

IDAPA 20 – IDAHO DEPARTMENT OF LANDS

Fire Management Bureau

20.04.01 – Rules Pertaining to Forest Fire Protection

Who does this rule apply to?

Any person who owns forest land or conducts a forest operation on forest lands in Idaho.

What is the purpose of this rule?

This rule provides requirements for forest fire protection that are designed to prevent and mitigate wildland fires caused by those conducting a forest operation.

What is the legal authority for the agency to promulgate this rule?

This rule implements the following statutes passed by the Idaho Legislature:

Forestry, Forest Products and Stumpage Districts:

Idaho Forestry Act:

- [Section 38-115, Idaho Code](#) – Closed Season for Fires — Permits — Regulations — Extension of Closed Season — Suspension of Permits — Penalty
- [Section 38-132, Idaho Code](#) – Regulations of the Board — Penalty for Violation

Fire Hazard Reduction Programs:

- [Section 38-402, Idaho Code](#) – Plans, Programs and Rules — Approval by State Boards

Public Lands -

Department of Lands:

- [Section 58-104\(6\), Idaho Code](#) – State Land Board — Powers and Duties
- [Section 58-105, Idaho Code](#) – Director

Idaho Administrative Procedure Act:

- [Section 67-5201, et seq., Idaho Code](#) – Idaho Administrative Procedure Act

Who do I contact for more information on this rule?

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20.04.01 – RULES PERTAINING TO FOREST FIRE PROTECTION

000. AUTHORITY.

This chapter is adopted under the legal authority of Sections 38-115, 38-132, 38-402, 58-104(6), 58-105, and 67-5201 et seq., Idaho Code. (3-31-22)

001. TITLE AND SCOPE.

These rules are titled IDAPA 20.04.01, “Rules Pertaining to Forest Fire Protection” and implement the provisions of Title 38 Chapter 1, Idaho Code. They provide standards for forest fire protection, permitting, and for firefighting water supply and tool requirements for Forest Operations. (7-1-25)

002. INCORPORATION BY REFERENCE.

01. Incorporated Document. IDAPA 20.04.01 adopts and incorporates by reference the full text of the following documents published by the San Dimas Technology & Development Center (SDTDC). (3-31-22)

a. Spark Arrester Guide – General Purpose and Locomotive (GP/Loco), Volume 1, September 2012, 1251 1809-SDTDC. (3-31-22)

b. Spark Arrester Guide – Multiposition Small Engine (MSE), Volume 2, August 2012, 1251 1808-SDTDC. (3-31-22)

c. Spark Arrester Guide – Off- Highway Vehicles (OHV), Volume 3, April 2012, 1251 1805-SDTDC. (3-31-22)

02. Printed and Bound Copies. Printed copies or bound copies may be viewed at any District Office or requested through SDTDC, 444 E. Bonita Ave, San Dimas, 91773. (3-31-22)

003. -- 009. (RESERVED)

010. DEFINITIONS.

The terms Fire Warden, Forest Land, Forest Products, Person, Range Land, Slash, and State are defined in Section 38-101, Idaho Code. In addition to the definitions set forth in the Idaho Forestry Act, the following definitions apply to these rules: (7-1-25)

01. Block. A piece of logging equipment where steel rope or cable turns the block’s pulley as part of a cable logging system. It is used to install tail hold anchor points, intermediate support of main lines, or carriage haul-back capability for yarding or hauling trees or logs to a landing. (7-1-25)

02. Cable or Cable Assisted Logging. A harvest system for felling or yarding trees or logs for transport to a landing using a cable assisted harvester or a yarder, spar tree, or intermediate support with a motorized or non-motorized carriage. (7-1-25)

03. Closed Fire Season. The calendar period from May 10 to October 20 or as designated by the Director, due to conditions of unusual fire danger, when a permit is required to burn under Section 38-115, Idaho Code. (7-1-25)

04. Department. The Idaho Department of Lands. (3-31-22)

05. Director. The Director of the Idaho Department of Lands or their designee. (7-1-25)

06. District. A designated forest protective district under Section 38-110, Idaho Code. (7-1-25)

07. Forest Operation. An activity or service conducted on Forest Land involving any of the operations as described below where a Certificate of Compliance Fire Hazard Management Agreement and/or Forest Practice Notification are required under Sections 38-122, 38-404, and 38-1306, Idaho Code: (7-1-25)

a. The harvesting of trees including felling, bucking, yarding, delimiting, and decking; (7-1-25)

b. Thinning or mastication operations for stand improvement, stand density management or fuel reduction; (7-1-25)

c. Road construction or reconstruction including installation or improvement of bridges, culverts, or

structures; or (7-1-25)

- d. Slash management including chipping, grinding, or other mechanized reduction activities. (3-31-22)

08. Metal-Tracked Harvester. Any machine with metal tracks used to fall, bunch, or process trees at the stump. (7-1-25)

09. Operator. A Person who conducts a Forest Operation. (7-1-25)

10. Operating Area. The area where a Forest Operation occurs. (7-1-25)

011. SPARK ARRESTER REQUIREMENTS AND EXEMPTIONS.

01. Requirements. The steam or internal combustion engines referred to in Section 38-121, Idaho Code, must be equipped with properly installed, maintained, and effectively working spark arresters that comply with the standards set forth in the San Dimas Technology and Development Center’s “Spark Arrester Guide(s).” (7-1-25)

02. Exemptions. The following are exempt from the requirements of the rule: (7-1-25)

a. Turbo-charged internal combustion engines in which one hundred percent (100%) of the combustion gases exhaust through the turbo-charger; (7-1-25)

b. Engines of passenger-carrying vehicles and light trucks, kept in good repair, equipped with baffle-type muffler and tailpipe which exhaust all combustion gases; (7-1-25)

c. Engines of heavy-duty trucks equipped with a vertical exhaust stack and muffler extending above the cab of the vehicle; (7-1-25)

d. Engines of water pumping equipment used in firefighting; and (7-1-25)

e. Engines of helicopters and other aircraft. (7-1-25)

012. -- 019. (RESERVED)

020. VARIANCE FROM RULE FOR ALTERNATE PRACTICES.

To apply practices that differ from these rules, the Operator must first obtain a variance. (7-1-25)

01. Obtaining a Variance. The Operator submits a written request for a variance to the District Fire Warden, which includes the following: (7-1-25)

a. A description of the specific Operating Area where the variance applies; (7-1-25)

b. The conditions that necessitate a variance; (7-1-25)

c. A detailed description of the alternate practice; and (7-1-25)

d. A detailed description of how the alternate practice provides fire protection that is no less than the protection provided by the standards in these rules. (7-1-25)

02. Department Response to Request for Variance. Within five (5) business days from receipt of the variance request, the Department will evaluate the request and notify the Operator in writing of its decision. (7-1-25)

021. -- 029. (RESERVED)

030. STANDARDS FOR FIRE PROTECTION BY INDIVIDUALS.

The following rules and standards apply to protection by owners of Forest Land who have elected to provide their own protection under Section 38-111, Idaho Code: (7-1-25)

01. Fire Plans. Before April 1 of each year, Forest Land owners must submit a written fire plan to the Director (through the Fire Warden of the District in which the Forest Land lies) that includes: (7-1-25)

a. A map (on a scale of two (2) inches to the mile) showing section, township, and range lines, roads, streams, trails, and the location of protection facilities of the Forest Land involved; (7-1-25)

b. A description of the system for discovering and reporting all fires originating on or spreading to the Forest Land involved; (7-1-25)

c. Statements describing the following: (7-1-25)

i. The number of firefighters and their sources of additional firefighter manpower available for immediate action to suppress any fire on the Forest Land; (7-1-25)

ii. The type and amount of equipment in serviceable condition including fire hose, fire engines, portable pumps, dozers, and mobile transportation for firefighting equipment and manpower. (7-1-25)

iii. The location of fire-tool caches and the number and kind of serviceable hand tools in each cache (including shovels, hoes, axes, and fire-pump cans) kept available for immediate firefighting use; (7-1-25)

iv. For protection facilities, the name, address, and telephone number of the person in charge and obligated to carry out the provisions of the fire plan; (7-1-25)

02. Approval of Fire Plan Required. Only plans approved by the Director are effective. (7-1-25)

031. -- 039. (RESERVED)

040. COSTS OF FIRE SUPPRESSION FOR WILLFUL OR NEGLIGENT FIRES.

Costs, which are incurred by the State or its authorized agencies to control or extinguish a fire that any Person is willfully or negligently responsible for, are all actual costs including wages of personnel and use of equipment. (7-1-25)

041. -- 049. (RESERVED)

050. REFUSE WOOD BURNING NEAR FOREST LAND.

Any saw mill, planing mill, shingle mill, or other woodworking or wood product manufacturing plant, operating in or within five hundred (500) feet of Forest Land and burning refuse wood material outside of and/or adjacent to the mill or plant, must meet the terms of Section 38-108, Idaho Code, and other applicable state and local laws and regulations. (7-1-25)

051. -- 059. (RESERVED)

060. BURN PERMITS DURING CLOSED FIRE SEASON.

The burn permit under Section 38-115, Idaho Code, protects public health, safety, and welfare and is subject to the following conditions: (7-1-25)

01. When Required. Permits issued for open fires are required from May 10 through October 20 each year and are limited to the period of time needed to accomplish the permitted burning; provided that no permit will be issued to cover a period of more than ten (10) days. (7-1-25)

02. Conditions. Each permit contains the terms and conditions deemed necessary by the Director for burning. Such terms and conditions remain effective for the entire period of the permit. (7-1-25)

061. -- 069. (RESERVED)

070. PERMIT TO ENTER AREAS CLOSED DUE TO FIRE HAZARD.

Under Section 38-115, Idaho Code, the Director may close specified areas to entry by any Person, because of critical fire hazard. (7-1-25)

01. Notice of Closure. Notice of closure to specified areas is by Director proclamation and is communicated to the Fire Wardens of the affected Districts and the public throughout the county or counties affected in the most effective way available. (7-1-25)

02. Fire Warden Permits. The Fire Warden of the District with a closed area may, at their discretion, issue permits to a Person to enter closed areas. The permittee must carry a copy of the permit while in the closed area. (7-1-25)

071. -- 079. (RESERVED)

080. SMOKING PROHIBITIONS IN THE WOODS.

01. Smoking. Smoking is prohibited on Forest or Range Land during periods of critical fire danger as proclaimed by the Director. Logging Operators must post conspicuous “NO SMOKING” signs in their camps and Operating Areas during these periods. (7-1-25)

02. Designating Smoking Areas. Fire Wardens may designate areas where the Director may allow smoking. (7-1-25)

081. -- 089. (RESERVED)

090. RESTRICTED ACTIVITIES DURING PROCLAIMED CRITICAL FIRE DANGER.

01. Critical Fire Danger. During periods and in areas of critical fire danger as proclaimed by the Director, any Person engaged in any activities in forest areas of the State may have those activities restricted to the least dangerous periods of the day. (7-1-25)

02. Notice. Notice of restricted activities is by Director proclamation and is communicated to the Fire Wardens of the affected Districts and the public throughout the county or counties affected in the most effective way available. (7-1-25)

091. FIRE WATCH SERVICE IN STAGE TWO (2) PROCLAMATION AREAS.

Every Operator engaged in a Forest Operation within a Stage Two (2) proclamation area must provide fire watch service in the Operating Area. (7-1-25)

01. Duties and Requirements. Fire watch service consists of at least one (1) person who: (7-1-25)

a. Is constantly on duty for three (3) hours after all power-operated equipment has been shut down for the day; (7-1-25)

b. Visually observes the Operating Area where activity occurred during the day; (7-1-25)

c. Has adequate equipment for transportation and communication to summon timely fire-fighting assistance; and (7-1-25)

d. Immediately responds to any fire in the Operating Area by initiating fire suppression actions within the scope of their knowledge, skills, and abilities. (7-1-25)

02. Fire Watch Service Exemption. A Forest Operation conducted under an Option 1 Certificate of Compliance is exempt from Subsection 091.01. (7-1-25)

092. -- 099. (RESERVED)

100. FIRE TOOL AND FIRE EXTINGUISHER REQUIREMENTS DURING CLOSED FIRE SEASON.
During Closed Fire Season the following fire tool requirements apply: (7-1-25)

01. Basic Fire Cache. Every Operator engaged in any Forest Operation on Forest Land must have available for firefighting the number of tools and tool boxes listed in Table 1. A Forest Operation having more than ten (10) people must use multiples of the values in a column to arrive at a tool distribution no less than the number of people in the Forest Operation.

People in Operation	2 - 5	6 - 8	9 - 10
Tool box	1	1	1
Shovel	2	4	5
Pulaski	2	4	4
5 gallon Pump Cans or Bladder Bags	1	1	2

(7-1-25)

- a. The tool boxes must be clearly marked “FOR FIRE USE ONLY.” (7-1-25)
- b. The tools must be in a location immediately accessible for firefighting, maintained in a serviceable condition, and fully functional at the time of deployment. (7-1-25)

02. Warming Fires or Campfires. Except when in designated, developed campgrounds, or when traveling as a pedestrian, a Person igniting warming fires or campfires must be equipped with the following: (7-1-25)

- a. One (1) serviceable shovel at least twenty-four (24) inches in length with at least a six (6) inch wide blade. (7-1-25)
- b. One (1) water container, capacity one (1) gallon or more. (3-31-22)

03. Power Equipment. Each unit of mobile or stationary power equipment operating on Forest Land, other than portable power saws, trail bikes, motorcycles, all-terrain and similar type vehicles, must be equipped with a minimum of one (1) chemical fire extinguisher rated by the Underwriters Laboratory as no less than 4-BC. (7-1-25)

04. Portable Power Saw. Any Person using a portable power saw on Forest Land must have the following immediately available for fire prevention and suppression: (7-1-25)

- a. A fully charged operable fire extinguisher of at least eight (8) ounce capacity. (7-1-25)
- b. A serviceable round-pointed size zero (0) or larger shovel. (3-31-22)

101. -- 109. (RESERVED)

110. FIRE CREWS DURING CLOSED FIRE SEASON.

When engaged in a Forest Operation on Forest Land during Closed Fire Season, the Person responsible for the Forest Operation must designate a fire crew and a fire foreman (with powers to act for their employer). Without compromising the safety of the crew, the firefighters must take immediate, reasonable action within the scope of their knowledge, skills, and abilities to suppress any fire starting on the Operating Area. (7-1-25)

111. -- 119. (RESERVED)

120. OPERATING AREA SEASONAL FIRE PREVENTION REQUIREMENTS.

To prevent the spread of fire in or from an Operating Area, every Operator conducting a Forest Operation using a Cable Logging System or a Metal-Tracked Harvester during the calendar period of July 1st through September 30th must comply with the following precautions: (7-1-25)

01. Water Supply, Water Delivery, and Readiness. (7-1-25)

a. The water supply will consist of a self-propelled motor vehicle or trailer equipped with a water tank containing no less than two hundred (200) gallons of water. Trailers used for water tanks will have a functional hitch attachment and have a serviceable tow vehicle immediately available for timely response. (7-1-25)

b. For water delivery, there will be a water pump, hose, and a nozzle. (7-1-25)

i. The water pump must be of sufficient capacity to provide at least twenty (20) gallons per minute when discharged at pump level through fifty (50) feet of at least three quarter ($\frac{3}{4}$) inch inside diameter hose with an adjustable nozzle. (7-1-25)

ii. There must be at least five hundred (500) feet of serviceable hose of at least three quarter ($\frac{3}{4}$) inch inside diameter and a nozzle. (7-1-25)

c. To ensure readiness: (7-1-25)

i. All hose, motor vehicles, trailers, tanks, nozzles, and pumps will be kept ready for immediate use during active operations, including the fire watch service described in Section 091. (7-1-25)

ii. The water supply, pump, at least two hundred (200) feet of immediately deployable hose, and the nozzle will be maintained as a connected, operating unit ready for immediate use. (7-1-25)

02. Additional Seasonal Requirements for Cable or Cable-Assisted Logging. When conducting a Cable or Cable Assisted Logging operation on Forest Land the Operator must: (7-1-25)

a. Clear the ground of all flammable debris for at least ten (10) feet slope distance from the point directly below any Block; (7-1-25)

b. Prevent moving lines from rubbing on rock or woody material that could create sparks or sufficient heat that may ignite fuel; and (7-1-25)

c. Provide at each Block: (7-1-25)

i. One (1) pump equipped can or bladder containing no less than five (5) gallons of water; and (7-1-25)

ii. One (1) round pointed size zero (0) or larger shovel in a serviceable condition. (7-1-25)

03. Water Supply and Equipment Exemption. A Forest Operation conducted under an Option 1 Certificate of Compliance is exempt from the requirements of Subsection 120.01. (7-1-25)

121. -- 999. (RESERVED)