

**IDAPA 20.02.01 Rules Pertaining to The Idaho Forest Practices Act Section 010**  
**Unofficial Copy for FPAC Consideration**

**010. DEFINITIONS.**

~~Unless otherwise required by context as used in these rules:~~The terms **“Best Management Practices (BMP),” “Department,” “Forest Land,” “Forest Practice,” “Forest Regions,” “Harvesting,” “Landowner,” “Operator,” “Rules,” “State,”** and **“Timber Owner,”** have their meanings provided in Section 38-1303, Idaho Code. In addition to the definitions set forth in the Act, the following definitions apply to these rules. ~~(10-14-75)( )~~

**01. Act.** The Idaho Forest Practices Act, Title 38, Chapter 13, Idaho Code. (7-1-96)

**02. Acceptable Tree Species.** Any of the tree species normally marketable in the region, which are suitable to meet stocking requirements. Acceptable trees must be of sufficient health and vigor to assure growth and harvest. (7-1-96)

**03. Additional Hazard.** The debris, slashings, and forest fuel resulting from a forest practice. (10-14-75)

**04. Average DBH.** Average diameter in inches of trees cut or to be cut, measured at four and one-half (4.5) feet above mean ground level on standing trees. All trees to be cut that do not have a measurable DBH will fall in the one inch (1”) class. (7-1-96)

~~**05. Best Management Practice (BMP).** A practice or combination of practices determined by the board, in consultation with the department and the forest practices advisory committee, to be the most effective and practicable means of preventing or reducing the amount of nonpoint pollution generated by forest practices. BMPs shall include, but not be limited to, those management practices included in these rules. (9-11-90)~~

~~**06.05. Board.** The Idaho State Board of Land Commissioners or its designee. (10-14-75)~~

~~**07.06. Buffer Strip.** A protective area adjacent to an area requiring special attention or protection. (10-14-75)~~

~~**( ) Cable Yarding.** Techniques which use winch systems, secured to stationary base machines, to transport fully or partially suspended logs or trees to landings. ( )~~

~~**08.07. Chemicals.** Substances applied to forest lands or timber to accomplish specific purposes and includes pesticides, as defined in the Idaho Pesticide Law, Title 22, Chapter 34, Idaho Code, fertilizers, soil amendments, road dust abatement products and other materials that may present hazards to the environment.(7-1-98)~~

~~**09.08. Constructed Skid Trail.** A skid trail created by the deliberate cut and fill action of a dozer or skidder blade resulting in a road-type configuration. (7-1-96)~~

~~**10.09. Commercial Products.** Saleable forest products of sufficient value to cover cost of harvest and transportation to available markets. (4-11-06)~~

~~**11.10. Condition of Adjoining Area.** Those fuel conditions in adjoining areas that relate to spread of fire and to economic values of the adjoining area. (1-24-78)~~

~~**12.11. Contaminate.** To introduce into the atmosphere, soil, or water sufficient quantities of substances that are injurious to public health, safety, or welfare or to domestic, commercial, industrial, agricultural or recreational uses or to livestock, wildlife, fish or other aquatic life. (4-11-06)~~

~~**13.12. Cross-Ditch Drain.** A diversion, ditch and/depression, slope, or hump in a trail or road for the purpose of carrying surface water run-off into the vegetation, duff, ditch, or other dispersion area so that it does not gain the volume and velocity which causes soil movement and erosion, to minimize volume and velocity of run-off which might cause soil erosion. (3-13-90)( )~~

~~14.13.~~ **Cull.** ~~Nonmerchtable~~**Non-marketable**, alive, standing trees of greater height than twenty (20) feet. ~~(1-24-78)~~( )

~~15.~~ **Department.** The Idaho Department of Lands. ~~(10-14-75)~~

~~16.14.~~ **Deterioration Rate.** Rate of natural decomposition and compaction of fuel debris which decreases the hazard and varies by site. ~~(1-24-78)~~

~~17.15.~~ **Director.** The Director of the Idaho Department of Lands or his designee. ~~(10-14-75)~~

~~18.16.~~ **Emergency Forest Practice.** A forest practice initiated during or immediately after a fire, flood, windthrow, earthquake, or other catastrophic event to minimize damage to forest lands, timber, or public resources.

~~19.17.~~ **Fertilizers.** Any substance or any combination or mixture of substances used principally as a source of plant food or soil amendment. ~~(10-14-75)~~

~~20.18.~~ **Fire Trail.** Access routes that are located and constructed in a manner to be either useful in fire control efforts or deterring the fire spread in the hazard area. ~~(10-14-75)~~

~~21.~~ **Forest Land.** Federal, state and private land growing forest tree species which are, or could be at maturity, capable of furnishing raw material used in the manufacture of lumber or other forest products. The term includes federal, state and private land from which forest tree species have been removed but have not yet been restocked. It does not include land affirmatively converted to uses other than the growing of forest tree ~~(7-1-96)~~

~~22.~~ **Forest Practice.** ~~(10-14-75)~~

~~a.~~ The harvesting of forest tree species including felling, bucking, yarding, decking, loading and hauling; road construction, improvement or maintenance including installation or improvement of bridges, culverts or structures which convey stream flows within the operating area; also including the clearing of forest land for conversion to non-forest use when harvest occurs; ~~(7-1-98)~~

~~b.~~ Road construction, reconstruction or maintenance of existing roads including installation or improvement of bridges, culverts or structures which convey streams not within the operating area associated with harvesting of forest tree species; ~~(7-1-98)~~

~~c.~~ Reforestation; ~~(10-14-75)~~

~~d.~~ Use of chemicals for the purpose of managing forest tree species or forest land; ~~(7-1-98)~~

~~e.~~ The management of slash resulting from harvest, management or improvement of forest tree species or the use of prescribed fire on forest land. ~~(7-1-98)~~

~~f.~~ "Forest Practice" shall not include preparatory work such as tree marking, surveying, and road flagging or removal or harvesting of incidental vegetation from forest lands; such as berries, ferns, greenery, mistletoe, herbs, mushrooms, or other products which cannot normally be expected to result in damage to forest soils, timber, or public resources. ~~(10-14-75)~~

~~23.~~ **Forest Regions.** Two (2) regions of forest land: one (1) being north of the Salmon River and one (1) being south of the Salmon River. ~~(7-1-96)~~

~~24.~~ **Forest Type.** Five forest types in Idaho are defined as follows: ~~(3-20-14)~~

~~a.~~ North Idaho grand fir/western red cedar (NIGF): moist to wet interior forests with western red cedar, western hemlock, and grand fir being primary climax species, found in forests north of the Clearwater/ and

Lochsa Rivers. (3-20-14)

~~b. Central Idaho grand fir/western red cedar (CIGF): productive conifer forests found in forests between the Lochsa River Basin and the Salmon River, characterized by stands having western red cedar and grand fir as climax species, with a mixed conifer overstory increasingly comprised of ponderosa pine, Douglas fir, and larch in the river breaks canyon lands. Stocking levels are generally lower than that of the NIGF stands. (3-20-14)~~

~~c. South Idaho grand fir (SIGF): mixed conifer forests, dominated by ponderosa pine and Douglas fir, found south of the Salmon River with grand fir and occasionally western red cedar being the stand climax species. (3-20-14)~~

~~d. Western hemlock subalpine fir (WH): higher elevation, moist, cool interior forests dominated by western hemlock, mountain hemlock, and/or subalpine fir. (3-20-14)~~

~~e. Douglas fir ponderosa pine (PP): drier forests dominated by ponderosa pine and Douglas fir, generally found in lower elevation, dry sites. (3-20-14)~~

**25.19. Fuel Quantity.** The diameter, the number of stems and the ~~predominate~~ **predominant** species to be cut or already cut, and the size of the continuous thinning block all of which determine quantity of fuel per unit of area.

(1-24-78)

**26.20. Ground-Based Equipment.** Mobile equipment such as **trucks**, tractors, dozers, skidders, excavators, loaders, mechanized harvesters and forwarders used for ~~harvesting, site preparation or hazard reduction~~ **forest practices**. ~~This does not include cable systems associated with stationary yarding equipment.~~ (4-4-13) (L)

**27.21. Habitat Types.** Forest land capable of producing similar plant communities at climax. (7-1-96)

~~28. Harvesting. A commercial activity related to the cutting or removal of forest tree species to be used as a forest product. A commercial activity does not include the cutting or removal of forest tree species by a person for his own personal use. (10-14-75)~~

**29.22. Hazard.** Any vegetative residue resulting from a forest practice which constitutes fuel. (1-24-78)

**30.23. Hazard Offset.** Improvements or a combination of practices which reduces the spread of fire and increases the ability to control fires. (10-14-75)

**31.24. Hazard Points.** The number of points assigned to certain hazardous conditions on an operating area, to actions designed to modify conditions on the same area or to actions by the operator, timber owner or landowner to offset the hazardous conditions on the same area. (1-24-78)

**32.25. Hazard Reduction.** The burning or physical reduction of slash by treatment in some manner which will reduce the risk from fire after treatment. (10-14-75)

**33.26. Lake.** A body of perennial standing open water, natural or human-made, larger than one (1) acre in size. Lakes include the beds, banks or wetlands below the ordinary high water mark. Lakes do not include drainage or irrigation ditches, farm or stock ponds, settling or gravel ponds. Any reference in these rules to Class I streams ~~sh~~ will also apply to lakes. (7-1-96)

~~34. Landowner. A person, partnership, corporation, or association of whatever nature that holds an ownership interest in forest lands, including the state. (10-14-75)~~

**35.27. Large Organic Debris (LOD).** Live or dead trees and parts or pieces of trees that are large enough or long enough or sufficiently buried in the stream bank or bed to be stable during high flows. Pieces longer than the channel width or longer than twenty (20) feet are considered stable. LOD creates diverse fish habitat and stable stream channels by reducing water velocity, trapping stream gravel and allowing scour pools and side

channels to form. (3-13-90)

~~36. Merchantable Material. That portion of forest tree species suitable for the manufacture of commercial products which can be merchandised under normal market conditions. (10-14-75)~~

~~37. Merchantable Stand of Timber. A stand of trees that will yield logs or fiber: (7-1-96)~~

~~a. Suitable in size and quality for the production of lumber, plywood, pulp, or other forest products; (10-14-75)~~

~~b. Of sufficient value at least to cover all costs of harvest and transportation to available markets. (10-14-75)~~

**38.28. Noncommercial Forest Land.** Habitat types not capable of producing twenty (20) cubic feet of wood fiber per acre per year. (7-1-96)(  )

~~39. Operator. A person who conducts or is required to conduct a forest practice. (10-14-75)~~

**40.29. Operating Area.** That area where a forest practice is taking place or will take place. (1-24-78)

**41.30. Ordinary High Water Mark.** That mark on all water courses, which will be found by examining the beds and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation, as that condition exists on the effective date of this chapter, or as it may naturally change thereafter. (10-14-75)

**42.31. Outstanding Resource Water.** A high quality water, such as water of national and state parks and wildlife refuges and water of exceptional recreational or ecological significance, which has been so designated by the legislature. ORW constitutes as outstanding national or state resource that requires protection from nonpoint activities, including forest practices, that may lower water quality. (7-1-96)

~~43. Partial Cutting. The well distributed removal of a portion of the merchantable volume in a stand of timber. This includes seed tree, shelterwood, or individual tree selection harvesting techniques. (10-14-75)~~

**44.32. Prescribed Fire.** The controlled application of fire to wildland fuels in either their natural or modified state, under such conditions of weather, fuel moisture and soil moisture, to allow the fire to be confined to a predetermined area and at the same time to produce the intensity of heat and rate of spread required to meet planned objectives. (7-1-96)

**45.33. Present Condition of Area.** The amount or degree of hazard present before a thinning operation commences. (1-24-78)

**46.34. Public Resource.** Water, fish, and wildlife, and in addition means capital improvements of the State or its political subdivisions. (10-14-75)

**47.35. Reforestation.** The establishment of an adequately stocked stand of trees of species acceptable to the department to replace the ones removed by a harvesting or a catastrophic event on commercial forest land. (10-14-75)

**48.36. Relative Stocking.** A measure of site occupancy calculated as a ratio comparison of actual stand density to the biological maximum density for a given forest type. This ratio, expressed as a percentage, shows the extent to which trees utilize a plot of forestland. (3-20-14)

**49.37. Relief Culvert.** A structure to relieve surface runoff from roadside ditches to prevent excessive buildup in volume and velocity. (10-14-75)

~~50. Rules. Rules adopted by the Board pursuant to Section 38-1304, Idaho Code. (7-1-96)~~

~~51.38.~~ **Slash.** Any vegetative residue three inches (3") and under in diameter resulting from a forest practice or the clearing of land. (7-1-96)

~~52.39.~~ **Site.** An area considered as to its ecological factors with reference to capacity to produce forest vegetation; the combination of biotic, climatic, and soil conditions of an area. (10-14-75)

~~53.40.~~ **Site Factor.** A combination of percent of average ground slope and ~~predominate~~ **predominant** aspect of the forest practice area which relate to rate of fire spread. (1-24-78)( )

~~54.41.~~ **Site Specific Best Management Practice.** A BMP that is adapted to and takes account of the specific factors influencing water quality, water quality objectives, on-site conditions, and other factors applicable to the site where a forest practice occurs, and which has been approved by the Department, or by the Board in consultation with the Department and the Forest Practices Advisory Committee. (7-1-96)

~~55.42.~~ **Size of Thinning Block.** Acres of continuous fuel creating an additional hazard within a forest practice area. Distance between the perimeter of thinning blocks containing continuous fuel must be a minimum of six (6) chains apart to qualify as more than one (1) block. (1-24-78)

~~56.43.~~ **Snags.** Dead, standing trees twenty (20) feet and greater in height. (1-24-78)

~~57.44.~~ **Soil Erosion.** Movement of soils resulting from forest practices. (10-14-75)

~~58.45.~~ **Soil Stabilization.** The minimizing of soil movement. (10-14-75)

~~59. State. The state of Idaho or other political subdivision thereof. (10-14-75)~~

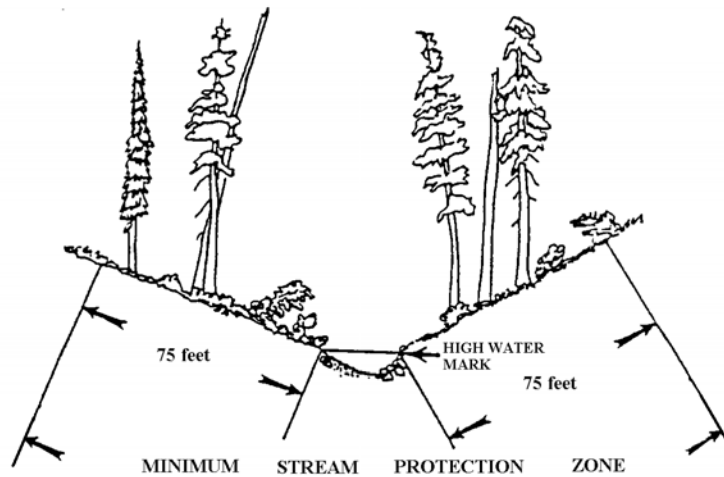
~~60.46.~~ **Stream.** A natural water course of perceptible extent with definite beds and banks which confines and conducts continuously or intermittently flowing water. Definite beds are defined as having a sandy or rocky bottom which results from the scouring action of water flow. Any reference in these rules to Class I streams ~~sh~~**will** also apply to lakes. ( )

~~a.~~ Class I streams ~~are used for domestic water supply or~~ are important for the spawning, rearing or migration of fish. ~~Such waters shall be considered to be Class I upstream from the point of domestic diversion for a minimum of one thousand three hundred and twenty (1,320) feet.~~ (1-7-86)( )

~~b.~~ Class II streams are usually headwater streams or minor drainages that are used by only a few, if any, fish for spawning or rearing. Where fish use is unknown, consider streams as Class II where the total upstream watershed is less than two hundred ~~and~~ forty (240) acres in the north forest region and four hundred ~~and~~ sixty (460) acres in the south forest region. Their principle value lies in their influence on water quality or quantity downstream in Class I streams. (7-1-96)

~~c.~~ Class I Stream Protection Zone means the area encompassed by a slope distance of seventy-five (75) feet on each side of the ordinary high water marks. (Figure 1.)

FIGURE 1



CLASS 1 STREAM PROTECTION ZONE

(7-1-96)

d. Class II Stream Protection Zone means the area encompassed by a minimum slope distance of thirty (30) feet on each side of the ordinary high water marks. (Figure 2.) For Class II streams that do not contribute surface flow into Class I streams, provide soil stabilization and water filtering effects by leaving undisturbed soils in widths sufficient to prevent washing of sediment. In no case ~~shall~~ will this width be less than five (5) feet slope distance on each side of the ordinary high water marks.

FIGURE 2

CLASS II STREAM PROTECTION ZONE

CLASS II STREAM PROTECTION ZONE



(7-1-96)

~~61. Timber Owner. A person, partnership, corporation, or association of whatever nature, other than the landowner, that holds an ownership interest in forest tree species on forest land. (10-14-75)~~

~~62-47. Time of Year of Forest Practice. Those combinations of months during which time the forest~~

practice is taking place. Points assigned are: October through December - two (2) points; August through September - four (4) points; January through April - seven (7) points; May through July - ten (10) points. (1-24-78)

**48. Traction-Assisted Harvesting. Techniques which use integrated winch systems to tether ground-based equipment to a stationary base for stabilizing and assisting steep-slope operation. Cable tension from the winch will automatically be maintained constant. Enhanced traction for the equipment must minimize soil disturbance and risk of sediment delivery to streams. ( )**