



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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C.L. "Butch" Otter, Governor
Curt Fransen, Director

November 5, 2013

Mr. Archie Gray
Forest Practices Program Manager
Idaho Department of Lands
3284 West Industrial Loop
Coeur d'Alene, Idaho 83815

Subject: IDL Proposed Shade Rule, Docket No. 20-0201-1303

Dear Mr. Gray:

The Idaho Department of Environmental Quality (DEQ) would like to thank Idaho Department of Lands (IDL) for providing additional information and discussions on questions DEQ had regarding the proposed shade rule (see DEQ's letters to IDL 6/26/2013 and 9/25/2013). DEQ supports IDL's proposed shade rule based on our follow-up.

DEQ feels the proposed shade rule is much improved from the current rule. Successive Forest Practice Act Audits found the current rule difficult to interpret and implement and most importantly inadequate in protecting shade and associated water quality. The proposed rule has been under consideration and revision in one form or another for the past nine years. The proposed shade rule is an improvement over the current rule because:

1. It's based on scientific principles that have been incorporated in the extensive modeling used to evaluate shade impact;
2. Used actual stand data for modeling inputs;
3. Sets a minimum and conservative percent (%) Relative Stocking level in the most sensitive inner zone of both options;
4. Limits shade loss while allowing for some management.

In addition to being an improvement over the existing shade rule, DEQ is more comfortable with the proposed rule because IDL has crafted implementation guidance for staff and the public and is planning training workshops for foresters, seeking additional staff to administer the rule, and beefing up its technical outreach services to small woodlot owners.

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Finally, IDL has committed to work with DEQ to quickly evaluate the proposed rule through on-the-ground monitoring. Results of this monitoring will provide the information needed to modify the rule should it be warranted.

DEQ thanks IDL for their efforts to address the need for a shade rule that is implementable and more protective of critical streamside shade.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael McIntyre".

Michael McIntyre
Surface Water Programs Manager

MJM:ls

c: Don Zaroban, DEQ
Leigh Woodruff, EPA, Idaho
Dave Powers, EPA, Portland
Craig Foss, IDL, Coeur d'Alene