

September 21, 2013

JoAnn Mack
PO Box 8306
Moscow, Id 83843

Craig Foss, Forestry Assistance Bureau Chief
Archie Gray, Forest Practices Act Program Manager
Idaho Department of Lands
3284 W. Industrial Loop
Coeur d'Alene, ID 83815-6021

RE: Comment on Proposed Rulemaking for Streamside Tree-Retention (Shade Rule)

Dear Sirs,

Thank you for this opportunity to express my concerns relating to the proposed changes to Idaho's Forest Practices Act (FPA). Clearly the advisory committee and Idaho Department of Lands has put in considerable effort to amend the current FPA in a manner which will provide a clearer understanding of existing rules as well as updating the language to be applicable to today's environment. The honest efforts of this committee and IDL should be applauded. However, the issue with implementation of the new practice as written, places the onus of protecting stream habitat solely on the backs of the forest owners.

Surely we do not want to throw the baby out with the bathwater and negate the forward progress of the committee. In the same instance, forest owners cannot stand by quietly and bear the brunt of the new SPZ rules without further analysis. Several issues remain that require a closer look before general implementation.

- Maintaining a healthy forest within the riparian area – A 60 RS equates to a closed canopy where new growth will not flourish. Pests and disease will degrade the existing forest until all we have is a forest waiting for nature to clean it up. Since fire season events caused by ill managed forest get bigger every year, we can pretty well see what the future is for the over aged riparian areas. This is not a sustainable forest.
- Associated costs – Private forests owners will incur added costs in hiring professionals to establish the existing RS of an area to ensure compliance. To the professional, this is a frequent activity and can be easily remedied. The small forest owner will rarely do this activity making it nearly impossible to remember the process. Although IDL has asked for additional positions to help with this process, we all know that depends on funding year to year. At the same time the forest owner is incurring more costs, they are faced with a loss of marketable timber.
- Relative stocking number- The proposed RS was developed through modeling and some field measurement during a limited time frame. This is at best a guess. There is no way to ensure desired results without looking at real on the ground data created over a period of time. It is imperative this is accomplished prior to mass implementation of the program.

The first part of the report discusses the current state of the industry and the challenges it faces. It highlights the need for a comprehensive strategy to address these challenges and ensure long-term success.

The second part of the report outlines the proposed strategy and the key initiatives that will be implemented. It details the resources required and the timeline for implementation.

The third part of the report provides a detailed financial analysis of the proposed strategy, including a breakdown of costs and expected revenue.

The fourth part of the report discusses the risks associated with the proposed strategy and the measures that will be taken to mitigate these risks.

The fifth part of the report provides a summary of the key findings and recommendations.

The sixth part of the report provides a detailed appendix of supporting data and information.

The seventh part of the report provides a detailed appendix of supporting data and information.

The eighth part of the report provides a detailed appendix of supporting data and information.

The ninth part of the report provides a detailed appendix of supporting data and information.

The tenth part of the report provides a detailed appendix of supporting data and information. It includes a detailed analysis of the market trends and the competitive landscape, as well as a detailed financial forecast for the next five years. The report also includes a detailed appendix of supporting data and information, including a list of key stakeholders and a detailed appendix of supporting data and information.

The eleventh part of the report provides a detailed appendix of supporting data and information. It includes a detailed analysis of the market trends and the competitive landscape, as well as a detailed financial forecast for the next five years. The report also includes a detailed appendix of supporting data and information, including a list of key stakeholders and a detailed appendix of supporting data and information.

The twelfth part of the report provides a detailed appendix of supporting data and information. It includes a detailed analysis of the market trends and the competitive landscape, as well as a detailed financial forecast for the next five years. The report also includes a detailed appendix of supporting data and information, including a list of key stakeholders and a detailed appendix of supporting data and information.

The thirteenth part of the report provides a detailed appendix of supporting data and information. It includes a detailed analysis of the market trends and the competitive landscape, as well as a detailed financial forecast for the next five years. The report also includes a detailed appendix of supporting data and information, including a list of key stakeholders and a detailed appendix of supporting data and information.

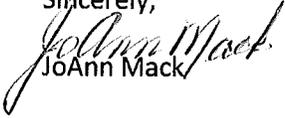
The fourteenth part of the report provides a detailed appendix of supporting data and information. It includes a detailed analysis of the market trends and the competitive landscape, as well as a detailed financial forecast for the next five years. The report also includes a detailed appendix of supporting data and information, including a list of key stakeholders and a detailed appendix of supporting data and information.

The fifteenth part of the report provides a detailed appendix of supporting data and information. It includes a detailed analysis of the market trends and the competitive landscape, as well as a detailed financial forecast for the next five years. The report also includes a detailed appendix of supporting data and information, including a list of key stakeholders and a detailed appendix of supporting data and information.

Besides the issues mentioned, maybe we should take a minute and ask if the proposed rule accomplishes the true goal. Better yet, what is the goal? Is it really about fish habitat? If so, Ag and development need to join in or this isn't going to work. Perhaps it has nothing to do with fish. Maybe it's about not cutting trees. The proposed shade rule can be called anything you want, but in reality it is nothing less than a taking from the private forest owner. It should be worth making sure Idaho is doing the right thing before we place the onus on the backs of this group of citizens.

Thank you for considering my testimony.

Sincerely,


JoAnn Mack

Faint, illegible text at the top of the page, possibly a header or introductory paragraph.

Faint, illegible text in the upper right quadrant of the page.

SEP 24 2013
Faint, illegible text at the bottom left, possibly a date stamp or footer.

Faint, illegible text at the bottom right of the page.