



IDAHO DEPARTMENT OF FISH AND GAME

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RE: IDFG Comments on Docket No. 20-0201-2601 IDAPA 20.02.01 – Rules Pertaining to the Idaho Forest Practices Act

Dear Jeanne,

Thank you for the opportunity to provide comments on the proposed amendments to IDAPA 20.02.01 implementing Idaho Code § 38-1304(1)(f) regarding the timely salvage of dead, dying, or threatened timber on certain non-private forest lands. Fish and wildlife are held in trust for the benefit of all Idaho citizens. The Idaho Department of Fish and Game (IDFG) and the Idaho Fish and Game Commission are statutorily charged with the responsibility to preserve, protect, perpetuate, and manage all fish and wildlife within the state (Idaho Code § 36-103(a)). In accordance with this mandate, and as directed by the Idaho Legislature, the Department provides the following comments and recommendations.

Department staff understand the effort to implement this statutory requirement while maintaining consistency with the broader objectives of the Idaho Forest Practices Act. IDFG believes that the current Forest Practices Act already possesses adequate and appropriate language to address the proposed intent of this new rule. The addition of this new language may hamper the Department's ability to manage IDFG public lands and cause conflict with the new draft rule, as proposed.

The purpose statement within the Forest Practices Rules states, "This rule sets forth the minimum standards for conducting forest practices on forest land to assure the continuous growing and harvesting of forest tree species and to protect and maintain the forest soil, water resources, wildlife, and aquatic habitat." Those principles have long supported balanced management across Idaho's forested lands. Likewise, staff support the intent of encouraging timely salvage where appropriate to maintain healthy forests, reduce long-term resource impacts, and recover economic value following disturbance events.

Should Idaho Department of Lands remain committed to moving this new language forward, please consider the following recommendations. These recommendations are intended to build upon those existing principles by providing clearer implementation guidance while preserving

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the flexibility necessary to manage Idaho's public forests for their ecological, economic, and public values.

1. Clarify the Conditions That Trigger Salvage

The proposed language applies where timber is "dead, dying, or threatened" by insects, disease, fire, or windthrow. As written, this language is extremely broad. Nearly every forest stand, including live and healthy timber stands, in Idaho could reasonably be considered threatened by one or more of these disturbance agents.

Staff recommend revising the rule to focus on situations where professional evaluation determines whether mortality has occurred, or is reasonably expected to occur, at a level sufficient to adversely affect forest health, public safety, or the objectives of the managing agency. This provides a clearer and more practical threshold while remaining consistent with the intent of the statute.

2. Preserve Professional Judgment

Forest management decisions should be based on site-specific conditions and professional evaluation. Salvage harvest is one of many management tools available to address forest disturbances and should be applied where appropriate rather than serving as the default response.

The proposed rule would benefit from recognizing that timely salvage should be implemented when supported by professional evaluation, operational feasibility, and consistency with the statutory responsibilities and land management objectives of the managing agency. These additions would preserve the flexibility necessary for sound, site-specific forest management while continuing to support timely salvage where it is beneficial to capture the value of the timber resources and meet the land management objectives.

3. Recognize the Diverse Missions of Idaho's Public Land and Species Managers

Idaho's land and species management agencies have different statutory responsibilities and management objectives. While some agencies primarily manage forests for timber production and revenue generation, others manage lands primarily for fish and wildlife habitat, recreation, or other public purposes.

The proposed rule should recognize these differing responsibilities and missions by allowing salvage decisions to remain consistent with the statutory responsibilities and land management objectives of the managing agency. This approach supports implementation of the statute while acknowledging that successful forest management requires balancing multiple public resource values.

4. Recognize Multiple Forest Resource Values

The Forest Practices Rules recognize fish and wildlife habitat as important public resources. The proposed rule overlooks these values. Expanding the list of considerations within the proposed salvage rule would reinforce that existing policy direction while recognizing the broader range of values that land managers evaluate when making forest management decisions.

Staff recommend expanding the list of considerations to be consistent with the overall FPA purpose to include:

- Forest health and resilience; wildlife habitat, soil productivity, watershed health, and water quality;
- Operational feasibility, including access, available personnel, and market conditions;
- The long-term management objectives of the landowner or managing agency.

These additions do not diminish the importance of timely salvage. Rather, they ensure that salvage decisions continue to reflect the multiple-resource management approach already recognized throughout the Forest Practices Rules.

5. Recognize the Ecological Value of Dead Wood

Dead and dying trees (snags), and downed wood (coarse woody material) provide important ecological functions, including wildlife habitat, nutrient cycling, soil productivity, reduced soil erosion, improved water quality, and long-term forest resilience. While salvage is appropriate under many circumstances, retention of these features is an important component of sustainable forest management. Even in salvage units, some dead and down wood should be retained to provide for the benefits described above.

Staff recommend adding language that recognizes that retention of dead and downed trees should be considered where appropriate to achieve wildlife habitat, ecosystem function, and long-term forest productivity objectives.

6. Recognize Operational Realities

The proposed definition of "Timely Salvage" appropriately acknowledges site conditions, access, and operational constraints. Similar concepts should also be reflected within the rule itself.

The ability to implement salvage depends not only on economics but also on staffing, contracting capacity, access, timber markets, and other agency resources. IDL is responsible for implementing the FPA and preparing and selling all timber on any state land. The capacity of this agency needs to be considered and the trade-offs of reassigning personnel from Endowment to other agencies salvage projects needs to be taken into consideration.

Recognizing these factors will result in a rule that is more practical to implement while remaining consistent with intent.

IDFG Recommended Language for Proposed Rules:

09. Timely Salvage of Dead Dying or Threatened Timber.

Conduct timely salvage on non-private forest lands of a single ownership totaling two thousand (2,000) contiguous acres or more, when such actions are determined appropriate through professional evaluation, are operationally feasible, and are consistent with the statutory responsibilities and land management objectives of the managing agency.

Salvage decisions shall consider:

- I. the economic value of the timber to be salvaged,

- II. the immediate and **long-term costs of salvage operations;**
- III. **the immediate and long-term ecological, economic, and management consequences of conducting or not conducting salvage operations.**
- IV. **public safety;**
- V. **forest health and resilience;**
- VI. **wildlife habitat, biodiversity, and ecosystem function.**
- VII. **soil productivity, watershed health, and water quality;**
- VIII. **operational feasibility, including access, staffing, and market conditions;**
- IX. **the long-term management objectives of the landowner or managing agency.**
- X. **salvage decisions should also consider the retention of dying, dead, and downed trees, where appropriate to maintain wildlife habitat, ecological function, soil productivity, and long-term forest resilience.**

010. Definitions (ADD)

Timely Salvage: Salvage operations conducted within a period that reasonably maintains economic value **where appropriate** and reduces long-term risks to forest resources, and considering site conditions, access, and operational constraints.

Conclusion

Overall, Staff understand the objective of promoting timely salvage, where appropriate and feel the current Forest Practices Act addresses this concern currently. If necessary, the Department recommendations are intended to strengthen the proposed rule by providing clearer implementation guidance while preserving professional judgment and the flexibility necessary to manage Idaho's public forests for their multiple ecological, economic and public values.

Thank you for the opportunity to provide comments and participate in the negotiated rulemaking process. IDFG appreciates your consideration of these recommendations. Please direct any question or further discussion to Sal Palazzolo, State Wildlife Habitat Program Manager, sal.palazzolo@idfg.idaho.gov 208-287-2752.

Sincerely,


Amber Worthington
Deputy Director