



IDAHO DEPARTMENT OF LANDS

2023

Idaho Forest Practices Year-End Report



*Developed and Submitted
By*

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Forest Practices Program
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Acknowledgements



Spring 2024 Private Forestry Specialist Meeting, Moscow: (Pictured: left to right) Back row: Scott Sievers – Private Forestry Specialist (PFS) Supervisor South, Robin Dunn – GIS Program Manager, McKenna Smith – PFS St. Joe, Hailey Frank— PFS Mica, Jay Clark - IDL Stewardship Program Specialist, Andrew Larson—PFS Mica, Archie Gray—IDL Forestry Assistance Bureau Chief, Emily Spets – PFS Maggie Creek, David Thorton – Fire Warden Priest Lake, John Cook – Assistance Warden Priest Lake, Chris Remsen—PFS Pend Oreille, Trash Hodgson – PFS Southwest. Front Row: Sam Wittel – PFS Payette Lakes, Jason Wilkerson – PFS Bonners Ferry, Dave Luther—PFS Maggie Creek, Megan Johnson – Program Specialist, Grants, Ken Homik—PFS Supervisor North, Rodney Cochrane— PFS Cataldo, Chris Gerhart—IDL PFS Clearwater. (Not Pictured): Jeanne Bradley – Program Manager – FPA and Stewardship, Jim Kibler – PFS Pend Oreille Lakes, Robert Barkley – Retired PFS Supervisor Central, Laurie Stone – Resource Specialists – Eastern and Ron Fryzowski – Resource Supervisor - Eastern

We would like to express our sincere gratitude to all those who have contributed to the success of the Idaho Forest Practices Program and the continued implementation of the Idaho Forest Practices Act (FPA). The collaboration and dedication of many individuals and organizations, along with the sound science supporting the rulemaking, have been pivotal in achieving high levels of compliance and sustainable forestry practices in Idaho.

Special thanks to the ongoing support from University of Idaho Extension and the Idaho Associated Logging Contractors in delivering the Logger Education to Advance Professionalism (LEAP) training sessions. These sessions have played a crucial role in educating loggers on the FPA Rules and best management practices (BMPs), ensuring compliance with forest practices regulations.

We also acknowledge the significant contributions of Idaho's larger industrial forestland owners and lumber mills, whose participation in the Sustainable Forestry Initiative (SFI) certification has positively influenced compliance rates. Similarly, the commitment of state endowment land managers and the American Tree Farm System in promoting sustainable practices on nonindustrial lands is deeply appreciated. IDL Regulatory & Stewardship Program staff wish to acknowledge the hard-working Private Forestry Specialists (PFSs) in each of the Supervisory Areas whose diligent efforts produce the data in this report. We also acknowledge the assistance from the IDL GIS program for their assistance to advance the interactive and central database.

Table of Contents

Acknowledgements	2
Introduction	4
Policies	4
Policy Updates.....	4
Report Preface	4
Executive Summary.....	5
1.1 Forest Practice Notifications on Private and State Forestlands	5
1.2 Frequency and Location of Inspections	5
1.3 Individual Operations Inspected	5
1.4 Attributes of Inspection Reports.....	5
1.5 Rule Compliance	5
1.6 Notices of Violation.....	6
1.7 Complaints Made to IDL Regarding Forestry Practices.....	6
1.8 Variances.....	6
1.9 Stream Channel Alteration Projects Approved by IDL.....	6
Data Tables.....	7
2.1 Notification of Forest Practice on Private and State Forestland.....	7
2.2 Frequency and Location of Inspections	9
2.3 Individual Operations Inspected	10
2.4 Attributes of Inspection Reports.....	11
2.5 Rule Compliance.....	13
2.6 Notices of Violation.....	15
2.7 Complaints Made to IDL Regarding Forestry Practices.....	16
2.8 Variances	17
2.9 Stream Channel Alteration Projects Approved by IDL	19
Conclusion.....	20
Final Summary	20
Operational Suggestions	20
Appendix.....	21
Link to FPA Rules.....	21
Key Terms	21

Introduction

Policies

The Idaho Forest Practices Act (FPA)—Idaho Code § 38-1301 through § 38-1313—and the FPA administrative rules (FPA Rules)—Rules Pertaining to the Idaho Forest Practices Act, IDAPA 20.02.01—were developed and are modified to promote active forest management, enhance the ecological and social benefits derived from Idaho forestland, and maintain and protect vital forest resources. The best management practices (BMPs) defined within the FPA Rules are designed to protect air and water quality, wildlife habitat, and forest health while enhancing tree growth and vigor. They provide assurance to the Idaho Department of Environmental Quality and the Environmental Protection Agency that Idaho is meeting the water quality standards prescribed for *forest practices* such as harvesting, burning, planting, and the transporting of forest products. Idaho Department of Lands (IDL) is statutorily charged with administering the Forest Practices Program and ensuring the associated FPA Rules implementation.

Policy Updates

In the 2022 legislative session, changes were made to Idaho's Forest Practices Act. Key updates included redefining Class I streams by removing designations for 1320 feet upstream of domestic diversions and modifying Stream Protection Zone (SPZ) retention rules to use a simplified, uniform methodology. Road construction rules were also updated to enhance water quality protection at stream crossings, requiring additional measures for fish-bearing streams, such as more robust culvert armoring and sediment reduction. Additionally, new rules allow for the use of traction-assisted harvesting equipment on steep slopes. A revised guidance document was developed throughout 2022 and is publicly posted.

Report Preface

This year-end report presents information that describes the overall picture of forest practice activities on *private* and *state* forestland. Private forestland includes industrial and non-industrial forestland and may include county or municipal forestland. State forestland includes all state trust lands and other state-owned land where forest practices are administered by IDL.

Executive Summary

Compliance with Forest Practice Act (FPA) rules has steadily increased from 85% in 1974 to over 95% in recent decades, reaching 98% compliance in 2023 for inspected operations on state and private forestland. Factors like rural residential development, new forest owners, demographic shifts, and changing weather patterns make 100% compliance unrealistic. Inspections in 2023 show continued high stewardship by Idaho forest managers and loggers, with compliance rates fluctuating between 98-99% in recent years. Detailed data on these achievements are provided in the report.

1.1 Forest Practice Notifications on Private and State Forestlands

Accepted for operations on both state and private forestland Forest Practice Notifications decreased by 18% from the previous year, with 1,562 accepted Notifications. Of these, 164 were Notification Only (non-commercial operations) and two were on federal lands. Of the remaining 1,398 commercial harvest operations, 1,378 were on private land and 184 on state.

1.2 Frequency and Location of Inspections

A total of 1,118 inspections occurred in 2023, across each of the ten IDL Supervisory Areas. Most Areas reported similar inspections levels from 2022.

1.3 Individual Operations Inspected

In 2023, 842 operations were inspected across 1,562 notifications, a 54% inspection rate—up from 49% in 2022 and exceeding the IDL goal of 50%. For timber harvest-specific notifications, the inspection rate was 60%. Private forestland saw 1,378 compliance notifications, with 753 inspections, leading to a private commercial inspection rate of 55%. The PFS conducted 105 inspections on 184 compliance notifications on state administered lands, a 57% inspection rate.

1.4 Attributes of Inspection Reports

Of the operational areas, 16% had at least one Class I stream, and 50% had a Class II stream. From 2022 to 2023, the percentage of operations inspected with a classified stream stayed consistent, with such operations remaining a high inspection priority.

1.5 Rule Compliance

In 2023, 98% of all inspections found compliance with FPA Rules, including follow-up inspections after remediation. Out of 1,118 total inspections (which include multiple inspections of the same operation) 23 inspections reported at least one unsatisfactory

condition. Compliance rates were 98% for state operations and 98% for private timberland.

There were 68 rule infractions cited across 23 reports on 18 operations. The most common infractions were stream protection rules (41%), and location of trails and landings (18%), and road construction, road maintenance and treatment of waste materials, each making up less than 6%.

1.6 Notices of Violation

In 2023, one Notices of Violation (NOVs) was issued, a decreased from 2022 with 3 NOVs. This NOV involved equipment use, construction of skid trail, over harvesting and understocked Class I Stream Protection Zone (SPZ), and it also included drainage issues, and road maintenance. This NOV was cleared after remediation.

1.7 Complaints Made to IDL Regarding Forestry Practices

In 2023, IDL received 19 FPA-related complaints, down 44% from 2022. An estimated 38% of the complaints were resolved over the phone while the remaining required a site visit.

1.8 Variances

In 2023, 55 variances were issued for forest harvest operations, up 28% from 2022 but showing similar number as 2021. Variances were granted in 3.9% of 1,562 compliances cases, 5.1% (8) for state operations and 3.8% (47) for private.

1.9 Stream Channel Alteration Projects Approved by IDL

In 2023, IDL approved 132 stream channel alteration projects, two fewer than in 2022.

Data Tables

2.1 Notification of Forest Practice on Private and State Forestland

Table 1 - 2021 - 2023 Notifications of Forestry Practice/Certificate of Compliance-Fire Hazard Management Agreement on both state and private forestland

Forest Protective District	2021	2022	2023
Priest Lake	60	24	48
Kootenai V.	191	153	150
Mica	377	283	193
Pend Oreille	638	522	384
Cataldo	148	86	68
St. Joe	313	295	261
Ponderosa	129	148	83
Maggie Creek	37	40	37
Craig Mtn.	45	30	46
Southwest	17	11	6
Eastern Idaho	8	13	9
SITPA	71	45	42
CPTPA	<u>316</u>	<u>266</u>	<u>235</u>
TOTAL	2350	1916	1562

Table 1 shows the number of Notifications accepted from 2021 through 2023. This includes all forest practices IDL was notified of in 2023; 164 of these did not involve commercial timber harvest. A total of **1,562 Forest Practice Notifications** were accepted statewide in **2023** for operations on **private and state forestland**. This is a decrease over the 1,916 Notifications submitted in 2022. The accepted notifications in 2023 are below the standard range of fluctuation over a ten-year period.

Table 2 - 2023 Notifications w/o commercial harvest on state and private forestland.

Table 2 displays the 2023 *Notification Only* by forest protective district. IDL's Notification/Compliance management system and hazard withholding database supports reporting of harvest operations separate from "Notification Only" operations which have no associated Certificate of Compliance.

Forest Protective District	2023 Notifications Only
Priest Lake	1
Kootenai V.	10
Mica	11
Pend Oreille	27
Cataldo	19
St. Joe	41
Ponderosa	20
Maggie Creek	0
Craig Mtn.	0
Southwest	0
Eastern Idaho	0
SITPA	7
CPTPA	<u>28</u>
TOTAL	164

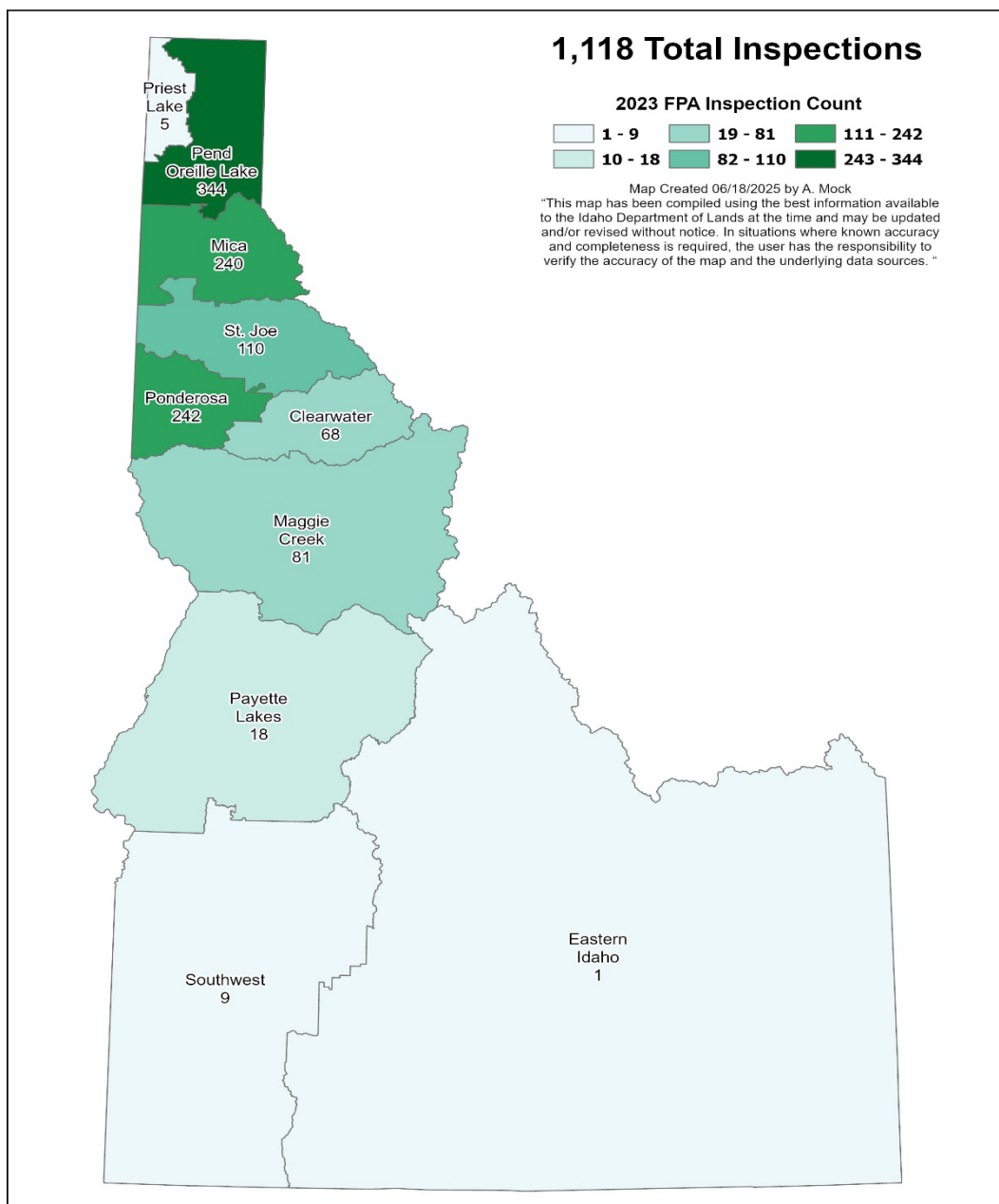
Table 3. State and Private Forestland - Certificate of Compliance/Fire Hazard Management Agreements.

Forest Protective District	2023 Private	2023 State	2023 Total
Priest Lake	20	27	47
Kootenai V.	132	8	140
Mica	181	1	182
Pend Oreille	347	10	357
Cataldo	44	5	49
St. Joe	187	33	220
Ponderosa	58	5	63
Maggie Creek	30	7	37
Craig Mtn.	39	7	46
Southwest	3	3	6
Eastern Idaho	5	4	9
SITPA	26	9	35
CPTPA	<u>169</u>	<u>38</u>	<u>207</u>
TOTAL	1241	157	1398

Table 3 shows the number of Certificate of Compliance/Fire Hazard Management agreements granted for state and private entities by Forest Protective District. In 2023, **157** were granted for operations on state and, **1,241** on private land, for a total of **1,398 commercial harvest operations**. The 1,241 on private land include operations conducted on industrial and non-industrial private ownerships.

2.2 Frequency and Location of Inspections

Figure 1. 2023 Map of all Forest Practices inspections performed in 2023 by IDL Supervisory Area



During 2023, IDL PFSs and assistants performed **1,118** total Forest Practices inspections across 1,562 distinct operations of state and private forestland. Inspections were proportionate to the active operations covered in every IDL Supervisory Area. The Southwest Supervisory Area had the fewest inspections, though their inspection rate was low there was only 11 compliances/notifications issued in 2023. Pend Oreille Lake, Mica, and Ponderosa had the greatest number of inspections in the State. The St. Joe Supervisory

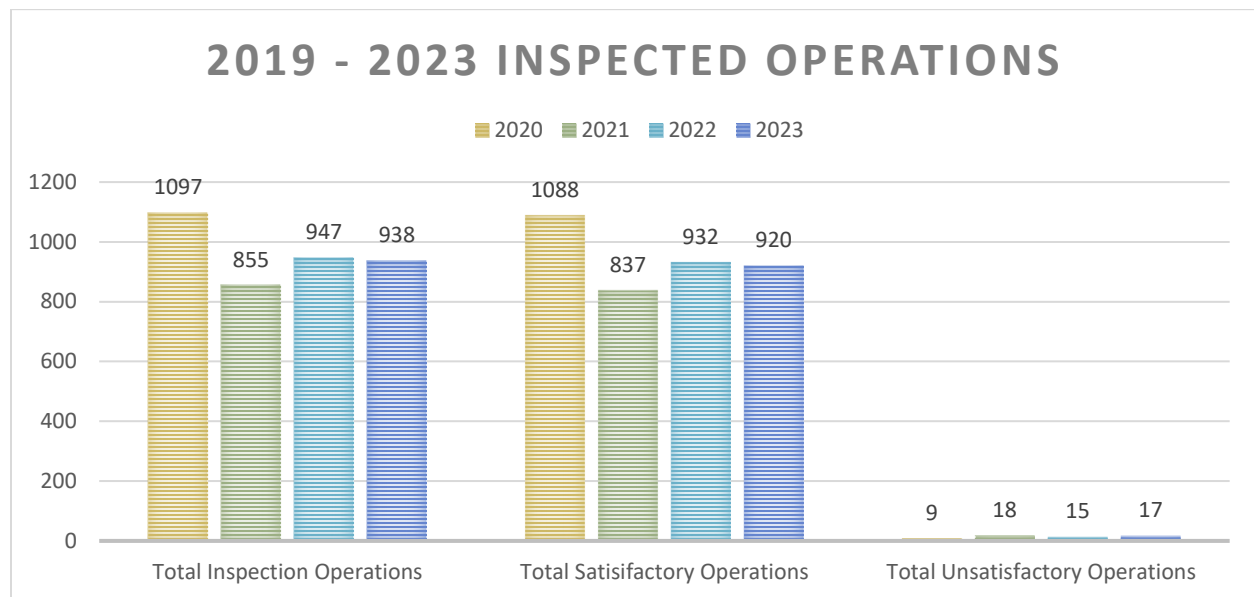
Area inspection rate was lower than average primarily due to turnover and training of new PFSs.

2023 saw a decrease in total operations inspected but an increase in the inspection rate from 2022. This can largely be contributed to filling staffing vacancies and a comparatively less active fire year. The number of inspections is expected to increase as staff continue to gain experience.

(Note: Many inspections are performed on sites with Notifications submitted in previous years and many late-year Notifications may not receive inspections until the next calendar year. This year-to-year carryover remains relatively constant over time. IDL consistently reports on the number of inspected operations compared to the total number of forestland Notifications accepted in a given calendar year, as well as breakout of harvest operations.)

2.3 Individual Operations Inspected

Figure 2. Comparison of Yearly Inspected Operations on State and Private Forestland 2020–2023.



Of the 1,562 accepted Notifications in 2023 there were 1,118 inspections on 938 operations. There was a 60% inspection rate in 2023, an increase from 55% in 2022. Many operations received double or more inspections based on the complexity of the operation on more protected resources such as Class I stream harvest.

Typically, PFSs perform very few inspections for Notification Only operations, which do not involve commercial timber harvest. Thus, the actual inspection rate of harvest operations is higher.

Private harvest operations in 2023 (See Figure 3) received an inspection rate of **66%**. On state forestland in 2023, a **67%** inspection rate includes all compliances issued for operations on state forestland. Most, if not all, notified private operations are active in the year the

compliance is issued and can be active for up to two years beyond the issue date. On state sales, harvest activity may not commence for up to a year after the issuance of the compliance; expiration is typically three years after the issue date.

Of the inspected operations, **98%** demonstrated satisfactory BMP implementation (in compliance with the FPA Rules). Compared with 2022 it is slightly lower by (0.04%). On average over the past five years, 98-99% of inspected operations demonstrate satisfactory implementation of the FPA Rules. Because the selection criteria for inspected operations prioritize operations having special cautions or conditions more likely to result in rule infractions, lower inspection rates disproportionately reflect lower BMP compliance. Class I and Class II streams were present at nearly the same rate of inspected operations in 2023 compared to 2022. Steep slopes and unstable soils were present on 5.5% more inspected operations in 2023 than 2022.

Figure 3. *Comparison of Satisfactory and Unsatisfactory Inspections on Private and State Operations.*

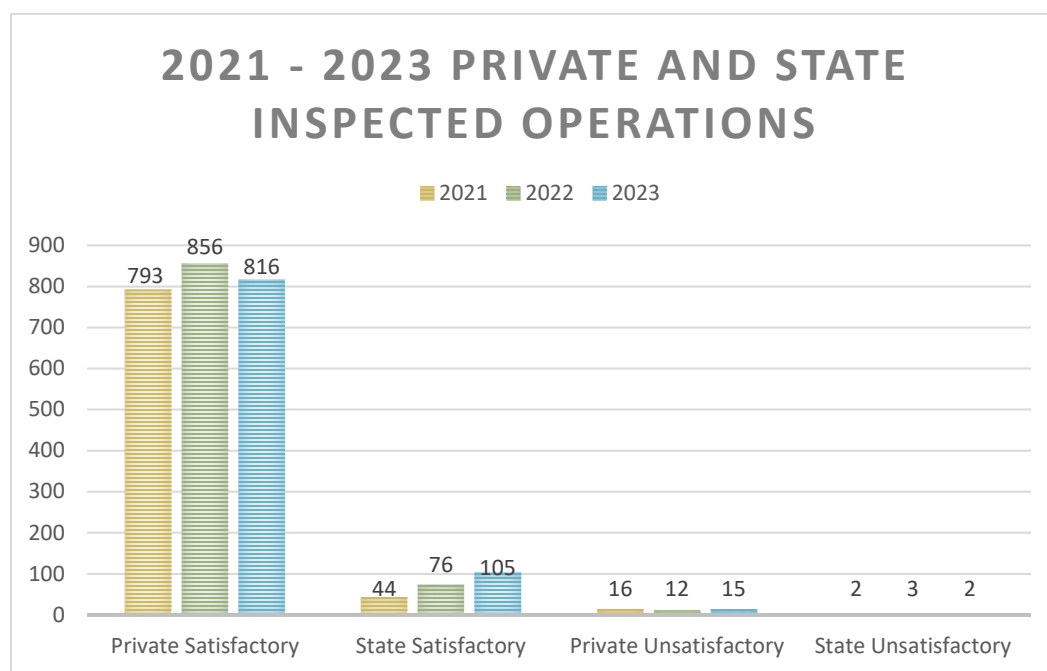


Figure 3 is a comparison of state and private inspections in 2021, 2022 and 2023. **Two** of the 17 unsatisfactory operations reported in 2023 were on state owned land and **15** were on private forestland. One Notice of violation (NOV) was issued on non-industrial private lands. The unsatisfactory inspections occurred on all types of ownership, but the majority were on non-industrial private forests. Private operations demonstrated **98%** satisfactory rule implementation. Inspections conducted by PFSs on state forestland in 2023 demonstrated **98%** satisfactory compliance.

2.4 Attributes of Inspection Reports

Figure 4. Comparison of Attributes of all Inspected Operations in 2022 - 2023.

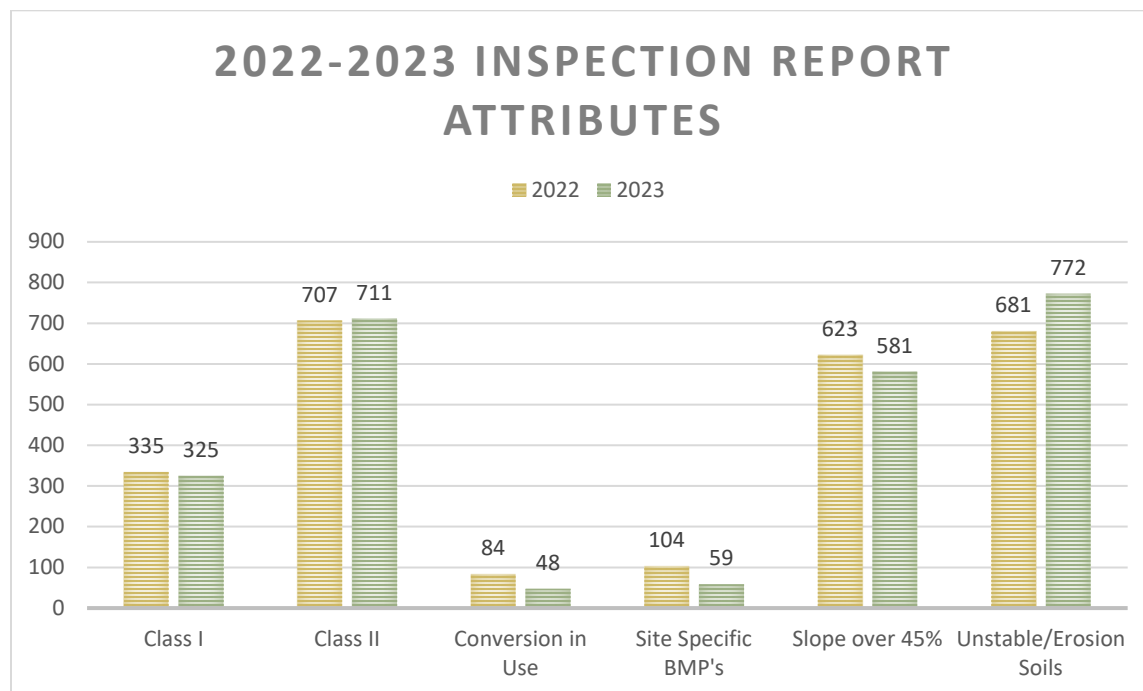


Figure 4 shows that often one operational area includes both Class I and Class II streams, as well as other attributes. 16% of operations contained at least one Class I stream, and 50% contained a Class II stream. Operations with a classified stream remain a high priority for inspection.

Figure 5. Inspected Operations Attributes on State Land

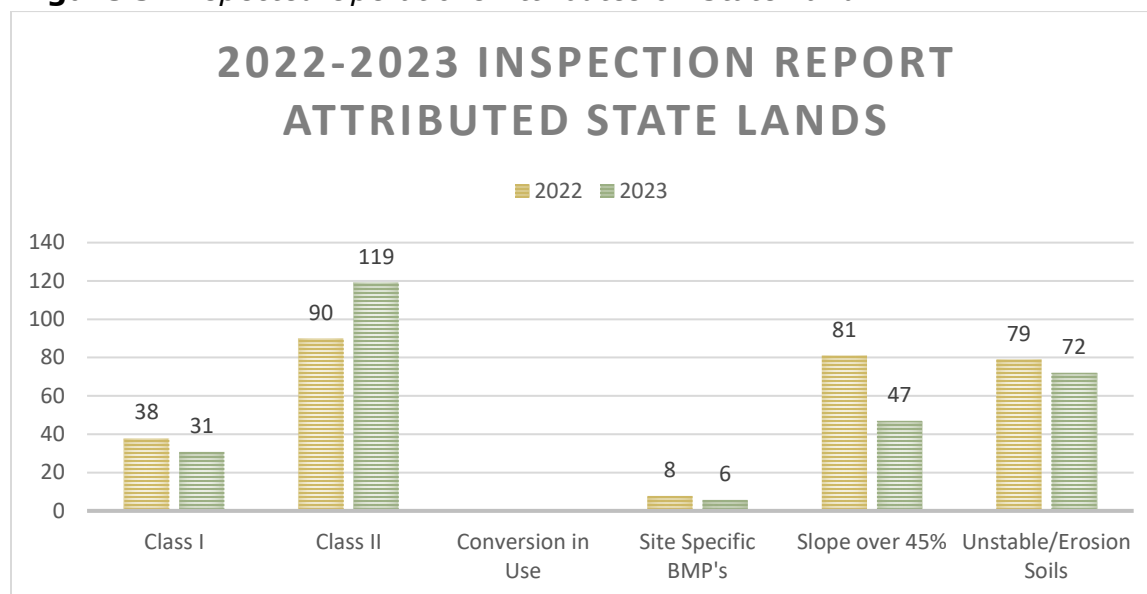
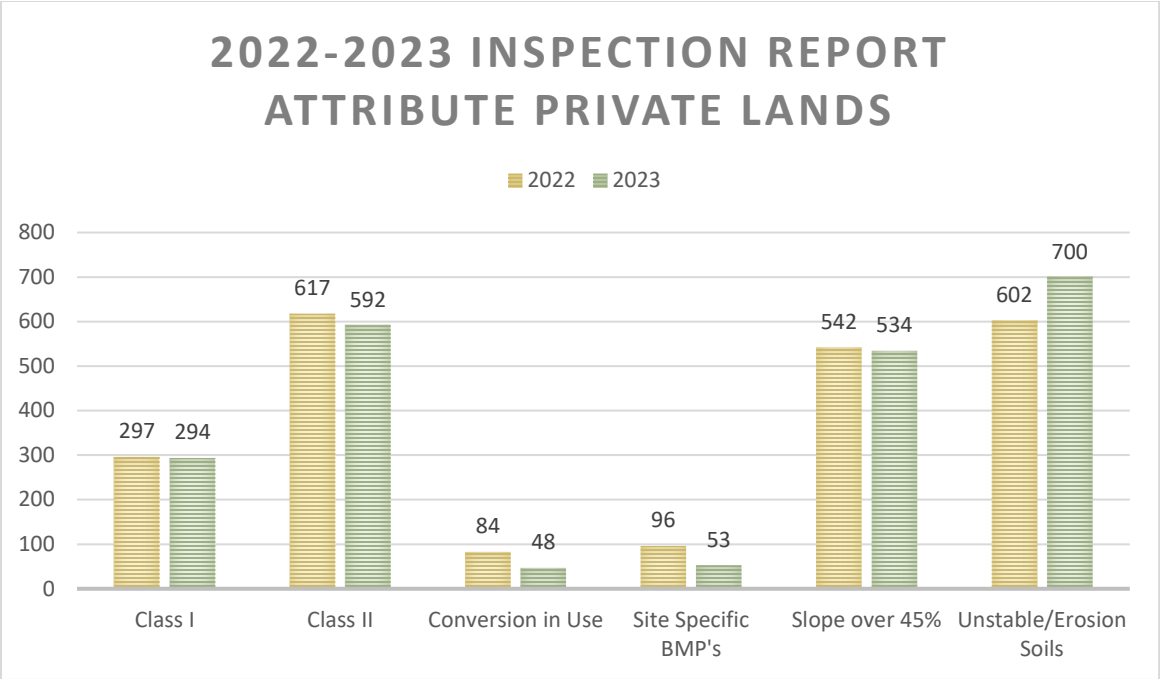


Figure 6. Inspected Operations Attributes on Private Land



Figures 5 and 6 depict the Inspected Operations Attributes of the inspections conducted on operations on private and state land, respectively. While the two data sets are predictably different in magnitude, the distribution by attribute on state land is comparable to private land. Harvest operations on all state lands, including endowment lands, Idaho Parks and Recreation, Idaho Fish and Game and Idaho Transportation department. Most of the compliance/notification issued were issued to IDL endowment lands.

2.5 Rule Compliance

Figure 7. Comparison of 2021, 2022 and 2023 Total Inspections.

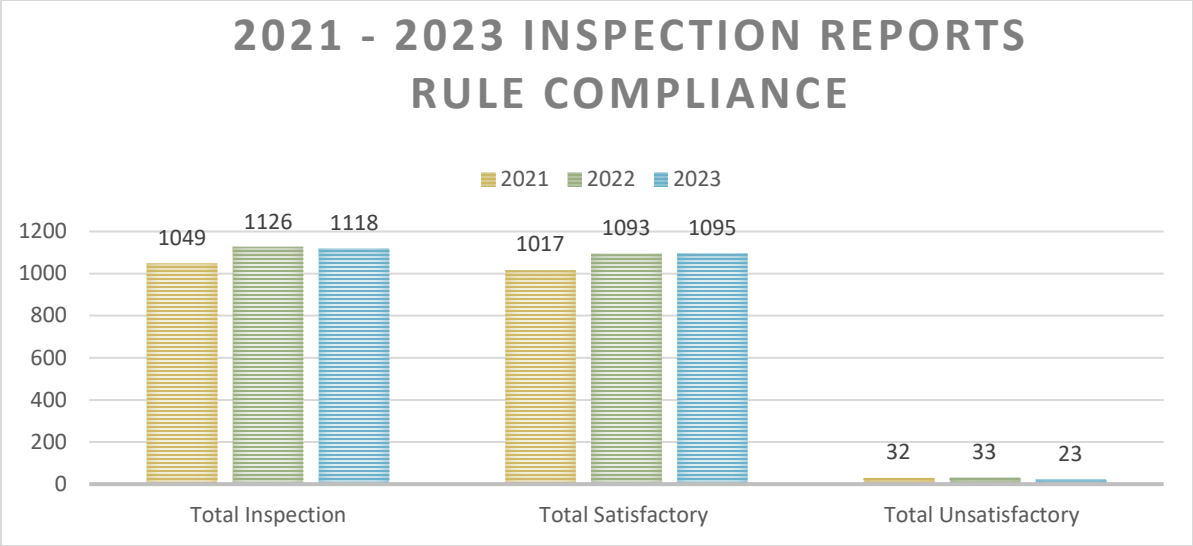


Figure 7 shows a comparison of the **total** number of 2021, 2022 and 2023 Forest Practices **inspections** performed on state and private forestland and the breakdown of those inspections into satisfactory reports and unsatisfactory reports.

The data show, **98%** of all **inspections** performed in 2023 found compliance with the FPA Rules. This includes sites that were found satisfactory in post-unsatisfactory inspections after they were brought into compliance through remediation. This total number of inspections encompasses all inspections, including multiple inspections of the same operation. Within these 1,118 performed inspections, the number of inspections that resulted in reports indicating at least one unsatisfactory condition totaled 23.

Figure 8. *Comparison of Individual Rules Violated in 2021-2023.*

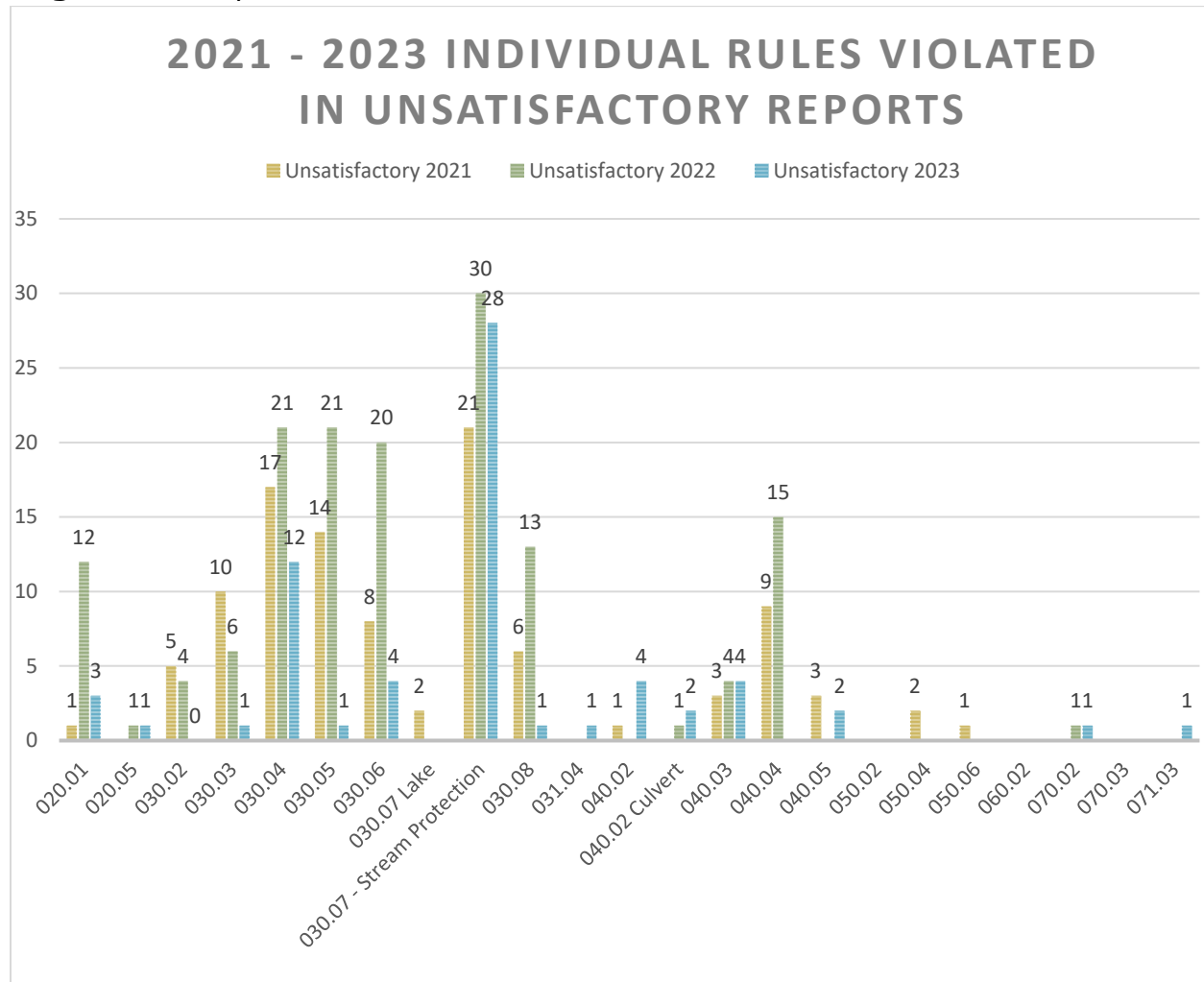
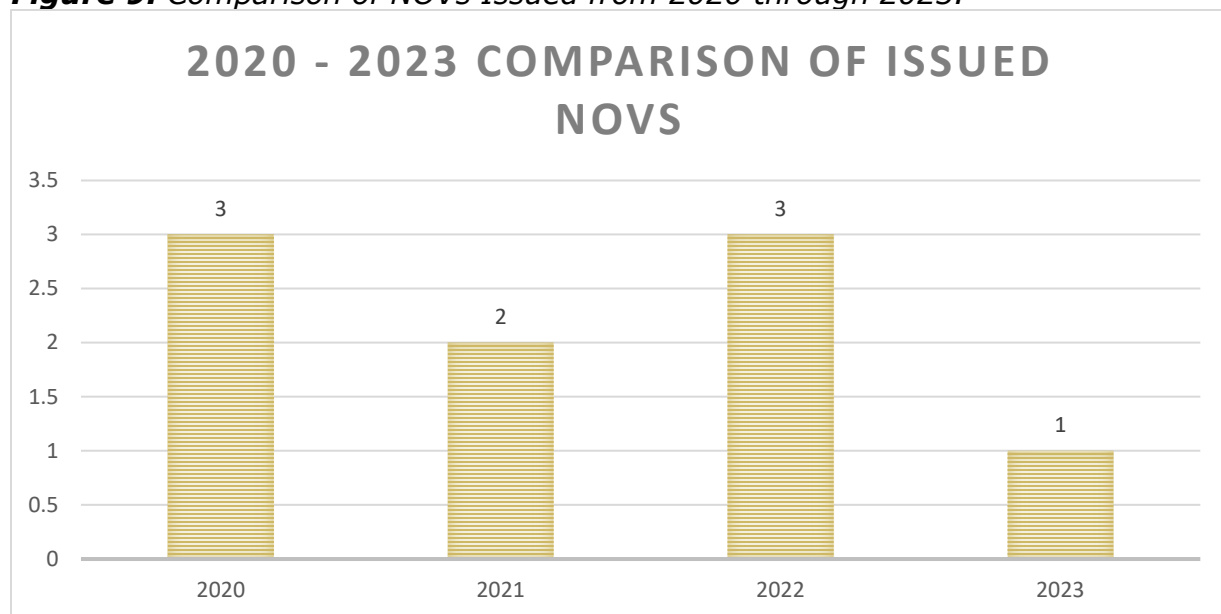


Figure 8: shows the most frequently infringed rules were the *Stream Protection* rules (IDAPA 20.02.01.030.07), location of trails and landings (020.02.01.030.04), and Drainage Systems (020.02.02.030.05), which comprised 20%, 14% and 14% of infractions respectively. Road Maintenance and Soil Protection each comprised less than 10% of the infringed rules. There was a noticeable increase in infractions for treatment of waste material (020.02.01.030.06). This is following a decrease in previous years due to an emphasis on the rule. There was also a significant increase in the violation of rules pertaining to taking out notification and variances (020.02.020.01. Rule 030.07 has the greatest number of subparagraphs of all the Harvesting Rules and often when 040.03, 040.04 or 030.04 are cited, 030.07.c will be cited as well for operating ground-based equipment inside the SPZ without a variance. In addition, multiple 030.07 subparagraphs are often cited for a single instance of resource damage. This has the effect of amplifying the weight of the *Stream Protection* rule infractions.

2.6 Notices of Violation

Figure 9. Comparison of NOVs Issued from 2020 through 2023.

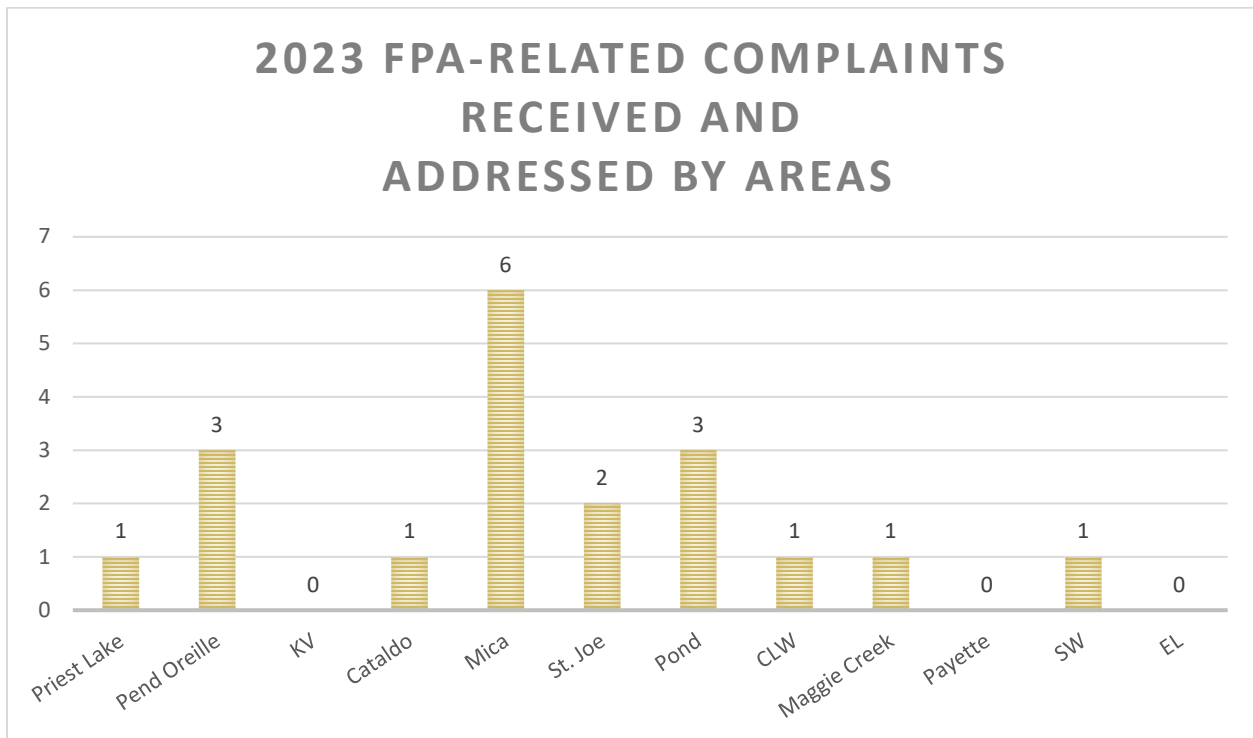


In 2023, one NOV was issued. The number of NOVs each year is typically three or less.

The NOV was issued to an operation with skid trails inside Class I SPZs, SPZ harvest below the required weighted tree count, a significant amount of side cast material, slash within stream causing water diversion, mechanical slash piles within SPZ and multiple other violations. The remediation work was completed, and the NOV was cleared.

2.7 Complaints Made to IDL Regarding Forestry Practices

Figure 10. FPA Related Complaints received in 2023 by Area.



When operations commence on private and state forestland, neighboring landowners, individuals from nearby communities or interested organizations occasionally voice concerns or complaints to their local IDL Offices. Complaints range from perceptions of resource degradation and resource damage, to concerns over aesthetics. IDL Private Forestry Specialists or Operations Foresters address these complaints by analyzing each complaint and deciding whether the complaint can be addressed by checking compliance with the FPA Rules.

2.8 Variances

Figure 11. *Comparison of Variances in 2022 – 2023 Statewide.*

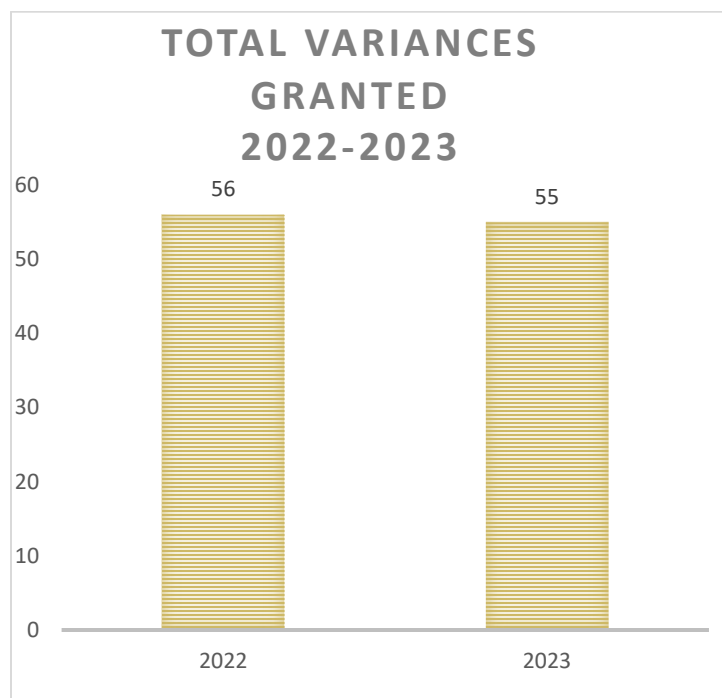


Figure 11 During 2023, 56 variances were issued on all forestland harvest operation. There was an increase in issued variances compared to total number of Compliances issued. Out of 1,562 Compliances, variances were granted to estimated 3.5% of all harvest related operations.

Figure 12. *Comparison of Variances Granted across Ownership Type.*

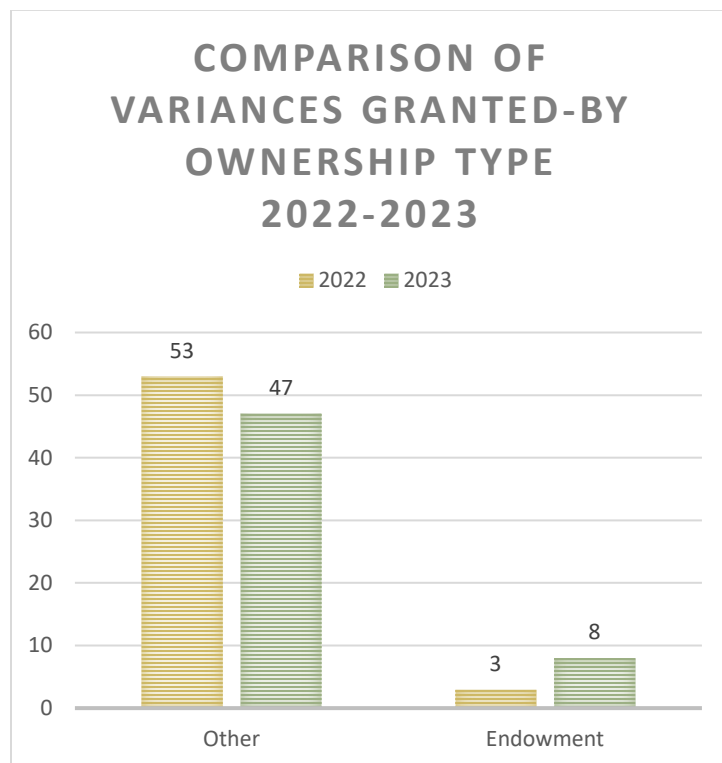


Figure 12 shows variances were granted on 3.8% of state operations and 5.1% of private operations. All variances issued in a Supervisory Area are signed by the Area Manager or the Private Forestry Supervisor and must meet the "equal or better over the long-term," protection-criterion.

Figure 13. Comparison of Variances for 2022 and 2023.

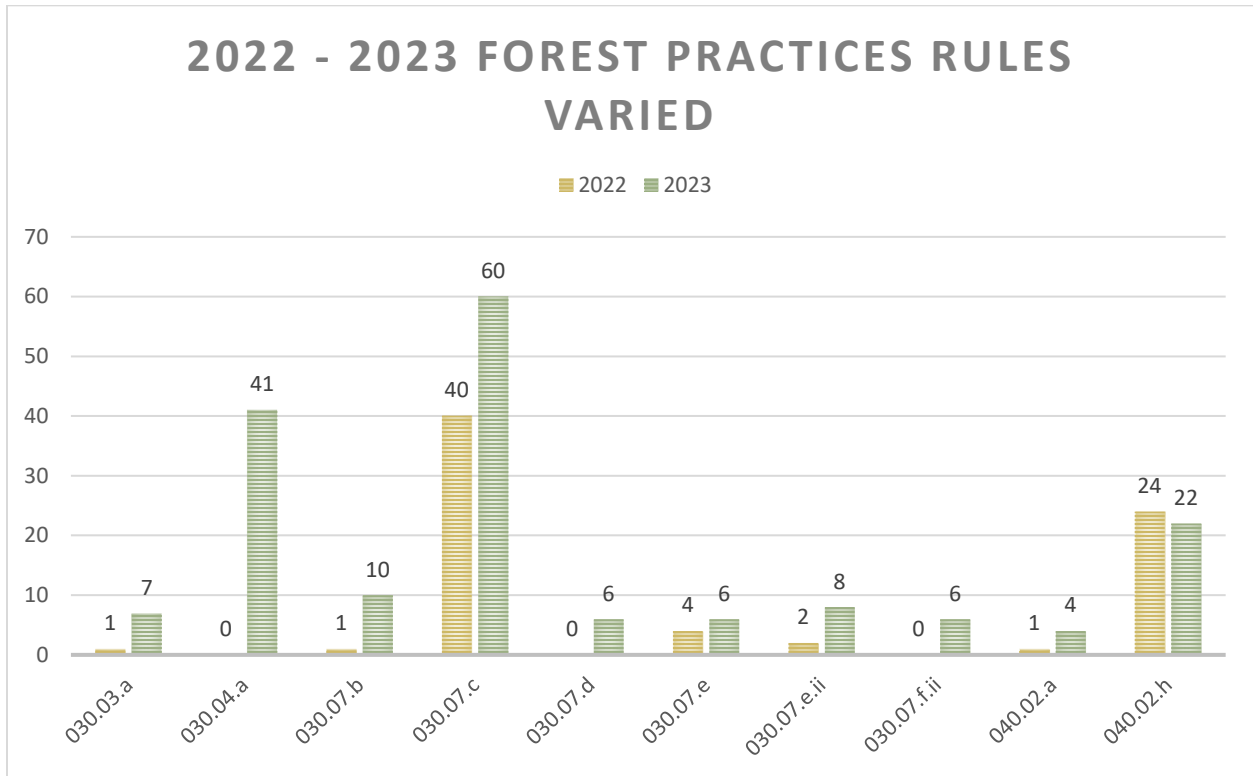


Figure 13 illustrates the types of rules for which variances were granted.

Figure 14. Comparison of Rules for which Variances were Granted by Ownership Type.

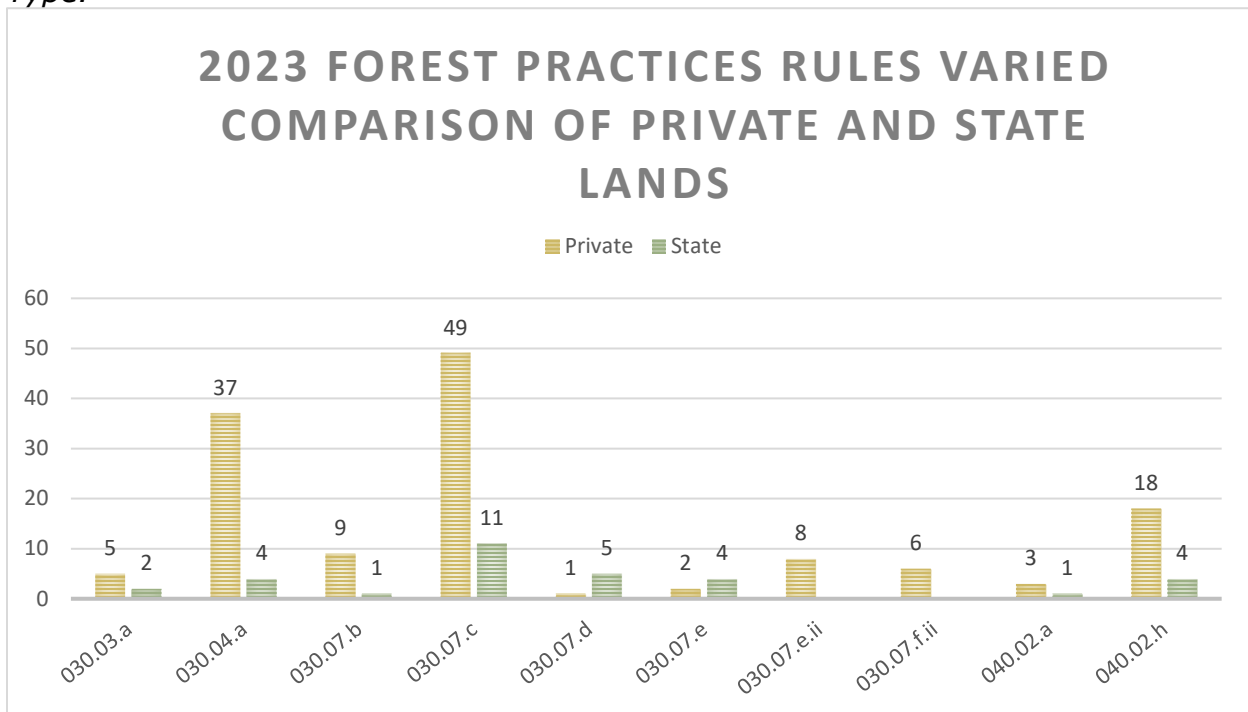


Figure 14: provides a comparison of variances issued on state land with those issued on private land. Even though the number of variances issued on state land was increased this year, it is clear the largest number of variances has to do with use of ground-based equipment in the SPZ and location of landing, and skid trails.

(Note: When an activity falls under more than one rule, a variance is granted for each rule where it is appropriate. For example, to reopen a road that lies partially within an SPZ the operator will need to request a variance from IDAPA 20.02.01.030.07.c (operation of ground-based equipment within an SPZ) and from IDAPA 20.02.01.040.02.h (reconstruction of existing roads located in SPZs) for the single activity. The result is a difference in the number of varied rules being greater than the total number of variances granted.)

2.9 Stream Channel Alteration Projects Approved by IDL

Figure 15. Stream Channel Alteration Projects Reviewed by Area.

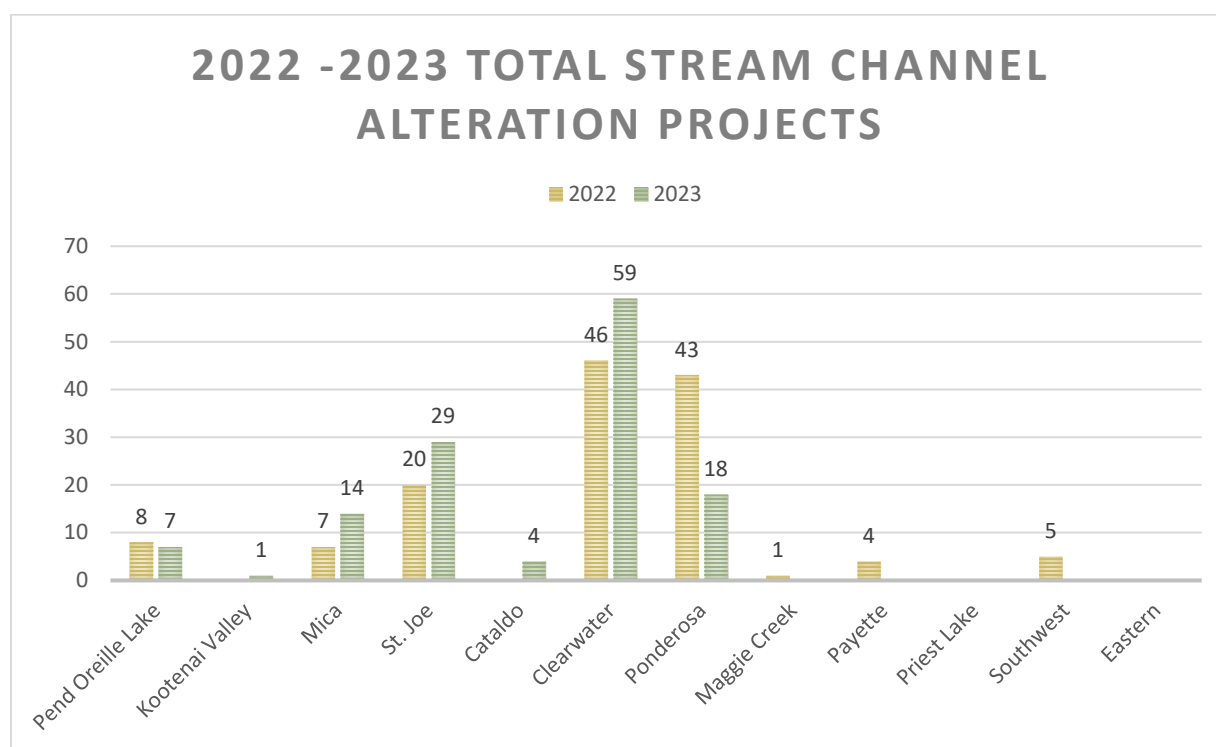


Figure 15 shows the number of stream channel alteration projects reviewed and administered by each IDL Area Office in 2023. Compared to 2022, there were two less SCAPs projects issued on private lands statewide. Mica and Clearwater Areas saw an increase while Southwest and Ponderosa Area saw a decrease. **One hundred thirty-two (132)** total stream channel alteration installations/removals were received and approved by IDL statewide on private lands in 2023. Some of these crossings were temporary in nature and were removed at the end of the operation. Many others involved the removal and/or replacement of older crossing structures with bridges, culverts, and fords. In many cases, the installation improved fish-passage for upstream migration by removing barriers.

Conclusion

Final Summary

Rule Development: A new Class I SPZ retention rule, based on scientific principles, was developed and implemented. Its effectiveness will continue to be assessed through ongoing field monitoring.

Increased Public Data Access: IDL has improved public access to key data, such as stream classifications, perennial streams, and site-specific impacts. This allows landowners and operators to better plan operations, with additional data being made available as needs arise.

Inspection Priorities and Staffing: Inspections were below the statewide average in recent years due to staffing vacancies. As these positions are filled and staff gain more experience, the number of inspections is expected to increase.

Alternative Solutions to Rule Standards: IDL prioritizes identifying suitable alternatives to rule standards to prevent unsatisfactory conditions from arising during inspections. Pre-operational meetings are emphasized and prioritized for inspection, especially for nonindustrial private forestland (NIPF) operators.

Concerns Over Land Conversion: There is concern about the increased number of inspections needed for operations on land being converted to non-forest land uses, especially as housing markets grow in forested areas near population centers.

Operational Suggestions

Improve Communication Between Specialists: Enhance communication between Private Forestry Specialists (PFSs) and Fire Wardens to ensure that slash compliance is properly inspected and cleared for forest practices before operations are approved.

Extend Notification/Compliance Dates: Set notification/compliance expiration dates for no less than a year, especially when significant volume is being removed, to allow adequate time for inspections and ensure proper oversight.

Increase Focus on Operators with Poor Performance: Give more attention to operators with a history of poor performance by ensuring thorough inspections, follow-ups, and re-inspections to ensure compliance.

Ensure Timely Reporting by Mills: Mills should be diligent in reporting their month-end volumes promptly and monitor operators with outstanding Notices of Violation to prevent non-compliant operators from delivering logs. Key Terms & Acronyms.

Appendix

Link to FPA Rules

[Rules Pertaining to the Idaho Forest Practices Act](https://www.idl.idaho.gov/wp-content/uploads/sites/2/2022/07/Web-Rulebook-2022.pdf)

(<https://www.idl.idaho.gov/wp-content/uploads/sites/2/2022/07/Web-Rulebook-2022.pdf>)

Key Terms

Best Management Practices (BMPs): Approved methods to protect forest resources like water quality, wildlife habitat, and forest health during forestry operations.

Compliance: Formal acknowledgement of wildfire risk, hazards, and FPA Rules associated with a planned forest practice; always attached with a Notification.

Idaho Forest Practices Advisory Committee (FPAC): The body of professionals and informed citizens charged with providing direction and leadership for new and revised FPA Rules.

Notice of Violation (NOV): Issued when repeated unsatisfactory conditions and/or severe resource degradation are observed during an inspection. An NOV can also be issued if an operator fails to perform the prescribed mitigation for an unsatisfactory condition within the time frame given by IDL. NOVs are serious violations and do not occur often.

Notification: A formal acknowledgement of planned Forest Practices by responsible party planning forest activity and the FPA program.

Satisfactory Report: Inspection report indicating compliance with all rules inspected.

Unsatisfactory Report: Inspection report indicating an infraction of at least one rule.

Variance: An approved, site-specific exception to the standard FPA Rules, allowing alternative practices when unique conditions make strict compliance impractical while ensuring equivalent or improved forest resources.