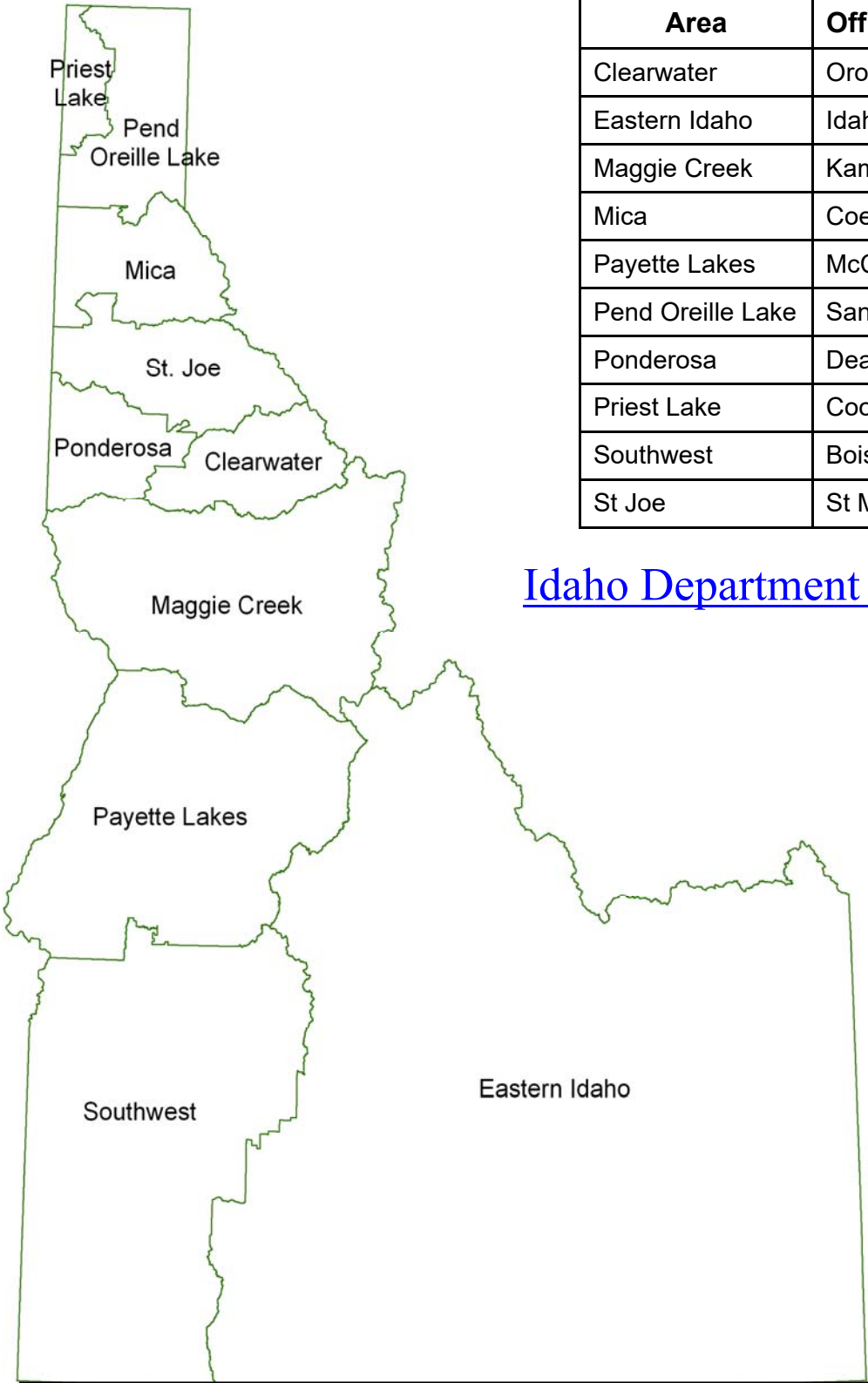
Stream Channel Alterations

If the Operator plans on installing or removing a culvert or bridge, or plans to construct a ford, across a perennial Class I or Class II stream, a Stream Channel Alteration Permit will likely be required. If the stream-crossing structure is being constructed as part of the forest practice covered by the notification, and it falls within certain size parameters, an IDL Private Forestry Specialist may be able to administer this permitting process. If a culvert is being installed on a Class I, fish-bearing stream, the culvert must comply with very specific fish-passage standards (See Forest Practices Forester Forum No. 12).





**FOR MORE INFORMATION CONTACT
ANY IDAHO DEPARTMENT OF LANDS
PRIVATE FORESTRY SPECIALIST**



Area	Office Location	Phone
Clearwater	Orofino	(208) 476-4587
Eastern Idaho	Idaho Falls	(208) 525-7167
Maggie Creek	Kamiah	(208) 935-2141
Mica	Coeur d'Alene	(208) 769-1577
Payette Lakes	McCall	(208) 634-7125
Pend Oreille Lake	Sandpoint	(208) 263-5104
Ponderosa	Deary	(208) 877-1121
Priest Lake	Coolin	(208) 443-2516
Southwest	Boise	(208) 334-3488
St Joe	St Maries	(208) 245-4551

[Idaho Department of Lands Forestry](http://www.idahodlands.gov/forestry)