



IDAHO DEPARTMENT OF LANDS

2018

Idaho Forest Practices Year-End Report



Developed and Submitted by

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FORESTRY



ASSISTANCE



2018 Forest Practices Year-End Report

Preface

The Idaho Forest Practices Act (Idaho Code §§ 38-1301 through 38-1313) and the Idaho Forest Practices Act (FPA) administrative 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 administrative rules (FP Rules) are designed to protect water quality, wildlife habitat and forest health while enhancing tree growth and vigor. These rules are the approved forestry BMPs for meeting Idaho Water Quality Standards (IDAPA 58.01.02, paragraph 350.03.a). They provide assurance to the Idaho Department of Environmental Quality (IDEQ) and the Environmental Protection Agency (EPA) that Idaho is meeting the water quality standards prescribed for *forest practices* such as harvesting, burning, planting, and the transporting of forest products.

IDL is statutorily charged with administering the Forest Practices Program and ensuring the associated FP Rules implementation. The IDL Forestry Assistance Bureau administers the program.

At the beginning of each year, the IDL Forest Practices Program Manager compiles and analyzes data from the previous calendar year. These data are then translated into actionable information and made available to land managers, forestry professionals and other interested parties. This information describes the overall picture of forest practice activities on *private* and *state* forestland. For this report, private forestland includes industrial and nonindustrial forestland and may include county or municipal forestland. State forestland includes all state trustlands and other state-owned land where forest practices are administered by IDL.

IDL has a Memorandum of Understanding (MOU) with the Idaho Department of Water Resources (IDWR) regarding stream channel alterations. This MOU grants IDL the authority to permit and inspect specific stream-channel crossing structures installed as part of a defined forest practice. Each year the IDL Technical Services Bureau consolidates details of Stream Channel Alteration Permit (SCAP) activities on private and state land. This activity is reported to IDWR in accordance with the MOU.

The Idaho Forest Practices Advisory Committee (FPAC) is the body of professionals and concerned citizens charged with providing direction and leadership for new and revised FPA administrative rules. FPAC is comprised of nine voting members from across the State of Idaho that represent family and industrial forest owners, fisheries biologists, citizens at large, and logging operators. There are also a number of ex officio members representing IDEQ, the US Forest Service and various technical specialties.

IDL Forest Practices Program Manager, Gary Hess, wishes to acknowledge the hard working Private Forestry Specialists below, whose diligent efforts produce the data in this report and to express his gratitude to Diana Rauschenbach and Debra Welch for the often tedious work in data entry from 1,537 inspection reports and variances.

The IDL, DEQ and FPAC are immensely grateful to the IDL foresters, Bennett Lumber Products Inc., Hancock Forest Management, Inland Empire Paper, Stimson Lumber Company, PotlatchDeltic Land and Lumber LLC, the University of Idaho Experimental Forest and several non-industrial landowners for their assistance with and provision of Class I SPZ harvest sites for the Shade Effectiveness Study.



Figure 1 2018 Forestry Assistance Bureau Stewardship Tour on the Clearwater Supervisory Area

Front Row: Suzie Jude (Stewardship Data Coordinator Ret.) Rodney Cochrane PFS-Mica, Dave Luther PFS-Maggie Creek, Chuck Crimmins PFS-Mica
Middle Row: Mary Fritz Stewardship Program Manager, Jen Russell LSR Project Coordinator, Jim Kibler PFS-Pend Oreille, Karen Robinson PFS-Pend Oreille, Robert Barkley PFS-Ponderosa, Steve Cuvala PFS-St. Joe
Back Row: Dick Jones Inspector-Clearwater, Gary Hess FP Program Manager, Brian Palmer Inspector-Clearwater, Connor Shropshire PFS-Ponderosa, Dave Summers PFS-Maggie Creek, Chris Gerhart PFS-Clearwater, Ara Andrea FA Bureau Chief, Tom Johnson PFS-Pend Oreille, John Lillehaug (Ret. PFS-formerly Payette Lakes), Chris Remsen PFS-Pend Oreille, Scott Sievers PFS-Payette Lakes
Not Present for Photo: Dan Brown & David Thornton Warden & Asst. Warden-Priest Lake, Diane Partridge PFS-Mica, Rich O'Quinn PFS-St. Joe (formerly Eastern), Tim Kennedy (Ret. PFS-formerly Southwest Area)

Introduction

Forest practice inspections are conducted by IDL Private Forestry Specialists (PFSs) and part-time inspectors who assist the PFSs. During inspections, detailed, comprehensive, inspection observations are recorded and then submitted to the Forest Practices Program Manager (FPA PM) for entry in the Forest Practice Inspections Database. The database provides most of the data and information contained in this report along with summaries of inspections completed during a given month. The FPA PM distributes a monthly Forest Practices Report. This monthly report identifies unsatisfactory findings from inspections of commercial harvest operations.

Before commencing any rule-defined forest practice (commercial or non-commercial), an *Operator* who is responsible for forest practice implementation must file a **Notification of Forest Practice** with IDL. When harvested wood will be used **solely** for the landowner's/harvester's **personal use**, a Notification is **not** required. If a commercial operation has the potential to generate a slash hazard, a **Certificate of Compliance/Fire Hazard Management Agreement** must also be submitted and signed by the **Contractor**. The Contractor is responsible for slash management rule compliance. Slash hazard mitigation on commercial operations must be inspected and a **Certificate of Clearance** issued following harvest and site-preparation operations. The Notification and the Compliance are on a double-sided, single-page form that requires signatures from both the Operator and the Contractor. Copies of the signed document are sent to the landowner listed in county tax records, the County Assessor's office in the county in which the operation occurs, and the purchasers. Because all forest practices require a Notification regardless of hazard management implications, this report refers to the form as a Notification.

Once the Forest Practices Notification is accepted by the local IDL Office, the PFS begins the process of scheduling on-site inspections. Inspections may be performed multiple times on the same operation depending on the observed site conditions or upon request of the Operator or Landowner. To ensure that IDL places the greatest emphasis on protecting water quality, the IDL PFSs prioritize inspections based in part on a concise risk assessment. Higher priority is given to operations containing Class I (fish-bearing or domestic use) streams, followed by operations containing Class II streams. Notifications that indicate presence or adjacency of a Class I stream will prompt the PFS to conduct inspections at a higher frequency. Depending on the characteristics of any particular operation, PFSs may use other site-specific attributes to prioritize inspections. These attributes include unstable or highly erodible soils and slopes greater than 45% in gradient. PFSs place the highest inspection priority on notifications with the highest potential for FPA related issues. The objective of the Idaho Forest Practices Act is to protect water quality.

In late 2014 IDL introduced a new process for issuing notifications and for FPA inspections on IDL-managed, state-owned forestland in a manner consistent with inspection methodology on private land. Previously only state timber sale activities were issued Notifications, but starting with the fourth quarter of 2014 IDL transitioned to a process where all state forest management activities are issued Notifications for defined forest practice activities (e.g. spraying, pre-

commercial thinning, etc.). PFSs are to conduct inspections on state forestland with the same frequency and methodology used to inspect operations on private forestland. This report provides data on inspections conducted by PFSs on state-managed forest practice operations. Similar to private forest industry, contractual inspections conducted by IDL forest managers on IDL sales are tracked separately by the IDL Forest Management Bureau. IDL's intention is to collect and report on forest practice inspection data on state forestland consistent with the way it is accomplished for private forestland.

Under the FPA Rules, IDL may grant a **variance** when an Operator demonstrates that variance from a Forest Practices Rule will result in no additional resource degradation and the variant action is necessary to successfully complete the forest practice. A variance is only granted when it is shown the non-compliant activity and potential mitigation will result in equal or better resource protection than operating within full compliance with the rules. Each variance request is carefully analyzed by an IDL PFS. A final decision regarding the granting of a variance is made by the IDL Area Manager after consulting with the PFS. Some requests for a variance are denied and others are withdrawn by the applicant after they learn that additional practices required by the IDL in order to provide greater resource protection make the variance less attractive than full compliance with the rule.

This report provides detailed data on:

- Forest Practices Notifications on Private and State Forestland
- Individual Operations Inspected
- Frequency and Location of Inspections
- Rule Compliance
- Attributes of Inspected Operations
- Notices of Violation
- Complaints Made to IDL
- Variances
- Stream Channel Alteration Projects

Highlights of the above items and conclusions are presented in the following Executive Summary. Bar charts by category are presented in the body of the report.

Executive Summary

Since 1974 the State of Idaho has encouraged sustainable forest management on Idaho forestland through compliance with minimum Best Management Practices detailed in the “Rules Pertaining to the Idaho Forest Practices Act Title 38, Chapter 13, Idaho Code”

(<https://adminrules.idaho.gov/rules/current/20/200201.pdf>)

There was a consistent sustained increase in compliance with these rules from 1974 until a few decades ago when rates exceeded 95%. Rural residential development, new forest landowners, other demographic changes, and changing weather patterns likely make 100% compliance for inspected operations unrealistic. Forest Practice (FP) operations inspected on state and private forestland in 2018 are **99.2%** compliant with FP administrative rules. Inspections demonstrate a continued high level of care and stewardship by Idaho forest managers and loggers during harvesting operations; in fact, this is the highest reported compliance level in a decade, if not since the program inception. Data regarding these achievements in 2018 are provided in comprehensive detail in this report.

Forest Practice Notifications on Private and State Forestland

The number of Forest Practice Notifications accepted for operations on both state and private forestland show that timber-management activity increased in 2018 with **2,450** accepted notifications. This is an 8% increase from 2017. There were **2,324** private Notifications and **126** state Notifications. The BMP implementation rate of 99.2% across all **inspected** operations this year is 0.7% above that in 2017 and 1.5% above the 10 year average of 97.7%. The BMP implementation rate across all forest practice **inspections** this year is 99.0%. One operation often will receive multiple inspections.

Individual Operations Inspected

This past year (2018) saw **1,444** inspections on **1,237** operations. This is an increase in distinct operations inspected (51% of Notifications) over calendar year 2017 (49% of Notifications) and exceeds the IDL goal of inspecting 50% of active Notifications during the calendar year. During this past year all vacant Private Forestry positions were filled from the previous years' retirements or departures; this may have contributed to the increased number of inspections. IDL found at least one unsatisfactory condition (or misdemeanor violation) on **10** distinct operations (0.8%) in 2018 vs. 17 operations (1.6%) in 2017. FP personnel inspected **49** of **126** operations on state forestland for an inspection ratio of 39%. This is down by 5% from the 44% of state operations inspected in 2017. All inspections on state operations conducted by a Private Forestry Specialist were satisfactory.

Frequency and Location of Inspections

Inspections occurred in every IDL Supervisory Area with Eastern Idaho and Southwest having the fewest (2 and 8 respectively) and Pend Oreille Lake, Mica and Ponderosa with the most (380, 335, and 209 respectively).

Notices of Violation

A Notice of Violation (NOV) is 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. In 2017 two NOV's were issued. **In 2018 one NOV was issued.** This number is more consistent with past years (See *Figure 9*).

Research

During the past 4 years, DEQ monitored 65 stream protection zones for the Shade Effectiveness Study implemented as part of IDL's adaptive management approach to streamside tree-retention requirements. The original goal was 50 test sites and 20 control sites. Measurements were made on 44 test sites and 21 control sites among 4 of the 5 Forest Types described in Rule 010.24. Monitoring included pre-harvest and post-harvest inventory, calculation of Relative Stocking and shade measurements with a Solar Pathfinder. The Solar Pathfinder measurements determine the change in relevant shade of a stream by comparing imagery. Data is weighted by taking into account the direction of the sun and time of year. This past field season was the final year for field measurements and DEQ has contracted with the University of Idaho to analyze the gathered data to determine statistical trends. The primary question to be answered is the percent shade reduction which results when Relative Stocking (RS) is reduced to the minimum allowed by rule for Class I Stream Protection Zones (SPZ) (030.07.e.ii). The report is anticipated in 2019.

Another aspect of adaptive management is the extent to which landowner's conduct harvest management in the SPZ. The goal of the new "shade" rule adopted in 2014 is to promote management of Class I SPZs for ensuring forest health and resiliency while not significantly impacting fish-bearing stream temperature. During the past 3 years, the IDL Technical Services Bureau has hired field crews to perform RS sampling on Option 1 and Option 2 Class I SPZ harvests. A report of these results will be available in 2019 as well. Results indicate that 1/3rd of the notified SPZ harvests do not occur. Also, 2/3rd of the completed harvests demonstrate the Option 2 prescription with outer zone stocking that usually exceeds the 10% lower limit. Results from the 2 studies will inform decisions regarding stocking requirements in the SPZ.

As part of a two-year evaluation of a harvest technology new to Idaho, for the second year IDL has granted variances under the Soil Protection Rule 030.03.a. for operation of cable-assisted, ground-based equipment on slopes greater than 45% "immediately adjacent" to streams. This was done to provide a consistent basis for a statewide opportunity to assess the impact of cable-assisted, steep-slope logging within the current FP regulatory framework. The site condition that would prompt the need for a variance is harvesting adjacent to or within the SPZ where slopes outside the SPZ exceed 45% with cable-assisted equipment only. Ground-based equipment is not allowed to operate from within the SPZ in these cases. In 2017 there were 16 such operations: 1 on state and 15 on industry ownership. Fourteen of the fifteen industry operations were adjacent to streams and required variances. There were 25 cable-assisted operations in 2018 with 3 on state and 22 on industry ownership. One of the state operations was not adjacent to a stream

under the above circumstances and did not require a variance. Based on direct reports to the Forest Practices Program, all of these operations have occurred within the St. Joe, Ponderosa and Clearwater Supervisory Areas. In 2019 IDL intends to conduct an internal audit of these operations to determine if modifications to the current ground-based equipment definition might be in order. IDL will continue the above variance process until the evaluation is complete and new guidance or rules are adopted.

IDL spent the year 2018 working with FPAC to study the response of fish to harvesting in the transition zone from Class I to Class II streams and assessing the impact to forest practice operations of domestic use diversions and DEQ's modification of water quality requirements for domestic use intakes.

Looking Forward

There were 126 Notifications issued for state operations (16% increase) in 2018; 49 state operations inspected results in a rate of 39%, which is a drop from 44% in 2017. IDL's goal is to inspect private and state operations in a consistent manner (50% of all operations). The Forest Practices program is working with the IDL Forest Management Bureau to better define the policy and guidance for FP regulatory inspections and documentation to ensure complete and consistent reporting.

IDL has also been managing a contract with Trimble Forestry to develop an enterprise system for timber management that includes regulatory capability. The Lands Information Management System (LIMS) will continue being deployed in phases in 2019 to provide modules that support Transportation, Hydrology, Timber Sales, Private Fire and Hazard and Forest Practices Regulatory administrative and reporting functions that follow previous releases of geo-spatial management of Stand Based Inventory and Fire Reporting. A key aspect of the Hazard Management and Forest Practices Regulatory element is a Compliance/Notification Portal that IDL staff will use to generate these documents using a spatial overlay. This overlay can populate the Legal Description and Special Cautions fields when a polygon for a harvest is drawn within a forest landowner's parcels. Additionally all named entities' contact information for the Landowner, Timber Owner, Contractor, Operator and Purchasers can be pulled in from an integrated database. Initially Compliance/Notification forms will be printed and require signatures as they presently are, but the second phase will add the capability for electronic signatures, so the notification process can take place via e-mail or signature pad in an Area office. It will eventually incorporate Forest Practices and Hazard Clearance Inspection documentation and reporting capability. IDL anticipates the Priest Lake, St. Joe, Ponderosa and Southwest Idaho Pilot Supervisory Areas will start using the system in March of 2019. The remaining Supervisory Area offices, Forest Protective Districts and Timber Protective Associations will begin using the system after a few months' trial in the pilot areas.

Late in 2017 the IDL Technical Services Bureau finished development and deployment of the Compliance/Notification Assistance Tool (CNAT); also a geo-database mapping application. This very helpful tool has made it easier for IDL staff to locate and include pertinent information to include in the current Compliance/Notification form and develop a map that locates intended forest



practices. It has served as a bridge while LIMS is developed and has allowed mapping of highly erodible soils to assist PFSs in administering rules regarding skid trail construction. This was in response to a 2016 DEQ water quality audit recommendation. As LIMS is deployed, CNAT will likely be phased out.

The success achieved in implementing the Idaho Forest Practices Act rests with the collaboration and dedication of many individuals, organizations and the sound science supporting the rulemaking. Idaho's high level of forest practice BMP implementation is achieved and maintained as the result of many contributing factors. The participation of most of Idaho's larger industrial forestland owners in forest certification systems (either *Sustainable Forestry Initiative* (SFI) or *Forest Stewardship Council* (FSC)) has a very positive influence on compliance rates. These industrial forest landowners strive to remain in full compliance with both the FPA Rules and the standards set forth by their certification organizations. They also depend heavily on the data in this report for added third party documentation. Programs like the *American Tree Farm System* provide a similar role on the nonindustrial side. IDL strives to fully inform state land managers, as well as report their successes, to ensure they have a basis for comparison and receive credit for their stewardship ethic. The dedication shown to resource protection by Idaho's state, industrial and nonindustrial stewardship forestland managers while practicing sustainable timber harvest is remarkable and encouraging.

Notification of Forest Practice on Private and State Forestland

A total of **2,450 Notifications** were accepted statewide in **2018** for operations on **private and state forestland**. This is an 8% increase from the 2,273 Notifications submitted in 2017 and makes 2018 the 2nd highest year out of the last ten. *Table 1* below shows the number of Notifications accepted from 2008 through 2018. **Due to a compliance database conversion, only the total number of Compliances for 2018 are available at this time. When a script is written to extract the specific numbers by Forest Protective District (FPD), a revised report will be published.**

Table 1.

2008 to 2018 Notification of Forest Practice/Certificate of Compliance- Fire Hazard Management Agreement											
Forest Protective District	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Priest Lake	75	39	49	42	40	43	39	33	43	41	
Kootenai V.	295	111	152	149	168	244	233	207	214	233	
Mica	377	195	262	260	216	267	284	279	307	264	
Pend Oreille	578	295	408	380	438	521	649	673	706	631	
Cataldo	89	60	70	65	81	106	97	132	136	130	
St. Joe	321	210	263	340	333	356	452	368	445	407	
Ponderosa	157	71	120	121	99	120	141	114	129	133	
Maggie Creek	62	27	59	47	41	50	84	184	132	46	
Craig Mtn.	61	49	72	59	74	50	62	82	36	39	
Southwest	21	25	30	30	45	61	41	26	19	12	
Eastern Idaho	9	3	7	6	4	5	10	14	6	6	
SITPA	46	35	65	63	94	80	78	84	63	80	
CPTPA	<u>175</u>	<u>162</u>	<u>233</u>	<u>259</u>	<u>226</u>	<u>257</u>	<u>257</u>	<u>250</u>	<u>270</u>	<u>251</u>	
TOTAL	2266	1282	1790	1821	1859	2160	2427	2446	2506	2273	2450

2008-2018 operations conducted on both state and private forestland.

Table 2 shows the number of Notifications accepted for both state and private entities by fire protection district. In 2018 **126** Notifications were accepted for activities on state land.

Table 2.

Forest Protective District	2018 Private	2018 State	2018 Total
Priest Lake			
Kootenai Valley			
Mica			
Pend Oreille			
Cataldo			
St. Joe			
Ponderosa			
Maggie Creek			
Craig Mountain			
Southwest			
Eastern Idaho			
SITPA			
CPTPA			
TOTAL	2324	126	2450

State and Private Forestland—Notification and Compliance Submissions

A total of **2,324** Notifications were accepted for **private land** for **2018**. These include all **commercial operations, non-commercial operations which generate slash, and cost-shared activities** which constitute a Forest Practice. Notifications totaled in this private land category include operations conducted on industrial and nonindustrial forestland.

Individual Operations Inspected

Figure 2 shows a comparison of operations inspected from 2015 through 2018. There were **1,237 distinct operations** inspected in 2018. Of those 1,237 distinct operations, 1,227 operations demonstrated satisfactory BMP implementation (in compliance with the FPA Rules). This is a **99%** compliance rate. Of the total number of operations, **10** had at least one inspection report in which at least one unsatisfactory condition (rule infraction) was observed. One unsatisfactory operation in 2018 received a NOV because of unresolved mitigation. All 10 unsatisfactory operations in 2018 occurred on non-industrial forestland. Inspections conducted by PFSs on state forestland in 2018 demonstrated satisfactory compliance. Of the **2,450** accepted notifications in 2018, **1,237** of those operations received at least one inspection, so **51%** of all operations received an inspection in 2018. This is the first year in the last three that IDL has met the statewide goal of inspecting at least 50% of the operations with a Notification on file. The 47% rate in 2017 (even lower than 2016) was, again, likely due to several PFS positions being open for several months in more than one Supervisory Area that year and part of 2016.



Figure 2 Comparison of Yearly Inspected Operations on State and Private Forestland 2015–2018.

On state forestland (See Figure 3), **49** of **126** operations received an inspection by a Private Forestry Specialist, for a ratio of **39%**. This is down from 2017. These data do not include contract inspections conducted by the forester-in-charge of state managed sales.

For private Notification operations, **1,178** out of **2,324** operations received an inspection, for a ratio of **51%**. This is a substantial increase from 2017.

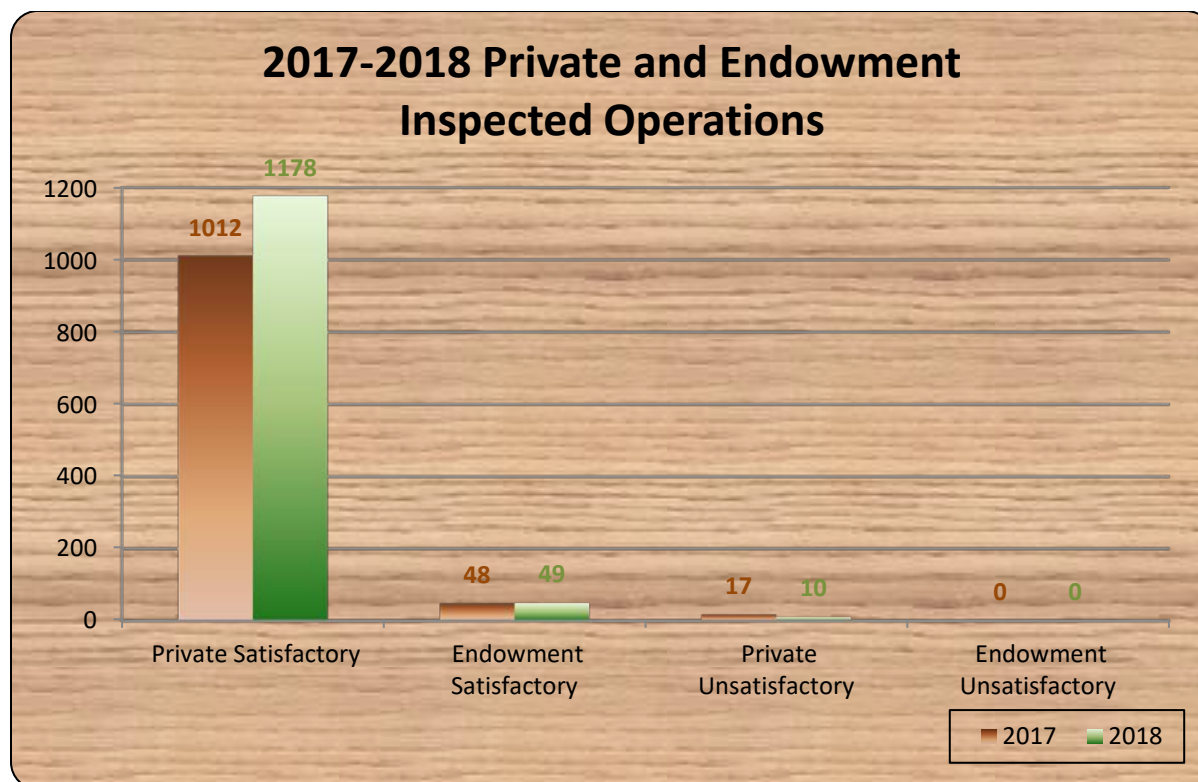


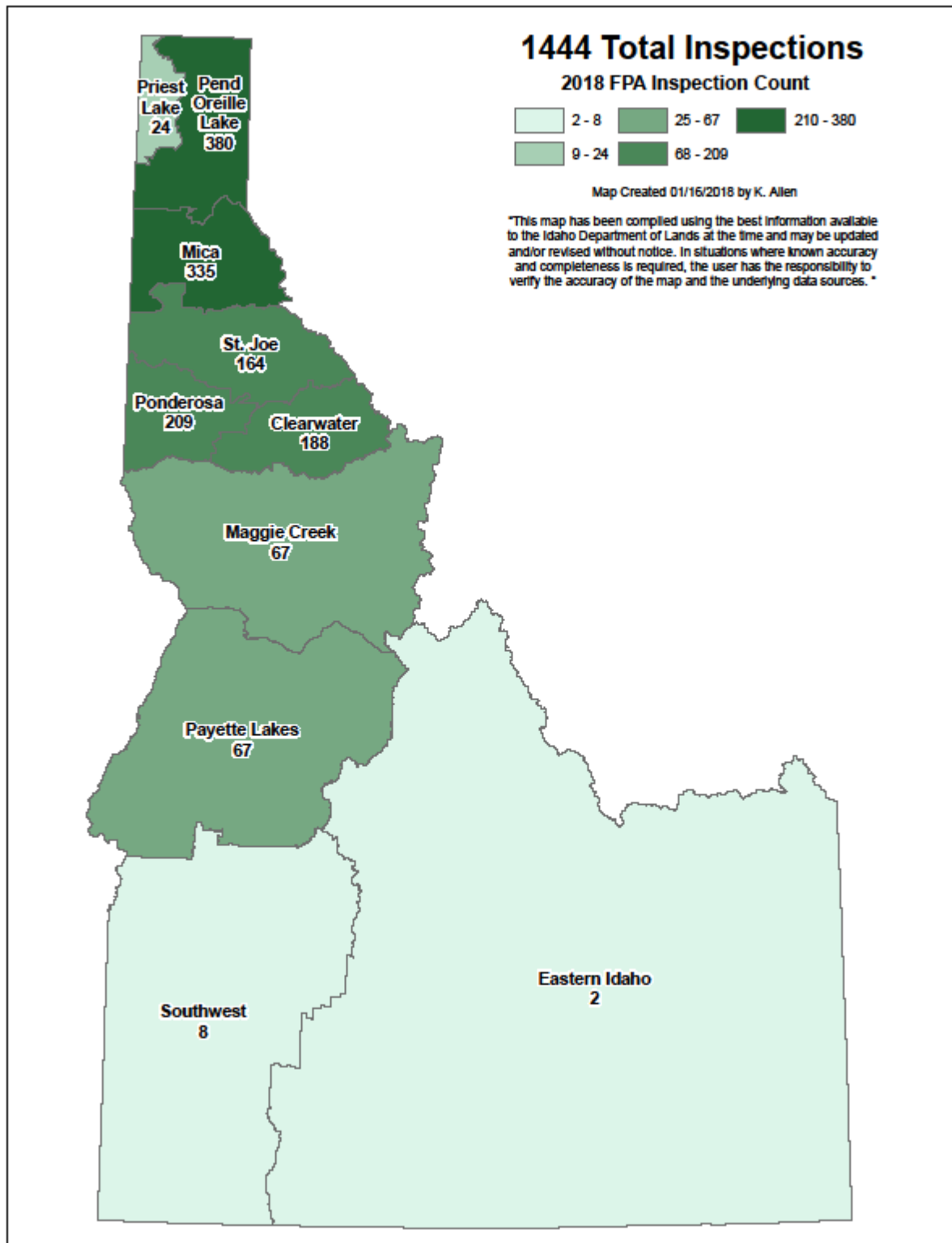
Figure 3 Comparison of Satisfactory and Unsatisfactory Inspections on Private and State Operations.

Frequency and Location of Inspections

During 2018, IDL PFSs and assistants performed **1,444** total Forest Practices inspections on 1,237 distinct operations of state and private forestland. *Figure 4* shows spatial representations of all Forest Practices inspections performed in 2018 and 2017 by IDL Supervisory Area (vs Forest Protective District). The total number of inspection reports for inspections in each Area includes follow-up inspections on the same operation; this results in more inspection reports than operations.

Comparison of the two maps reveals the changing demographics for program personnel in 2017 and 2018. The Mica temporary part-time PFS moved to the permanent full-time PFS position in Craig Mountain Fire Protective District (Maggie Creek Area) early 2017. A permanent, part-time PFS started on Mica in late 2017. A permanent, full-time PFS left IDL late 2017 and this position was vacant until it was filled by the Eastern Area PFS mid-2018. The Eastern Idaho position was not filled. The temporary, part-time PFS on the Ponderosa Area became a full-time endowment forester on the same area late 2017 and this position was vacant until mid-2018 when a permanent, part-time PFS was hired. The Southwest Idaho permanent, full-time PFS retired late 2017; this position was moved to the Payette Lakes Area and filled early 2018. The retired SWI PFS will work seasonally. The seasonal, retired PFS in Payette Lakes will no longer work seasonally for IDL. For the last half of 2018 the private forestry field staff was essentially complete with the exception of the Eastern Area. Note that a seasonal inspector roves throughout the

Clearwater and Maggie Creek Areas, so totals for those two Areas may be inconsistent from year-to-year.



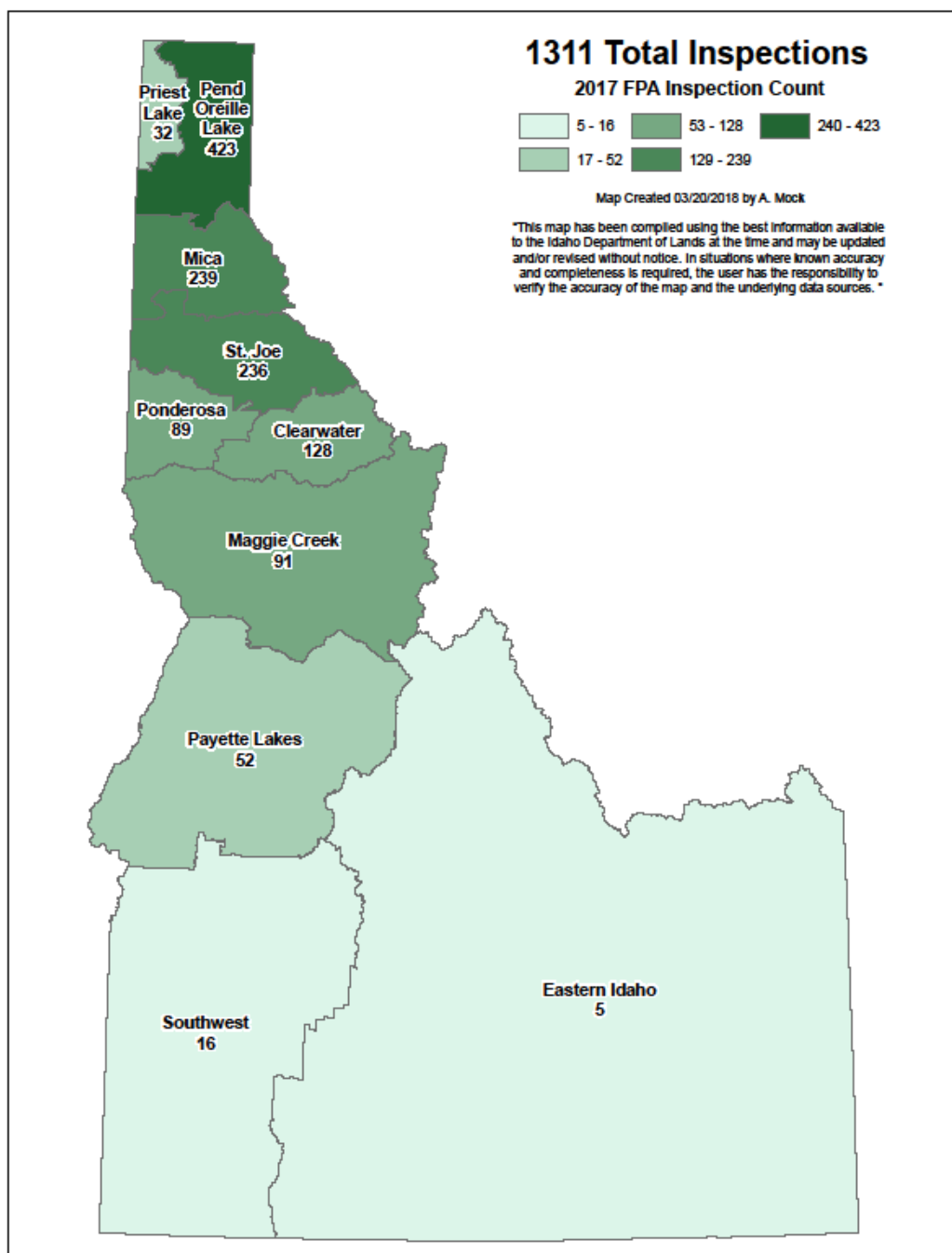


Figure 4 Map of inspections by Supervisory Area.

(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 carry-over 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.)

Rule Compliance

Figure 5 shows a comparison of the **total** number of 2017 and 2018 Forest Practices **inspections** performed on state and private forestland and the breakdown of those inspections into satisfactory reports (inspection reports indicating compliance with all rules inspected) and unsatisfactory reports (inspection reports indicating an infraction of at least one rule).

The data show, out of the **1,444** total inspections performed in 2018, the number of inspection reports containing all-satisfactory conditions was **1,429** (*Total Satisfactory Inspections*); this demonstrates that **99%** of all **inspections** performed in 2018 found compliance with the FPA Rules (including 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 1,444 performed inspections, the number of inspections that resulted in reports indicating at least one unsatisfactory condition totaled 15.

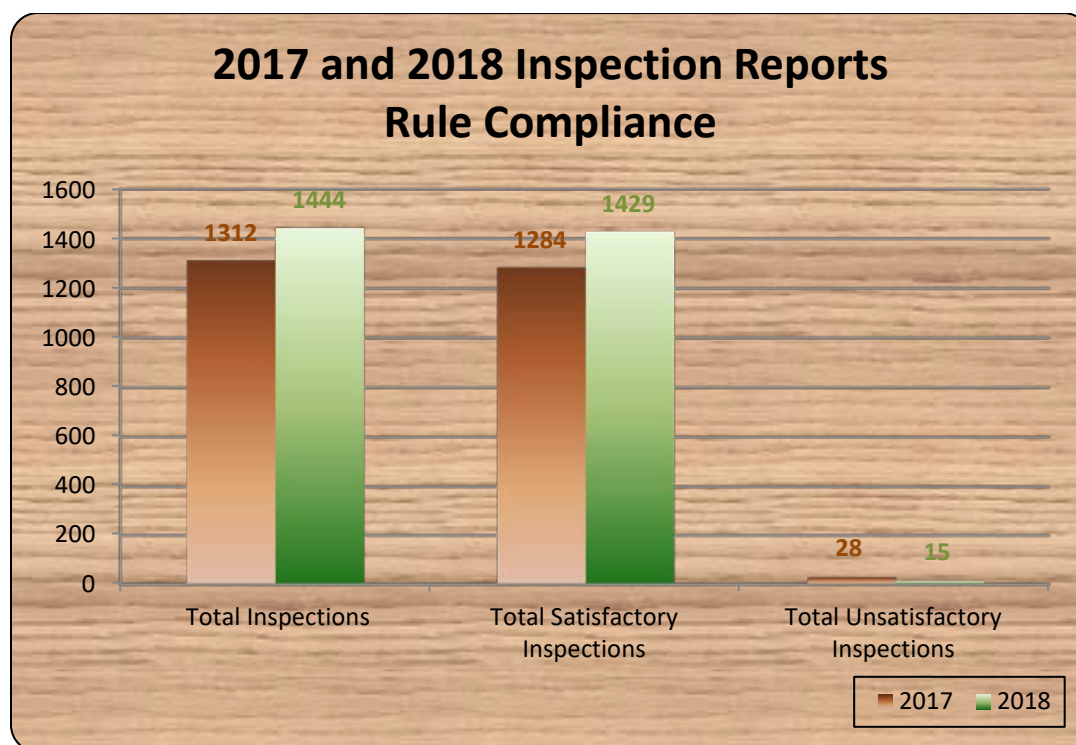


Figure 5 Comparison of 2017 and 2018 total inspections.

Figure 6 shows a comparison of the total number of inspections carried out by ownership category in 2018. In 2018 there were **51** inspections carried out by PFSs on IDL managed timberland. No inspection resulted in an unsatisfactory finding. The total number of inspections conducted on private forestland was **1,393**. Without considering the 51 satisfactory inspection reports conducted on IDL managed land, the report compliance rate on private timberland is also **99%**.

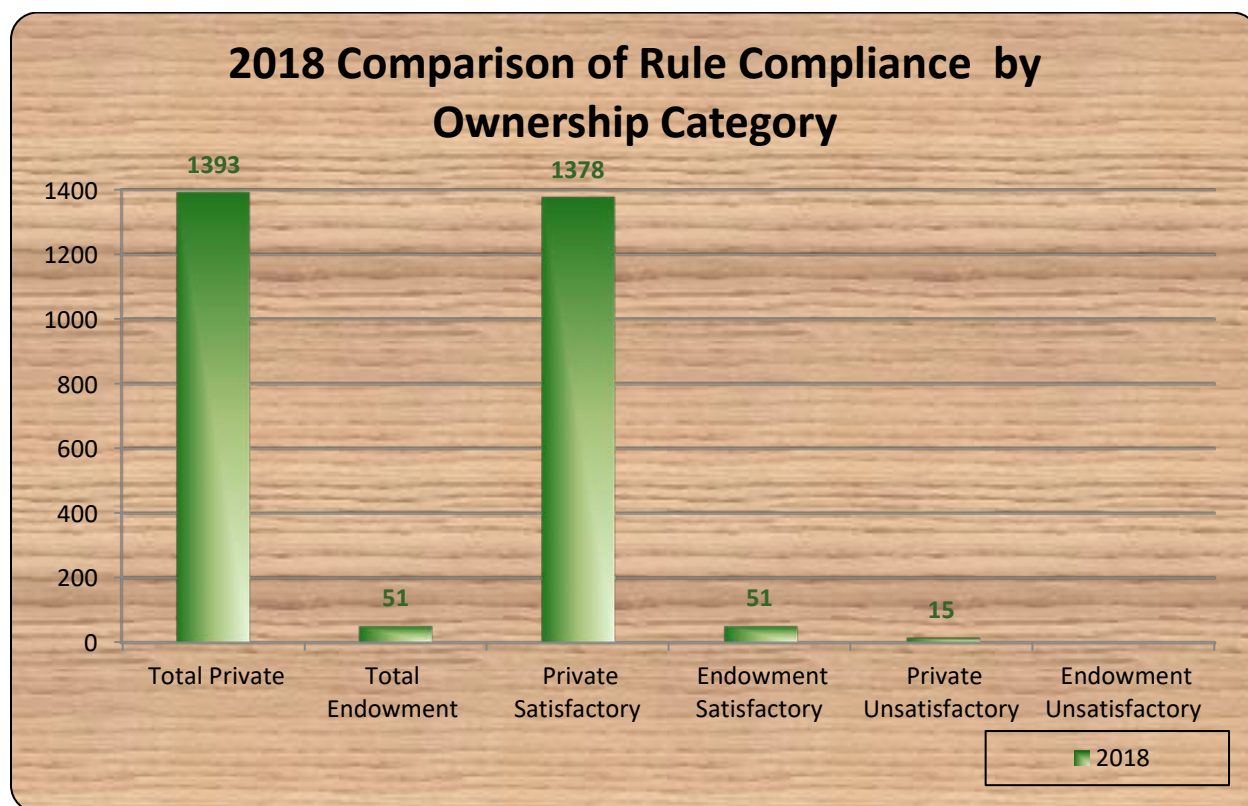


Figure 6 Comparison of Rule Compliance by Ownership Category in 2018.

State operations inspected by PFSs indicate **100%** compliance.

Figure 7 shows the frequency and types of individual rules that were violated in these *unsatisfactory* reports.

(FPA Rules available at this link: <https://adminrules.idaho.gov/rules/current/20/200201.pdf>)

Within the **15** unsatisfactory inspection reports on 10 operations there were **35** rule infractions cited. The most frequently infringed rules were the *Stream Protection* rules (IDAPA 20.02.01.030.07 - 24% of infringed rules) and the *Location of Landings and Skid Trails* rules (IDAPA 20.02.01.030.04 - 17% of infringed rules). Rule 030.07 has the greatest number of subparagraphs of all the Harvesting Rules and often when 030.04, 040.02, or 040.03 are cited, 030.07.c will be cited as well for operating ground-based equipment inside the SPZ without a variance. For the General Rules (020) governing documentation, failure to obtain a variance or

stream channel alteration permit (020.01) comprised 14% of infractions. A notable decrease are the 3 infractions for petroleum waste (IDAPA 20.02.01.060.02) down from 6 in 2017.

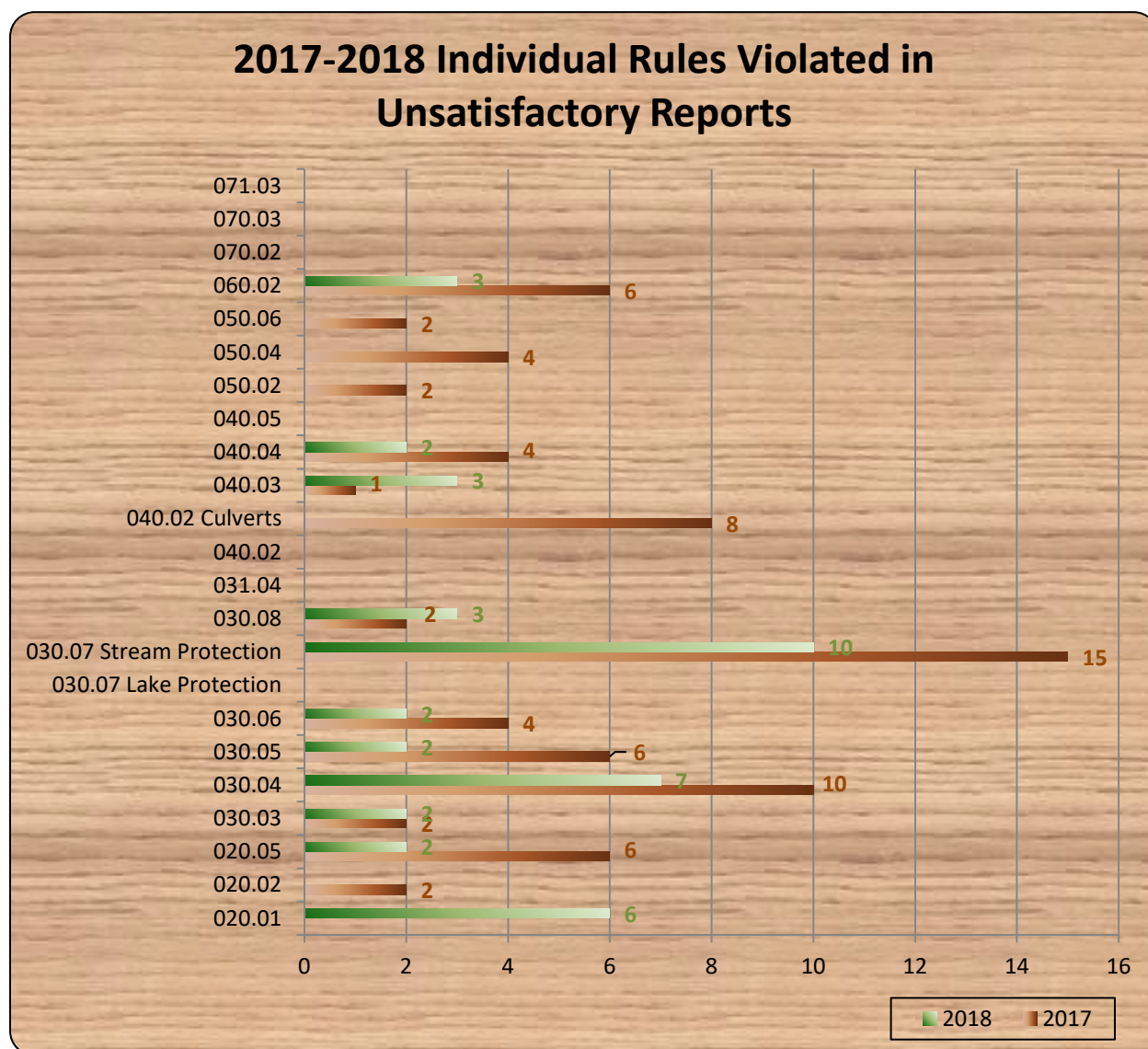


Figure 7 Comparison of Individual Rules Violated in 2017-2018.

Attributes of Inspected Operations

Figure 8 shows the number of inspected operations performed in areas containing (or adjacent to) Class I or Class II streams as well as some of the other attributes used to determine inspection priorities. Of the 1,237 operations inspected, 407 (33%) of the operational areas contained at least one Class I stream, and 814 (65%) contained a Class II stream. As these data show, often one operational area includes both Class I and Class II streams, as well as other attributes. Figure 8 exhibits the specific site attributes of the inspected areas. The highest inspection priority is always given to requested pre-work meetings. IDL believes it is better to identify suitable alternatives to rule standards rather than subsequently observe unsatisfactory conditions in an inspection. IDL would like to conduct pre-operational collaboration with nonindustrial private forestland (NIPF) operators to the extent it does with industry and state operators. Those operators/landowners do not request such collaboration with similar frequency, but IDL offers it whenever possible.

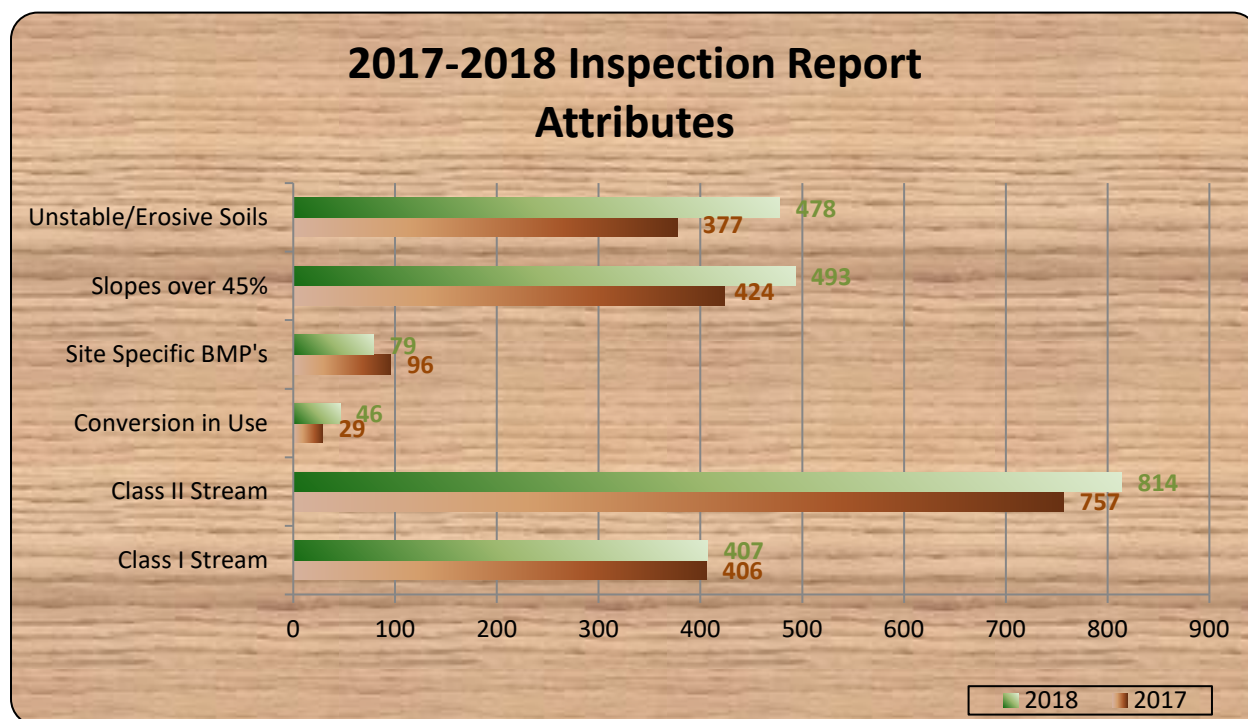


Figure 8 Comparison of the Attributes of all Inspected Operations in 2017 - 2018.

IDL's intent is to conduct FPA inspections on IDL managed state land as on private land. The first step in achieving that consistency is to select sites for inspection using the same decision process. Figures 9 and 10 depict the Inspected Operations Attributes of the inspections conducted on operations on private land and state land respectively. While the two data sets are very different in size, as expected, the distribution by attribute on state land is similar to that on private land. Harvest operations on all state lands including endowment lands are conducted by IDL and will be listed as state operations.

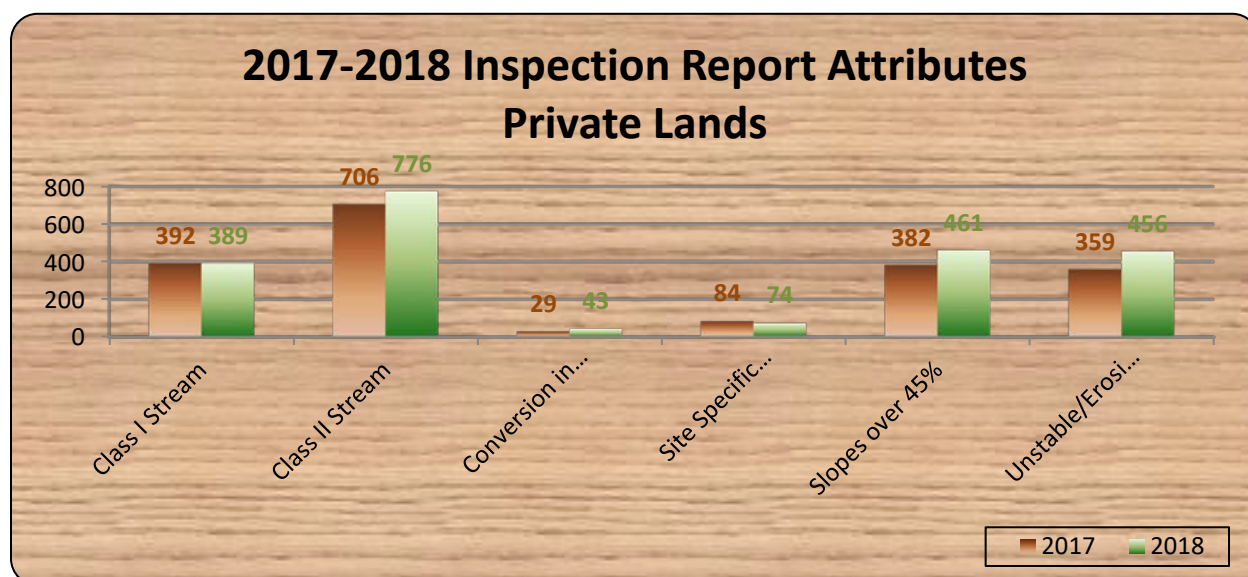


Figure 9 Inspected Operations Attributes on Private Land

In 2018, 67%, or 31, of the conversions were for development followed by, 11% for grazing, 9% for utility, 4% for rock pits, and 2% for recreation. IDL has seen an up-tick in compliances associated with development as housing markets have tightened and buyers are forced to build rather than purchase existing homes. Note the 3 “Conversion in Use” operations shown for state land were for clearing of hazard trees in highway right-of-way ownerships of the state and expanding a recreation area. For 3 of the conversions, it was not possible to determine the reason from the inspection report.

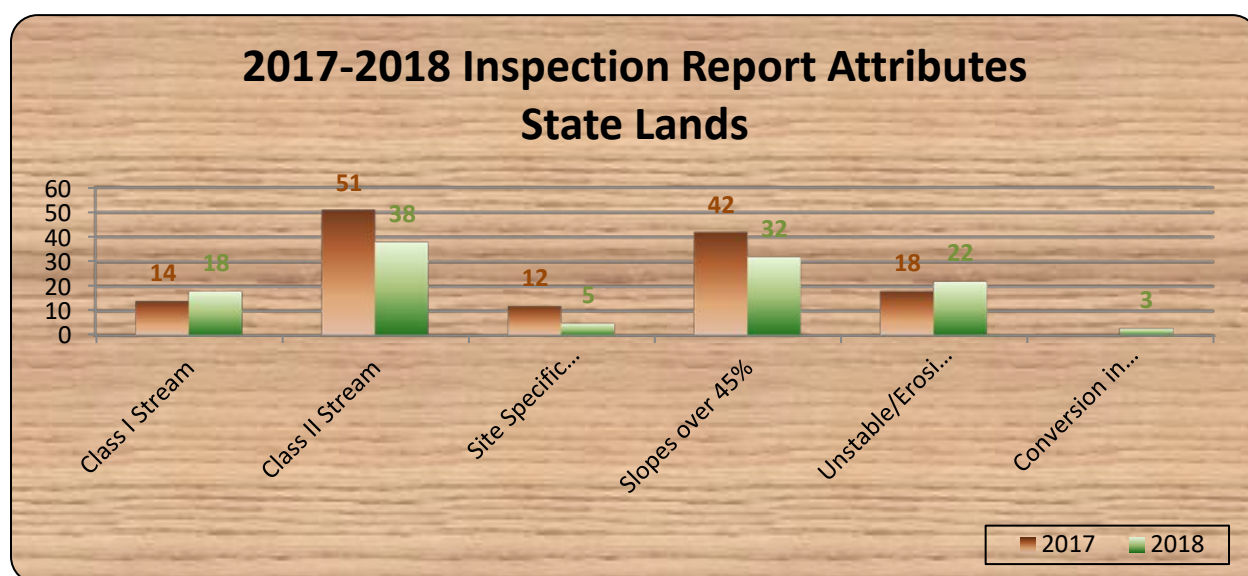


Figure 10 Inspected Operations Attributes on State (IDL managed) Land

Notices of Violation

A Notice of Violation (NOV) is 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. **In 2018 only one was issued.** Figure 11 shows the number of NOVs issued per year over the last decade. With the exception of 2015, the number of NOVs is typically one or two.

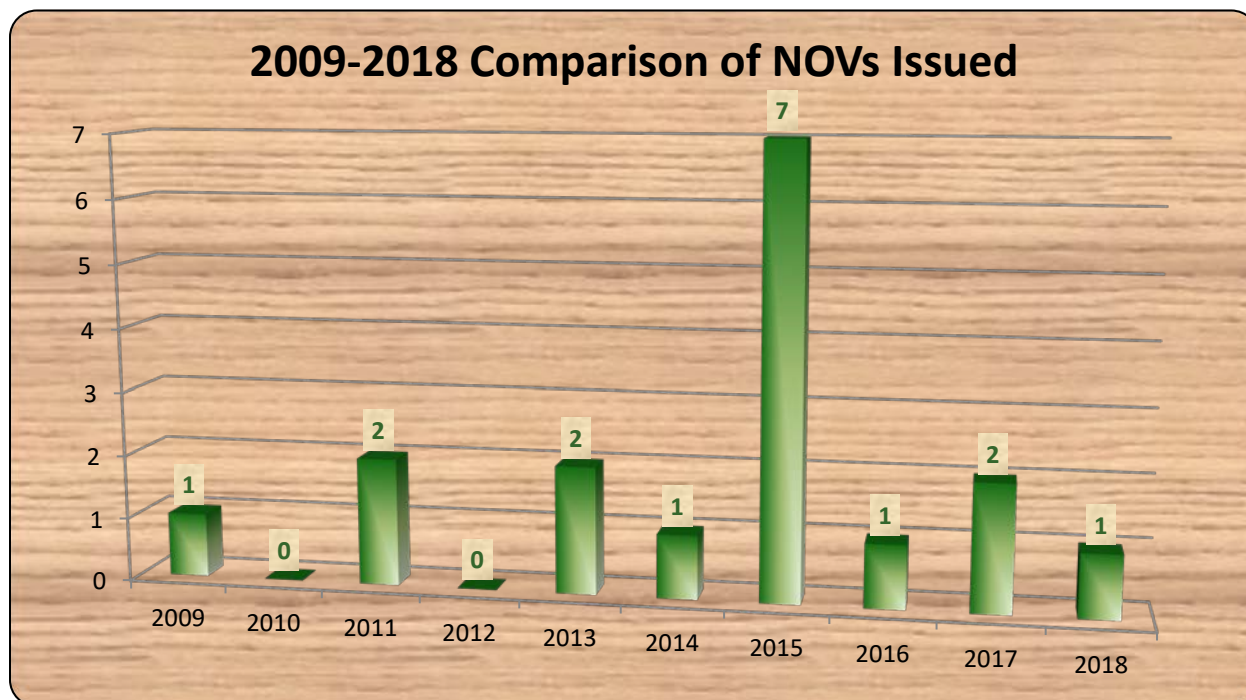


Figure 11 Comparison of NOVs Issued from 2009 through 2018.

There were 9 unsatisfactory operations without NOVs; all infractions and the one violation in 2018 were nonindustrial private forest operations. Most unsatisfactory reports were associated with typical infractions such as ground equipment in the SPZ, locations of landings and trails in SPZs, road maintenance and/or road and trail drainage control. Additionally some operations had unsatisfactory findings for an excessive number of skid trails (1), failure to obtain a variance (2) and improper Notifications (2).

Complaints Made to IDL

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. IDL Private Forestry Specialists or Operations Foresters usually address these complaints. Complaints range from perceptions of resource degradation to concerns over aesthetics.

The PFSs analyze each complaint and decide whether the complaint can be addressed by checking compliance with the FPA Rules; if so, a site visit is usually performed. **One-hundred twenty-five** (125) FPA-related complaints were received by IDL Offices (mostly by PFSs) in 2018. **Eighty-three** (83) of these complaints were addressed with an in-office explanation (on the phone or in-person); the remainder required a field, site-visit. The number of FPA-related complaints received by each IDL Supervisory Area is shown in *Figure 12*.

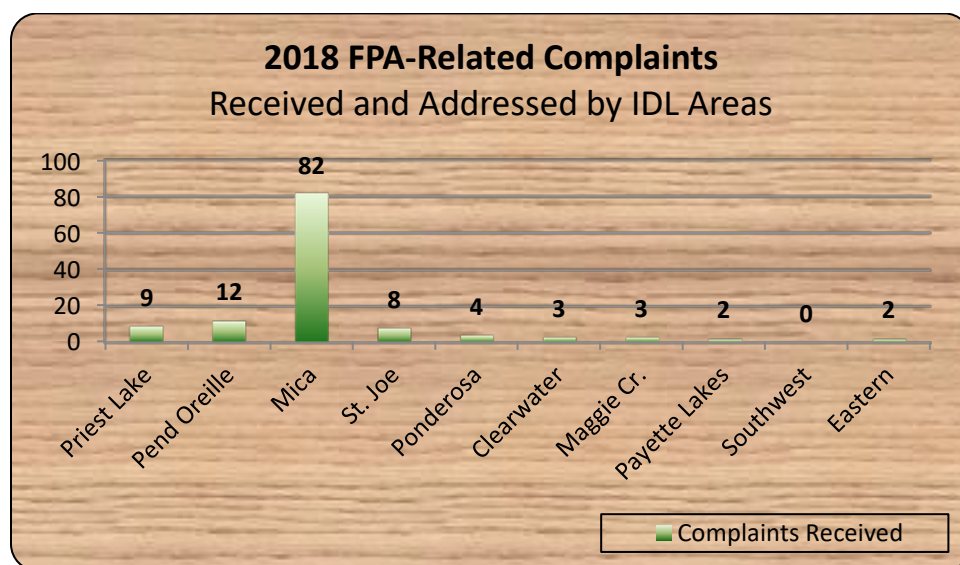


Figure 12 FPA Related Complaints received in 2018 by Area.

While each Area does not track complaints in the same way, there is consistency in year-to-year reporting among the areas. The overall number of complaints increased dramatically from 58 in 2017 to 125 in 2018. Most of the increase was in the Mica Area where complaints rose 225%. As in past years, the Mica Supervisory Area had the highest number of complaints of all areas.

Variances

Figure 13 shows a 2017-2018 comparison of the number of variances granted statewide. For 2018, 102 variances were issued on all forestland operations (25% higher than 2017). Out of 2,449 Notifications, variances were granted to 4% of all forest practice operations.

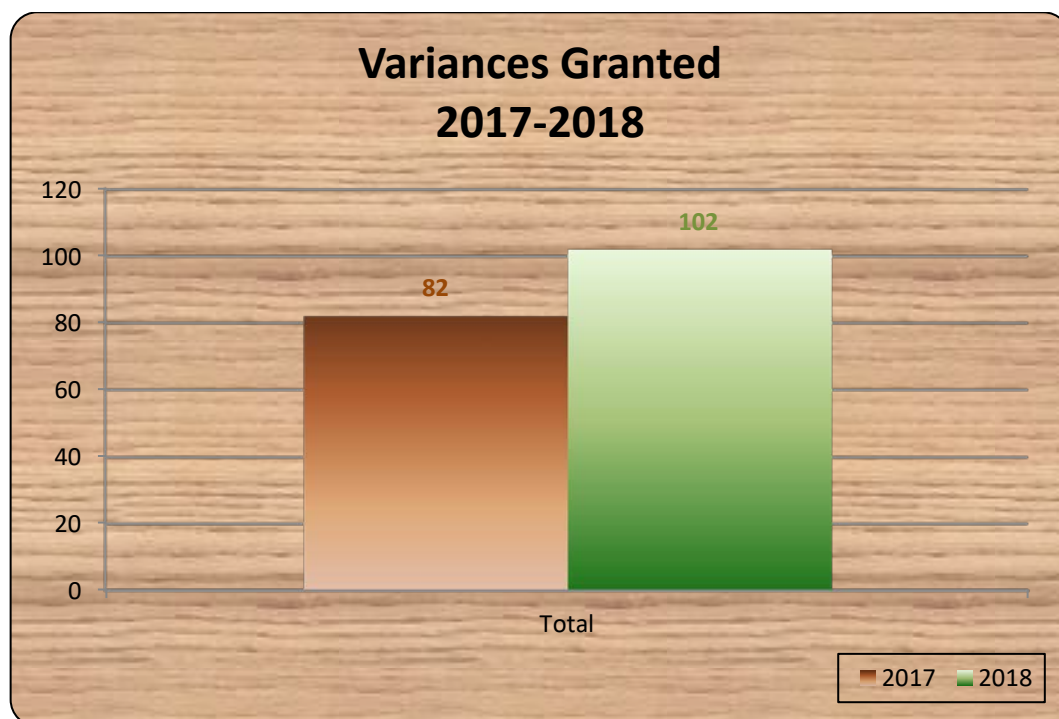


Figure 13 Comparison of Variances in 2017 and 2018.

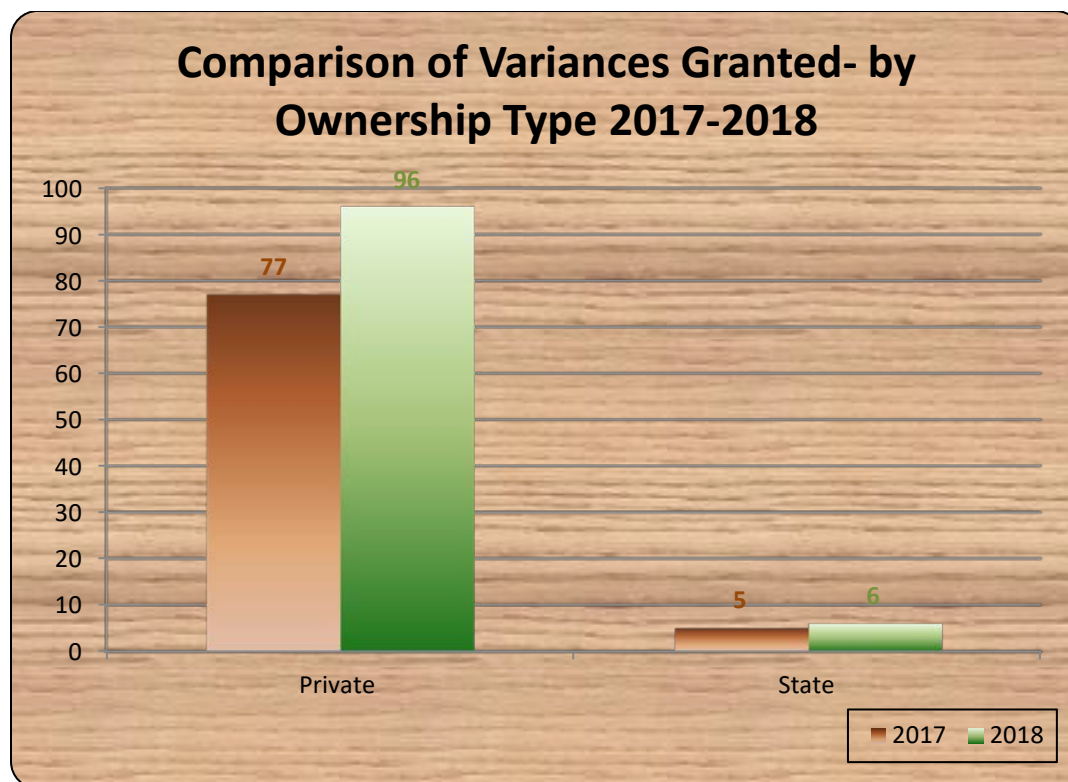


Figure 14 Comparison of Variances Granted across ownership type.

Figure 14 shows the distribution of variances by ownership in 2018. State and private operations had variances on 3% and 4% of their respective number of notifications. All variances issued in a Supervisory Area are signed by the Area Manager and must meet the “equal or better over the long-term,” protection-criterion. It is the Area Manager’s responsibility and objective to ensure the criterion is applied consistently across state, industrial and nonindustrial private ownership.

Figure 15 illustrates the types of rules for which variances were granted (See Table 3 for textual rule descriptions). Most requests for variances deal with the use of existing trails or roads within a SPZ. Variances of this nature are only granted if the operator can demonstrate to IDL that use of existing roads or skid trails (within the protected riparian area) are necessary to carry out the operation. Additionally, use of ground-based equipment inside the SPZ must not result in added degradation to the soils, water quality or fish habitat within the watershed and must result in less sediment delivery to streams than that from construction of new transportation systems outside the SPZ. From year to year, there is very little difference in which rules variances are granted for.

(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 rules varied being greater than the total number of variances granted.)

Table 3. FPA Rule Paraphrased Textual Descriptions for Figures 13 and 14.

Rule Title	Rule Number	Rule Paraphrase
030. TIMBER HARVESTING	030.03.a	No ground-based equipment on slopes >45% threat to stream
	030.03.b	Grade of constructed skid trails < 30%
	030.04.a	Landings, skid trails, and fires trails outside SPZ
	030.06.c	Waste material deposited outside SPZ
	030.07.b	Temporary stream crossings used
	030.07.c	Ground-based equipment outside SPZ
	030.07.e.ii	Streamside shade retention adequate
	030.07.f.ii	Mechanical piling of slash outside SPZ
040. ROAD CONSTRUCTION	040.02.a	Road construction outside SPZ
	040.02.g	Stream crossings minimized and properly installed
	040.02.h	Road reconstruction outside SPZ
	040.03.i	Cut slopes reconstructed

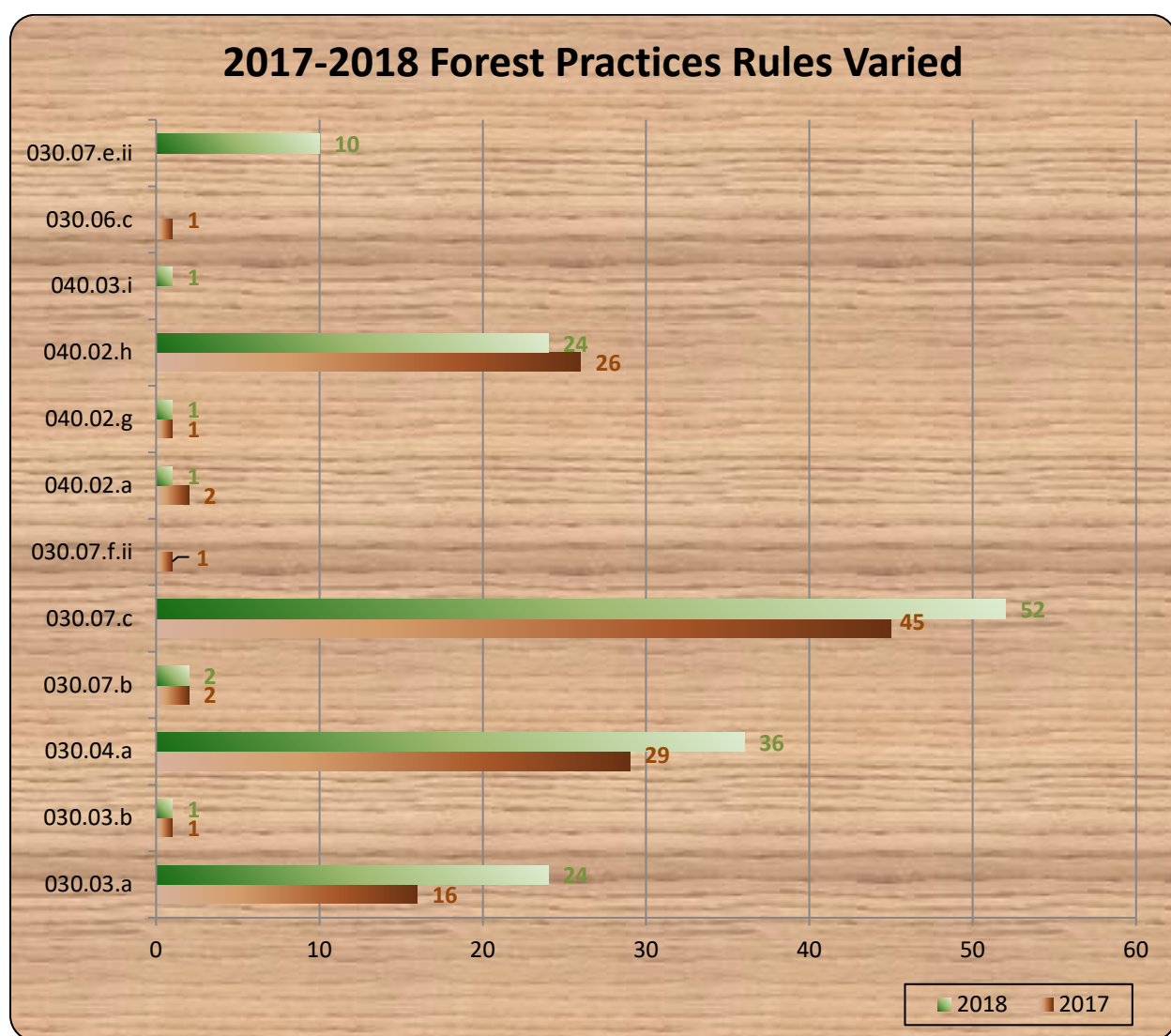


Figure 15 Comparison of Variances for 2017 and 2018.

Rule 030.03.a Soil Protection contains a clause that prohibits operating ground equipment on slopes exceeding 45% immediately adjacent to streams without a variance. In 2014, only 3 variances were granted for this rule and there were none in 2015 and 2016; in 2017, there were 16 variances for 030.03.a.; and in 2018 this number increased over 50% to 24, including 2 on state operations. The larger number of variances for this rule in 2018 is entirely from variances for cable-assisted, mechanized-harvesting operations near streams. Although this rule is typically only varied for fire trails to protect adjacent uncut timber, in 2016 the Idaho forest industry and IDL recognized that growth in this technology would soon occur in Idaho. The Department decided, while we study the impact of this emerging technology, to issue variances for any such operation where ground equipment harvesting would occur on slopes greater than 45% adjacent to the SPZ of streams. Anecdotal reports to date indicate there has not been a noticeable increase of sediment delivery to streams from these operations, even after prescribed burning. Neither have Private Forestry Specialists identified adverse impacts. This is consistent with results in neighboring states. The Forestry Assistance Bureau is working with the Technical Services Bureau to plan an internal audit of private and state operations where these variances were issued to assess the results. This audit is expected to occur in 2019. Comprehensive private and state studies (that IDL will review as well) of resource impacts from this technique are underway in neighboring areas. After the audit and available research results are reviewed, they will be presented to FPAC for consideration of guidance or rule modifications that may be appropriate.

Figure 16 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 low, it is clear the largest number of variances on all ownerships is for trail or landing use in an SPZ. A few other rule variances are noteworthy. There were ten variances for harvest below stocking limits in Class I Stream Protection Zones including one on state land. The remaining nine were all on private ownership and associated with fire salvage logging or hazard tree removal. There was one variance for 040.03.i associated with blasting rock to reconstruct and stabilize a road that was subject to cut slope failure.

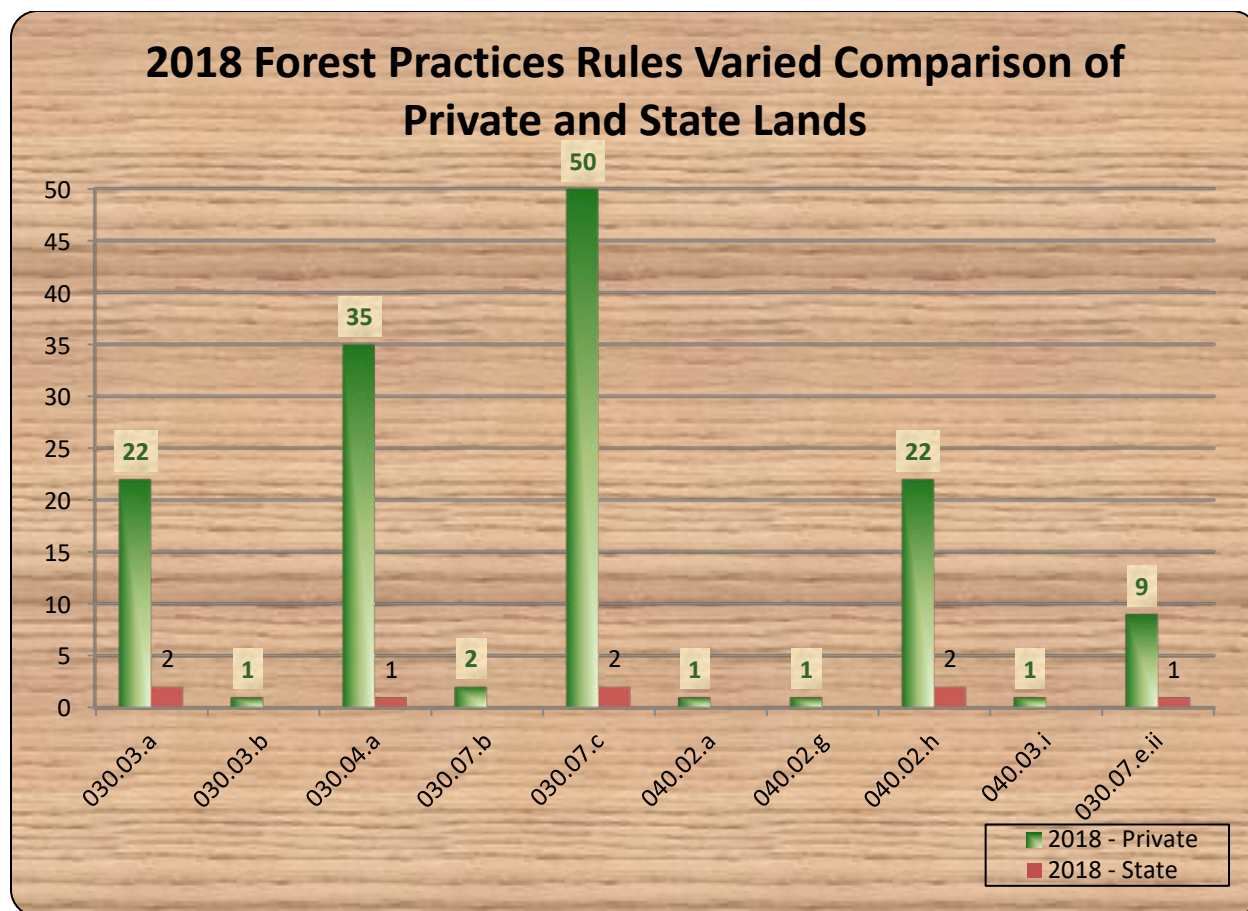


Figure 16 Comparison of Rules for which Variances were Granted by Ownership Type.

Rule Title	Rule Number	Rule Paraphrase
030. TIMBER HARVESTING	030.03.a	No ground-based equipment on slopes >45% threat to stream
	030.03.b	Grade of constructed skid trails < 30%
	030.04.a	Landings, skid trails, and fires trails outside SPZ
	030.07.b	Temporary stream crossings used
	030.07.c	Ground-based equipment outside SPZ
	030.07.e.ii	Streamside shade retention adequate
	030.07.f.ii	Mechanical piling of slash outside SPZ
040. ROAD CONSTRUCTION	040.02.a	Road construction outside SPZ
	040.02.g	Stream crossings minimized and properly installed
	040.02.h	Road reconstruction outside SPZ
	040.03.i	Cut slopes reconstructed

Stream Channel Alteration Projects Administered by IDL

In accordance with an MOU between IDL and the Idaho Department of Water Resources (IDWR), IDL Private Forestry Specialists have the conditional authority to approve applications for culvert, bridge and ford installations, re-installations and removals on private land. The conditions under which IDL has this authority are: the stream-channel alteration projects are part of a defined forest

practice, the stream is perennial, and the stream-crossing structures meet certain size limitations and installation criteria.

One hundred nineteen (119) total stream channel alteration installations/removals were received and approved by IDL statewide in 2018. A project application, submitted to IDL on a supplemental notification form, may contain multiple installations in close proximity to each other (e.g., three culvert installations on one stream segment within one operational unit). The supplemental notifications accepted in 2018 referenced activity at 119 crossings. 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. Seventy-three of the crossings were accomplished by a single landowner and in many cases improved fish-passage for upstream migration by removing barriers. *Figure 17* shows the number of stream-channel-alteration projects reviewed and administered by each IDL Area Office in 2018.

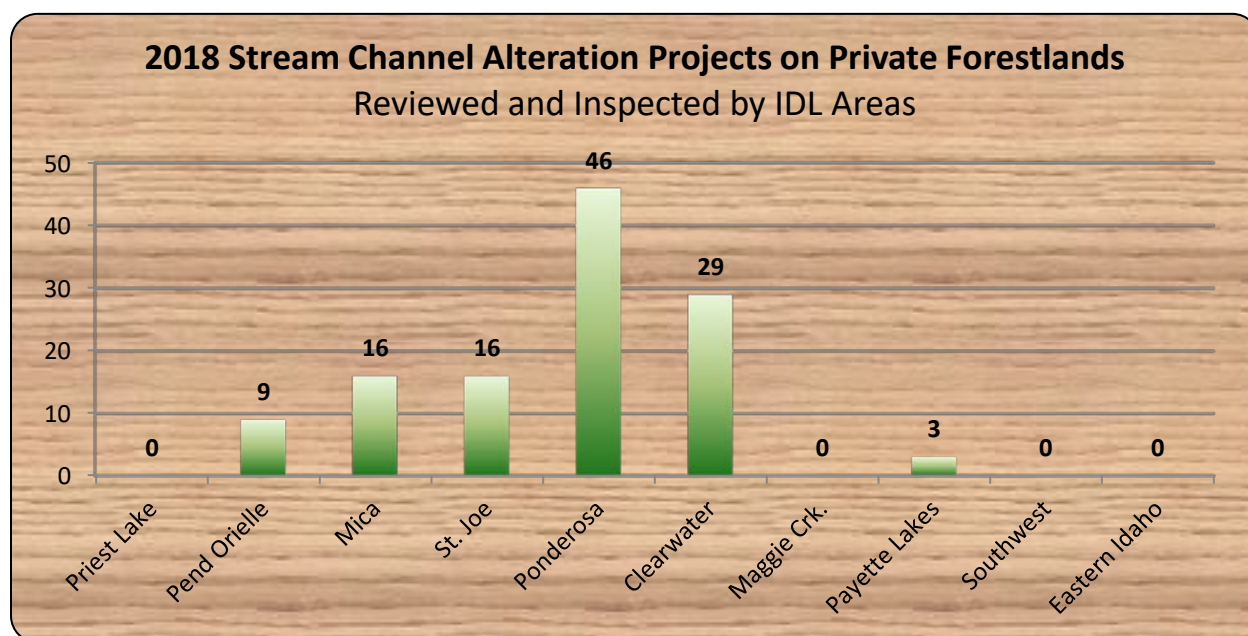


Figure 17 Stream Channel Alteration Permits on Private Forestland by Area.

Conclusion

In 2014 IDL began development of an updated form for use by *Operators* to provide a *Notification of Forest Practice*. After several iterations and reviews, the new forms were implemented in early 2016. The changes largely centered on clarifying roles and responsibilities of parties under the Forest Practices Act Rules and the Idaho Forestry Act Fire Hazard Reduction Rules. Much of the effort was devoted to developing an electronic form with drop down menus to increase efficiency. Due to the current numbering scheme and the need for an acceptance signature from an authorized representative of the IDL Director, production of an accepted Notification is only possible at IDL Supervisory Area offices. In 2018, IDL made significant progress on an enterprise information management system that will speed up the notification development process and reduce the amount of time devoted to data entry. Eventually all Forest Practices documentation, including Compliance/Notification forms, will be produced, processed and stored by this system. As soon as it is implemented statewide, it will no longer be necessary, in most cases, to go into a Supervisory Area Office to obtain a Notification.

Having an educated workforce contributes to sustaining the high levels of compliance we see today. The IDL Forest Practices Program continues to assist University of Idaho Extension and Idaho Associated Logging Contractors with their *Logger Education to Advance Professionalism* (LEAP) training sessions. These sessions provide targeted education to loggers which enhances awareness of the FPA Rules and needed compliance with these BMPs. The classes continue to be well-attended and up-to-date in addressing current forest practices issues and rule changes that affect loggers.

The updated Idaho Forestry BMP Field Guide developed by the University of Idaho with IDL assistance is complete and widely distributed. This update includes an award winning educational companion video and a new BMP website. The Idaho Forest Products Commission is providing additional BMP educational opportunities throughout the state and developing and hosting BMP education via electronic media.

The success achieved in implementing the Idaho Forest Practices Act rests with the collaboration and dedication of many individuals, organizations and the sound science supporting the rulemaking. Idaho's high level of forest practice BMP implementation is achieved and maintained as the result of many contributing factors. The participation of most of Idaho's larger industrial forestland owners in forest certification systems (either *Sustainable Forestry Initiative* (SFI) or *Forest Stewardship Council* (FSC)) has had a very positive influence on compliance rates. These industrial forestland owners strive to remain in full compliance with both the FPA Rules and the standards set forth by their certification organizations. The same can be said for the state endowment land managers. Programs like the *American Tree Farm System* provide a similar role on the nonindustrial side. The dedication shown to resource protection by Idaho's state, industrial and nonindustrial stewardship forestland managers while practicing sustainable timber harvest is remarkable and encouraging. Our challenge is to improve outreach to nonindustrial members of our community involved in timber production to better educate them and their operators on the importance of Idaho's BMPs to maintaining and enhancing Idaho's water quality.