

TITLE 38
FORESTRY, FOREST PRODUCTS AND STUMPAGE DISTRICTS

CHAPTER 17
SUSTAINABLE MANAGEMENT OF NATIONAL FORESTS

38-1701. SHORT TITLE. This chapter shall be known and may be cited as the "Sustainable Management of National Forests Act."

[38-1701, added 2024, ch. 243, sec. 1, p. 863.]

38-1702. FINDINGS AND POLICY. (1) The legislature finds that the sustainable management of national forests in Idaho is vital to conserving the state's natural resources and its economic and ecological potential for the benefit of all Idahoans.

(2) The legislature finds that national forests in Idaho should be sustainably managed to maintain health, diversity, productivity, regeneration capacity, and vitality with the potential to fulfill relevant ecological, economic, and social functions.

(3) The legislature finds that sustainable forest stewardship and management of Idaho's national forests requires a balanced approach that ensures a stable timber supply, active restoration, healthy watersheds, fish and wildlife habitat, areas for natural processes, and allowances for multiple uses.

(4) The legislature finds that:

(a) There is overwhelming evidence that the management, protection, and conservation of watersheds in Idaho is critical to the well-being of the state;

(b) The water supplies of some of the state's most populous cities and surrounding areas originate in federally managed watersheds that are at risk for catastrophic wildfire, the severity of which could be reduced by proper management;

(c) Wildfires can compromise water quality both during active burning and for months and years after the fire has been extinguished. Burned watersheds are prone to increased flooding and erosion, which can negatively affect water supply reservoirs, water quality, and drinking water treatment processes; and

(d) A burned-out watershed also affects the timing of snow melt and stream flow, which detrimentally affects irrigation and fisheries.

(5) The legislature finds that smoke generated from wildfires poses significant harm to human health, impairs recreational opportunities, and negatively affects local economies throughout Idaho.

(6) The legislature finds that catastrophic wildfire burns hundreds of thousands of acres each year in Idaho, which negatively affects private property and the Idaho endowments, limiting the revenue-generating capacity of the land.

(7) The legislature declares that it is the policy of the state to promote the sustainable use of all national forests within the state through sound management and collaboration with local, state, and federal entities, including good neighbor authority, as provided in 16 U.S.C. 2113a.

[38-1702, added 2024, ch. 243, sec. 1, p. 863.]

38-1703. DUTIES -- AUTHORITY. To implement the policy of section [38-1702](#), Idaho Code, the Idaho department of lands:

(1) Shall support sustainable forest management practices, including forest restoration, on national forests in Idaho consistent with all applicable laws and administrative requirements;

(2) Shall provide technical information and educational assistance to nonindustrial private forest landowners;

(3) Shall promote forest management activities within and adjacent to the wildland-urban interface and promote the implementation of community wildfire protection plans;

(4) Shall promote a viable forest and wood products industry and other businesses and individual activities that rely on public forest lands;

(5) Shall represent the state's interest in the federal forest management planning and policy process, including establishing cooperative agency status and coordination with federal agencies;

(6) Shall actively participate in the good neighbor authority policy that allows the secretary of the interior or the secretary of agriculture to enter into a cooperative agreement or contract that authorizes the governor to provide watershed restoration and protection services on federal land. Watershed restoration and protection services included in the good neighbor policy shall include the authority to:

(a) Treat insect-infested trees;

(b) Reduce hazardous fuels; and

(c) Conduct any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat.

(7) May assist local governmental entities in establishing cooperative agency status and coordination with federal agencies;

(8) Has the authority to intervene in litigation or appeals on federal forest management projects; and

(9) Has the authority to enter into agreements with federal agencies to participate in forest management activities on federal lands.

[38-1703, added 2024, ch. 243, sec. 1, p. 864.]

38-1704. GOOD NEIGHBOR AUTHORITY FUND -- USES. (1) The good neighbor authority fund established in section [38-137](#), Idaho Code, shall be administered by the department of lands as follows:

(a) All state proceeds allocated or budgeted for the purposes of the good neighbor authority policy established by this chapter shall be deposited in the good neighbor authority fund.

(b) Money received by the state in the form of gifts, grants, reimbursements, or allocations from any source intended to be used for the purposes of the good neighbor authority policy established pursuant to this chapter shall be deposited in the good neighbor authority fund.

(c) Federal moneys received by the state through good neighbor agreements with the federal government shall be deposited in the good neighbor authority fund.

(2) Moneys in the good neighbor authority fund established in section [38-137](#), Idaho Code, are hereby continuously appropriated, as provided in section [67-3514](#), Idaho Code, to the department of lands to carry out only the provisions of the good neighbor authority policy established in this chapter.

[38-1704, added 2024, ch. 243, sec. 1, p. 864.]