

STATE BOARD OF LAND COMMISSIONERS

August 18, 2026
Information Agenda

Subject

Proposed Rule for IDAPA 20.02.01 Rules Pertaining to the Idaho Forest Practices Act Title 38, Chapter 13 Idaho Code as it pertains to 38-1304(1)(f).

Background

The purpose of this rulemaking is to draft rules specifically to implement Idaho Code §38-1304(1)(f) related to the timely salvage of dead, dying, or threatened timber when practicable, on non-private forest lands of 2,000 contiguous acres or more.

This rulemaking was initiated by a petition from the Farm Bureau Federation in 2025. Our intention under our current proposed timeline is to complete the rule promulgation process and present the proposed rule to the 2027 legislature for final adoption.

The Forest Practices Advisory Committee (FPAC) created a sub-committee which drafted language to use as a starting point for Negotiated Rulemaking. The committee was given the opportunity to review the language before we entered Negotiated Rulemaking.

Discussion

The Department's outreach for Negotiated Rulemaking included the following:

- Published the Notice of Negotiated Rulemaking in the Idaho Administrative Bulletin.
- Created a rulemaking webpage to post documents, scheduling information, and comments.
- Issued a press release.
- Emailed 150 stakeholders and other interested parties.

Negotiated rulemaking meetings were held on July 8, in Coeur d'Alene, July 15, in Boise, and July 16 in McCall. We received two comment letters by email and received two additional comment documents at the Boise meeting. Public participation was very light. There were three in-person attendees in Coeur d'Alene with two online. In Boise we had one in person and one online, and in McCall we also had one in person, who is an FPAC member, and one online.

Using comments received during Negotiated Rulemaking the Department has modified the initial draft rule provided by FPAC. FPAC has reviewed this proposed language for presentation to the Land Board.

The proposed rule is concise and specifically addresses §38-1304(1)(f) as required. The rule does increase the total word count as it is entirely additive to our existing rules. There are potential costs that could be associated with the rule that are difficult to estimate as they would be dependent upon requests from the public.

Attachments

1. Board Minutes – December 16, 2025
2. Draft Proposed Rule
3. Notice of Proposed Rule
4. Negotiated Rule Comments Summary
5. Idaho Statute 38-1304 Duties of the Board



Idaho State Board of Land Commissioners

Brad Little, Governor and President of the Board

Phil McGrane, Secretary of State

Raúl R. Labrador, Attorney General

Brandon D Woolf, State Controller

Debbie Critchfield, Superintendent of Public Instruction

Dustin T. Miller, Secretary to the Board

Be it remembered that the following proceedings were had and done by the State Board of Land Commissioners of the State of Idaho, created by Section Seven (7) of Article Nine (IX) of the Constitution.

Final Minutes

State Board of Land Commissioners Regular Meeting

December 16, 2025

The regular meeting of the Idaho State Board of Land Commissioners was held on Tuesday, December 16, 2025 at the State Capitol, Lincoln Auditorium (WW02), Lower Level, West Wing, 700 W. Jefferson St., Boise, Idaho, and via webinar. The meeting began at 8:59 a.m. The Honorable Governor Brad Little presided. The following members were in attendance:

Honorable Governor Brad Little

Honorable Secretary of State Phil McGrane

Honorable Attorney General Raúl Labrador

Honorable State Controller Brandon Woolf

Honorable Superintendent of Public Instruction Debbie Critchfield

All Land Board members were present at the physical location.

Regular—Action Item(s)

1. Rulemaking Petition: Idaho Code § 38-1304(1)(f)—presented by Archie Gray, Bureau Chief-Forestry Assistance

Recommendation: The first recommendation is that the Land Board should encourage the state to continue to address forest health risks on federal and adjoining lands through the collaborative approach of Shared Stewardship and Good Neighbor Authority programs. The second recommendation is for the Department to not enter into rule promulgation related to 38-1304(1)(f) because there are already sufficient rules in place to allow for the timely application of salvage harvests by willing and able landowners. Also, the statute directs federal forest land managers to undertake salvage where feasible, making a rule redundant and subservient.

Discussion: Attorney General Labrador asked if representatives from the Farm Bureau were present; none were. He then expressed concern that choosing not to enter rulemaking could potentially violate statutory requirements. While acknowledging limits on state authority over federal actions, he stated that rulemaking could encourage participation in existing programs and more assertive engagement, without being overly prescriptive or conflicting with federal preemption. Mr. Gray agreed with the Attorney General's assessment.

Governor Little enquired about the timing of required negotiated rulemaking under zero-based regulation requirements, noting that all rules must undergo negotiated rulemaking on an eight-year cycle. He asked where this rule fell within that cycle and whether addressing one section independently would affect future comprehensive rulemaking. Mr. Gray replied that the Department completed its prior zero-based review in 2022 and estimated that the next cycle would likely begin in 2028. He was uncertain how addressing a single subsection would interact with broader future rulemaking, though he referenced prior instances where the Department focused on a specific section of rules due to scope and complexity.

Controller Woolf commented that if the motion involved expanding or adding a rule, the Land Board should aim to keep it concise, consistent with efforts to reduce regulatory burden. Governor Little clarified that his understanding was that the proposal would accelerate review of an existing rule rather than create a new one. Director Miller confirmed that interpretation.

Director Miller underscored the Department's current commitments under Shared Stewardship and Good Neighbor Authority initiatives, noting the importance of ensuring that rulemaking efforts do not divert excessive staff time from ongoing restoration and partnership work.

Governor Little asked if the motion specified negotiated rulemaking. Superintendent Critchfield said that the motion referenced scheduling rulemaking but did not explicitly state negotiated rulemaking. Legal counsel indicated that negotiated rulemaking would be inferred as appropriate and determined by the Department.

Secretary of State McGrane inquired whether a recently announced Shared Stewardship agreement affected the proposal. Governor Little explained that the agreement was largely an extension of an earlier Shared Stewardship effort and noted the expanded scale of current initiatives.

Director Miller reiterated the Department's commitment to strengthening partnerships and increasing the pace and scale of restoration work, underscoring the need to balance those efforts with any rulemaking obligations.

Board Action: A motion was made by Superintendent Critchfield that the Land Board request the Department to work with the Division of Financial Management (DFM) to appropriately schedule rulemaking to address the statutory requirements found in Idaho Code § 38-1304(1)(f). The rulemaking should be limited specifically to Idaho Code § 38-1304(1)(f) and recognize and include the Shared Stewardship agreements the State of Idaho has established with the federal government. Secretary of State McGrane seconded the motion. The motion carried on a vote of 5-0.

Idaho State Board of Land Commissioners

/s/ Brad Little

Brad Little
President, State Board of Land Commissioners and
Governor of the State of Idaho

/s/ Phil McGrane

Phil McGrane
Secretary of State

/s/ Dustin T. Miller

Dustin T. Miller
Director

The above-listed final minutes were approved by the State Board of Land Commissioners at the February 17, 2026 Land Board meeting.

IDAPA 20 – IDAHO DEPARTMENT OF LANDS

20.02.01 – RULES PERTAINING TO THE IDAHO FOREST PRACTICES ACT

DOCKET NO. 20-0201-2601

Negotiated Rulemaking

The purpose of this rulemaking is to implement Idaho Code §.38-1304(1)(f) by establishing provisions related to the timely salvage of dead, dying, or threatened timber when practicable, on non-private forest lands of 2,000 contiguous acres or more.

NEW DRAFT RULE - BELOW

Unofficial copy for negotiated rulemaking purposes only

080. SALVAGE HARVESTING

01. Purpose. The purpose of this section is to implement Idaho Code § 38-1304(1)(f). Timely salvage of dead, dying, or threatened timber is a part of forest management. These rules establish standards for conducting timely salvage, while maintaining forest health, wildlife habitat, biodiversity, soil productivity, air quality, watershed health, and water quality. Salvage operations shall be conducted within a period that reasonably maintains economic value while considering long-term forest health and productivity, protection of forest resources and values, and operational and economic feasibility. The Department shall recognize and where appropriate utilize interagency agreements and authorities established to foster improved forest management.

02. Timely Salvage of Dead Dying or Threatened Timber. Timely salvage should be conducted, when feasible, on non-private forest lands of a single ownership two thousand (2,000) contiguous acres or more where timber is dead, dying, or is threatened by insects, disease, or such physical elements as fire, and windthrow.

a. In determining whether timely salvage is feasible, the following factors shall be considered:

- i. the economic value of the timber to be salvaged,
- ii. the immediate costs of salvage efforts,
- iii. the long-term costs to all forest resources and values, including, but not limited to, forest health, wildlife habitat, soil productivity, air quality, and ecosystem functions, associated with insect and disease or fire conditions that might otherwise be controlled by the salvage operations,
- iv. site conditions including but not limited to access and operational constraints,
- v. public safety,

IDAPA 20 – IDAHO DEPARTMENT OF LANDS

20.02.01 - RULES PERTAINING TO THE IDAHO FOREST PRACTICES ACT

DOCKET NO. 20-0201-2601

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 38-1304, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be held as follows:

October 9, 2026

10:00 AM (PST)

In Person:

**Idaho Department of Lands
Coeur d'Alene Staff Office
Sundance Conference Room
3284 W. Industrial Loop
Coeur d'Alene, Idaho**

Virtual:

Join: <https://teams.microsoft.com/meet/273430295309372?p=KuUPVY8quQY5DG3AAQ>

Meeting ID: 273 430 295 309 372

Passcode: Ud6kA6NA

October 27, 2026

10:00 AM (MST)

In Person:

**Idaho Department of Lands
Boise Staff Office
Garnet Conference Room
300 N 6th Street, Suite 103
Boise, Idaho**

Virtual:

Join: <https://teams.microsoft.com/meet/237558259042152?p=089439dLmBn5wmJl4a>

Meeting ID: 237 558 259 042 152

Passcode: Ei2nA9sw

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The purpose of this rulemaking is to implement Idaho Code § 38-1304(1)(f) by establishing provisions related to the timely salvage of dead, dying, or threatened timber when practicable, on non-private forest lands of 2,000 contiguous acres or more.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: There are no fees associated with this rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking: There will be no fiscal impact greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the July 1, 2026 Idaho Administrative Bulletin, Vol. 26-7.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: There are no documents incorporated by reference associated with this rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Jeanne Bradley, 208-666-8638.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 28, 2026.

DATED this 3rd day of August, 2026.

Jeanne Bradley
Regulatory and Stewardship Program Manager
Idaho Department of Lands
Forestry Assistance Bureau
3284 W. Industrial Loop,
Coeur d'Alene, Idaho 83815
Phone: 208-769-1525
Fax: 208-769-1524
rulemaking@idl.idaho.gov
www.idl.idaho.gov

Idaho Department of Lands
IDAPA 20.02.01 – Rules Pertaining to the Idaho Forest Practices Act
Docket No. 20-0201-2601
Negotiated Rulemaking Summary

Members of the public participated in the Department’s negotiated rulemaking process by attending the meetings and submitting written comments.

This rulemaking was initiated by a petition from the Farm Bureau Federation in 2025. In December of 2025 the Land Board directed the Department to enter rulemaking specifically to address §38-1304(1)(f). Their expectation is that the new rules be clear and concise to specifically address the requirements of the statute.

Key information considered by the Department included applicable state statute, related administrative rules, suggestions provided by the Department’s managing foresters, feedback received from Idaho Forest Practices Advisory Committee (FPAC) members, and information provided by stakeholders and the public.

Oral comments were provided by Kristy Tucker of Rayonier, Gretchen Lech of Manulife, Gary Hess and Russ Hendricks, Vice President of Government Affairs, Idaho Farm Bureau Federation.

Written comments were received from the Idaho Department of Fish and Game, Russ Hendricks and Peter Stegner, Principal with Riley Stegner and Associates.

The Department thoroughly reviewed and considered all comments received during the negotiated rulemaking process; IDL developed informative and comprehensive responses to sets of similar, relevant, summary comments. The following conclusions were reached as a result of the negotiated rulemaking process.

Commentor	Comment	Response
Kristy Tucker Rayonier and Peter Stegner, Riley Stegner and Associates	Standalone rule section 38-1304, so A is rule 30, B is rule 40, C is rule 50, D is rule 50, E is rule 70. Should F not have its own rule and 80?	The Idaho Department of Lands (Department) adopted this recommendation
Gary Hess	Include the definition for timely Salvage into the rule and not have it stand alone	The Department adopted this recommendation of incorporating the draft definition of timely salvage within the revised draft rule.

Commentor	Comment	Response
Idaho Farm Bureau Federation by Russ Hendricks	Farm Bureau submitted written "Draft Timber Rule v1 0526" 030.09.a Purpose and intent	The Department did not adopt this recommendation. The purpose of this rulemaking is to implement Idaho Code § 38-1304(1)(f) (statute), not to incorporate or interpret federal executive orders, federal agency memoranda, or other federal authorities. Including references to documents that may change over time could unnecessarily complicate administration of the rule and extend beyond the statutory authority granted by the Idaho Legislature. The Department concluded that a concise rule focused on the statutory requirements is more appropriate.
	030.09.b. Applicability	The Department did not adopt this recommendation. Idaho code 38-1304(1)(f) establishes when the salvage rule applies based on ownership and acreage. Expanding applicability to specific federal programs or cooperative agreements is unnecessary to implement the statute and could create confusion regarding the Department's regulatory authority over federal activities. Good Neighbor Authority and Shared Stewardship already have legal and administrative authority to conduct treatments, and it is presumed that any future authorities that would become

Commentor	Comment	Response
		available to agencies would also come with appropriate legal authority
	030.09 b Applicability (cont): Require the Department to mandate timely salvage to the maximum extent authorized by law	The Department did not adapt this recommendation because Idaho Code 38-1304 (1)(f) directs the Board to adapt rules providing for timey salvage while considering specified factors. The statute does not require mandatory salvage in every circumstance. Furthermore, the Idaho Forest Practice Act does not provide the Department with authority to compel salvage operations on federal lands, nor does it establish an enforcement mechanism for such a requirement.
	030.09.c Definitions	The Department retained only the definitions necessary to administer rule. Additional definitions were not incorporated because they introduce concepts that are not required by statute and could unintentionally broaden the scope or interpretation of the rule beyond legislative intent. The Idaho Forest Practices Act currently has a definition of Salvage in 38-1303 (16) DEFINITIONS. "Salvage" means the timely removal of dead and dying

Commentor	Comment	Response
		timber or timber that is threatened by insects, disease or such physical elements as fire, windthrow, or extremes of weather, and where the removal of such timber will help contain insect or disease outbreaks, aid in the prevention of wildfire, or, over the long term, help protect such resources and values as wildlife, water, soils or air quality. Priority areas for mitigation treatments are defined by the Idaho Forest Action Plan which is updated at least every ten years and reviewed every five. This is available on the IDL website and is therefore defined. Although we believe timely salvage is adequately defined in statute and rule, we do agree that "public safety" should be an addressed
	030.09.d. – Mandatory salvage	The Department did not adopt this recommendation the proposed mandatory salvage policy or rebuttable presumption provision because they exceed the scope of Idaho Code 38-1304 (1)(f) The statute directs the Board to adopt rules addressing the timely salvage of dead, dying, or threatened timber when practicable; it does not establish a mandatory salvage requirement or create legal rebuttable presumptions regarding when salvage must occur. Instead, it requires consideration of economic values, immediate costs, and long-term forest resource values.

Commentor	Comment	Response
		Adding mandatory salvage requirements and rebuttable presumptions would alter the scope of the statute. The Department concluded the adopted draft rule implements the statute by establishing factors to be considered in determining whether timely salvage is feasible. The department will recognize the professional judgement of appropriate staff to evaluate risks to resources and potential long-term consequences.
	030.09.e Utilization of Federal Authorities	The Department partially adopted this recommendation because these activities involved federal administrative process rather than implementation of the Idaho Forest Practices Act. The rulemaking is intended to implement state law and is not the appropriate mechanism to direct or regulate federal agency procedures. The Department concluded the adopted draft rule appropriately implements the statute by establishing factors for evaluating whether timely salvage is feasible while allowing land managers to utilize existing state and federal authorities, where appropriate, under their legal authorities without including those authorities into the draft rule. These authorities are also likely to change overtime.

Commentor	Comment	Response
	030.09.f Coordination with Federal Agencies –	The Department supports continued coordination with federal, Tribal, and local partners through existing programs and agreements. However, these activities are operational and administrative functions that do not need to be specifically defined in rule. Existing programs, including Good Neighbor Authority and Shared Stewardship, already provide mechanisms for interagency coordination.
	030.09.g Evaluation Criteria	The Department has evaluated recommendations to expand the criteria. The criteria will appropriately expand upon Idaho Code 38-1304(1)(f) which identifies the specific factors that rules developed under this section must consider: (1) the economic value of the timber to be salvaged, (2) the immediate costs of salvage efforts, and (3) the long-term costs to forest resources and values associated with insect, disease, or fire conditions that might otherwise be controlled through salvage operations. The Department concluded that these statutory criteria provide the appropriate framework for evaluating timely salvage decisions. However, some have been incorporated within the rule to consider the

Commentor	Comment	Response
		long-term costs to forest resources and values.
	030.09.h Rebuttable presumption of Economic Feasibility	The Department did not adopt the recommendation of rebuttable presumption of economic feasibility. The statute requires consideration of the economic value of the timber to be salvaged, the immediate costs of salvage efforts, and the long-term impacts to forest resources and values associated with insect, disease, or fire conditions. It does not establish a presumption that lands require timely salvage unless the land managers demonstrate otherwise. A rebuttable presumption of economic and operational feasibility would shift the burden of proof by presuming that salvage is appropriate unless sufficient evidence is presented to overcome that presumption. This would effectively require the land managers to prove that timely salvage is not feasible rather than evaluating each situation based on the factors established in the draft rule and statute. The Department believes that the statute intended feasibility to be determined through consideration of the site-

Commentor	Comment	Response
		specific conditions and the factors established in the rule, rather than through a legal presumption.
	030.09.i Expedited Implementation	The text of both the statute and rule specify timely, further definition of timely is redundant. Where appropriate the Department will participate in planning processes used by partner state agencies and will encourage rapid and efficient use of available procedures and authorities. However, the Department has no authority to require federal agencies to implement their processes. The Department also determined that adopting these provisions would require Department participation in virtually all planning, consultation and contracting functions of federal agencies. Such responsibilities would substantially increase the Department's workload and fiscal costs beyond the scope of the statute and the Department's available resources. The Department may develop internal guidance and administrative procedures as necessary without stating those activities in rule. Such administrative functions are more appropriately addressed through Department policy than through administrative rule.

Commentor	Comment	Response
	030.09. j Severability	The Department did not adopt this recommendation because a severability provision is not needed to implement the purpose of this rule. The rule is intended to establish standards for the timely salvage of dead, dying, or threatened timber. A severability provision does not change how the rule is implemented or administered and is not necessary to carry out the requirements of the statute.
Riley Stegner and Associates	A distinct section would improve clarity and appropriately recognize timely salvage as an important forest health and resource-management requirement.	The Department adopts this recommendation. After consideration of comments received the Department agrees that a distinct section for the rule makes sense.
	If the intent is to connect the feasibility standard to the salvage decision considerations, then we recommend one additional clarification. The rule should expressly state that the three factors listed under "Salvage decisions shall consider"—the economic value of the timber to be salvaged, the immediate costs of salvage efforts, and the long-term costs to forest resources and values—are considerations used in determining whether salvage is "feasible."	The Department agrees with this recommendation and will retain the language that defines the feasibility standard of salvage.

Commentor	Comment	Response
	This clarification would help ensure consistent implementation of the rule.	
Idaho Department of Fish and Game	IDFG believes that the current Forest Practices Act already possesses the adequate and appropriate language to address the proposed intent of the new rule. The addition of this new language may hamper the Department's ability to manage IDFG public lands and caused conflict with the new draft rule, as proposed.	The Department acknowledges IDFG's position, but we are obligated by petition and Land Board direction to draft rules to be in compliance with 38-1304(1)(f).
Idaho Department of Fish and Game	1. Clarify the conditions that trigger salvage	The Department has not adopted the recommendation to clarify the conditions for triggering salvage. The draft rule reflects the terminology adopted by the legislature. The decision regarding whether salvage is appropriate remains the responsibility of the managing agency and will continue to rely upon their professional judgement and forest management objectives.
Idaho Department of Fish and Game	2. Preserve professional judgement	The Department agrees that decisions regarding timely salvage should consider site-specific conditions and the unique circumstances of each stand. However, the Department did not adopt the

Commentor	Comment	Response
		recommendation to add additional rule language stating professional judgment but did revise the draft rule factors to be considered in determining whether timely salvage is feasible rather than requiring salvage in every circumstance. Those factors - including the economic value of the timber, the immediate costs of salvage efforts, the long-term impacts to forest resources and values, and site-specific operational constraints—require the land manager to evaluate the conditions present at each stand before determining whether timely salvage is feasible. The Department determined this approach preserves the flexibility needed to make informed, site-specific decisions while implementing the requirements of the statute.
Idaho Department of Fish and Game	3. Recognize the Diverse Missions of the Idaho's Public Lands and Species Managers	The Department agrees that public land management agencies, including federal agencies, have different statutory missions and responsibilities. However, we believe it is unnecessary to state that in rule.
Idaho Department of Fish and Game	4. Recognize Multiple Forest Resource Values	The Department agrees that timely salvage decisions should recognize the multiple forest resources values present on state and federal lands. To address this concern, the revised draft rule includes consideration of the long-term impacts to forest resource and values, including forest health, wildlife habitat,

Commentor	Comment	Response
		biodiversity, soil productivity, watershed health, water quality, long-term health and productivity when determining whether timely salvage is feasible. The Department believes these provisions provide sufficient recognition of multiple forest resource values while implementing the requirements of the statute.
Idaho Department of Fish and Game	5. Recognize the Ecological values of dead wood	The Department agrees with recommendation for recognizing the ecological value of dead wood. The Department added to a provision in the draft rule: iii. the long-term costs to all forest resources and values, including but not limited to, forest health, wildlife habitat, soil productivity, air quality and ecosystem functions, associated with insect and disease or fire conditions that might otherwise be controlled by the salvage operations.
Idaho Department of Fish and Game	6. Recognize Operational Realities	The Department agrees that operational realities should be considered when determining whether timely salvage is feasible. To address this concern, the draft rule establishes factors to be considered, including the economic value of the timber, the immediate costs of salvage efforts, site-specific operational constraints, and the long-term impacts to forest resources and values. The Department determined these factors provide sufficient flexibility to evaluate the operational conditions unique to each site

Commentor	Comment	Response
		while implementing the requirements of statute. Therefore, the Department did not adopt additional rule language.
Idaho Department of Fish and Game	IDFG Recommended Language for Proposed Rules:	The Department adopted some of the suggested language. We believe that the concerns of the IDFG have been addressed in the revised draft rule.
Idaho Department of Fish and Game	010. Definitions (ADD)	The Department agreed that additional clarity regarding timely salvage was appropriate. Based on another oral comment submitted to the Department in Coeur d'Alene public meeting, the Department decided to incorporate it into the rule. Rather than keeping a separate definition, the Department revised the purpose statement and operative provisions for the rule to clarify how timely salvage is to be implemented, including consideration of economic value, long-term protection of forest resources and values, operational and economic feasibility, and site-specific conditions. The Department determined that the revised draft rule provides sufficient clarity and no separate definition was necessary.



Idaho Statutes

TITLE 38

FORESTRY, FOREST PRODUCTS AND STUMPAGE DISTRICTS

CHAPTER 13

FOREST PRACTICES ACT

38-1304. DUTIES OF THE BOARD. The board:

(1) Shall adopt rules for forest regions establishing minimum standards for the conduct of forest practices on forest land. These rules shall be based upon the following criteria:

(a) Provide for the harvesting of forest tree species in a manner that will maintain the productivity of the forest land, minimize soil and debris entering streams and protect wildlife and fish habitat.

(b) Provide for road construction that will insure protection and maintenance of forest productivity, water quality and fish and wildlife habitat during construction and maintenance.

(c) Provide for reforestation that will maintain a continuous growing and harvesting of forest tree species by describing the conditions under which reforestation will be required, specifying the minimum number of trees per acre and the maximum period of time allowed after harvesting for establishment of forest tree species, and requiring stabilization of soils which have become exposed as a result of harvesting; however, an acreage exemption from reforestation may be established except that on such land exempted within one (1) year following harvesting, some form of vegetative cover shall be required sufficient to provide continuing soil productivity and stabilization.

(d) Provide for the use of chemicals or fertilizers in such a manner that the public health and aquatic and wildlife habitat will not be endangered from their handling, storage and application.

(e) Provide for management of slashings resulting from the harvesting, management or improvement of forest tree species in that manner necessary to protect reproduction and residual stands, to reduce risk from fire and insects and disease, to optimize the conditions for future regeneration of forest tree species, and to maintain air and water quality and fish and wildlife habitat.

(f) Provide for the timely salvage logging on all forest lands of dead or dying timber or timber that is threatened by various physical elements. Rules developed pursuant to this section shall consider both the economic value of the timber to be salvaged, the immediate costs of the salvage efforts, and the long-term costs to all forest resources and values associated with insect, disease or fire conditions which might otherwise be controlled by the

salvage operations. The provisions of this subpart shall not apply to single contiguous forest ownerships less than two thousand (2,000) acres in size. Nothing in this paragraph shall be construed as requiring the removal of timber from private lands against the wishes of the private landowner.

History:

[38-1304, added 1974, ch. 197, sec. 4, p. 1506; am. 1991, ch. 245, sec. 2, p. 600.]

How current is this law?

Search the Idaho Statutes and Constitution