

Developing a site for construction or building a road in Kootenai County?

If you are clearing trees-for site development and/or road or driveway construction, here are a few key items you need to know:

- Site development must meet Kootenai County guidelines and permit processes.
- Removing logs for commercial sale must meet Idaho Forest Practice Act (IFPA) Rules.

Site Development

The **Kootenai County Community Development Office** administers the County's *Land Use and Development Code and Regulations* for site development and road/driveway construction. Logging roads and private roads/driveways are not the same thing. There are significant differences in purpose, life expectancy, and construction requirements.

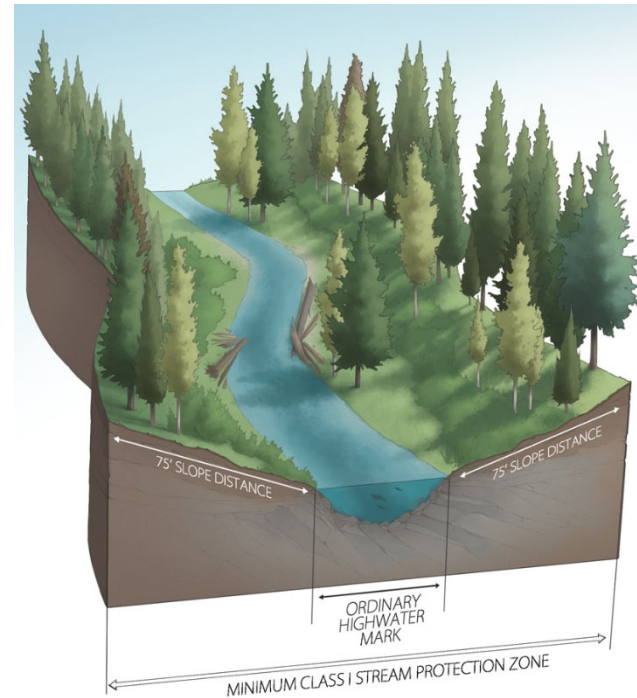
- *Spur and secondary logging roads* are typically designed for limited traffic over a short period of time for logging trucks and equipment.
- *Private roads and driveways* must be designed for decades of regular all- weather use and provide adequate access for emergency services.

Site Disturbance Permits are required for the following activities:

- I. **Grading and filling** to construct a private road, convert a logging road, and/or to construct infrastructure. In certain circumstances, a driveway permit may be required as well.
 - II. Development within all **Shoreline Management Areas (SMAs)** adjacent to recognized lakes as well as the Spokane and Coeur d'Alene Rivers. SMA regulations protect property, water quality, and aquatic habitat. SMAs are those areas that are 25-feet in slope distance measured landward from the ordinary high-water mark. Developments within SMAs are required to have a plan prepared by a Design Professional.
 - III. Development in **Stream Protection Buffers** adjacent to classified streams and naturally occurring drainage swales. Stream Protection Buffer regulations are intended to protect property, water quality, and aquatic habitat.
- *Class I* is a stream used for domestic water supply and/or supporting aquatic habitat for spawning, rearing or migration of fish. Development activities must be farther than 75-feet (measured in slope distance) on each side of the ordinary high-water mark.
 - *Class II* are streams that do not provide aquatic habitat and are generally located in headwater areas or minor drainages influencing water quality or quantity downstream to Class I streams. Development activities must be farther than 30-feet on each side of the ordinary high-water mark.

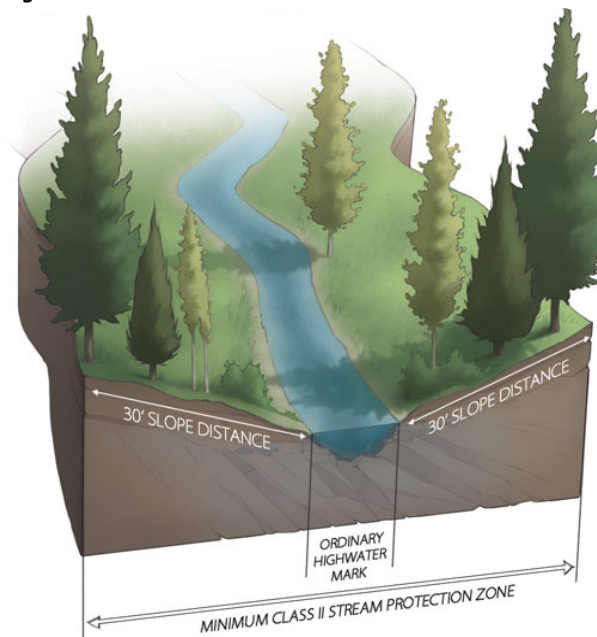
- *Drainage swales* that naturally occur must have a protection buffer of 5-feet on either side of the top.
- **Grading/fill** activity on **moderate or high-risk sites** as defined in County Code also require a **Site Disturbance Plan** to ensure best management practices for preventing erosion and storm water run-off onto adjacent properties. Some conditions may require the plan to be prepared by a Design Professional. (County Code)

Figure 2. Class I Stream Protection Zone.



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Figure 3. Class II Stream Protection Zone.



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Timber Harvesting

The *Idaho Department of Lands (IDL)* administers the Idaho Forest Practices Act, which is a set of recommended best management practices intended to protect public resources, especially water and long-term forest productivity. *Rules Pertaining to the Idaho Forest Practices Act (IFPA)* are available online at: <https://adminrules.idaho.gov/rules/2011/20/0201.pdf>. Copies are also available at all IDL Offices, along with a companion publication titled *Idaho Forestry Best Management Practices Field Guide*.

If site development involves the **harvest of commercial forest products** with logs going to a mill, you will **need to obtain a Certificate of Slash Compliance (Compliance) and Notification of Forest Practice (Notification)** from IDL before beginning any activities. Compliance/Notifications are free of charge. More information is available at www.idl.idaho.gov/compliance-notification/.

NOTE: All necessary permits issued by the Kootenai County Community Development office must be obtained **prior** to applying for a Compliance/Notification.

A Compliance/Notification from IDL:

- Is an agreement between the State of Idaho and the Contractor/Operator to comply with the Rules in the Idaho Forest Practices Act (Idaho Code §38-13) and to abate any resulting fire hazard using methods described in Idaho Code §38-1 and Idaho Code §38-4.
- Must be obtained by the Contractor/Operator from an IDL office. The Contractor/Operator is responsible for providing accurate information and must sign the Compliance/Notification.
- Must follow **ALL** IFPA Rules during the operation.
- May be voided if the forest operation does not harvest forest products or otherwise meet the definition of an operation in the IFPA rules.

If site disturbance/development becomes obvious during a forest operation, IDL will contact Kootenai County to help ensure County codes are being followed.

Stream Protection Zones (SPZs) are required adjacent to Class I and Class II streams and lakes.

Restrictions within Stream Protection Zones:

- No ground-based equipment may be used.
- No slash may be piled or burned.
- No roads, skid trails, or landings may be constructed or used; existing roads may only be used to haul fully suspended logs.
- A certain number of trees must be retained within Class I SPZs (IFPA rule 030.07.e.ii) based on a measurement called *Relative Stocking*.
- A pre-approved variance may be obtained to remove hazard trees if the tree retention rule is not met.
- Any **variance** from IFPA rules **must** be approved by IDL **prior** to work being done.

What agency?

If you are building a **private road or driveway**, or converting a logging road to a private road or driveway, contact:

- **Kootenai County** – for a *Site Development Permit*.
- **Local Fire District** – for information on how to meet required emergency standards.
- **Local Highway District** – for an *Approach Permit* if the road accesses a publicly maintained road.

If you are **installing or replacing a culvert**:

- **Idaho Department of Water Resources** – for a *Stream Channel Alteration Permit* if in a year-round flowing stream or if doing other earthwork below the stream's ordinary high-water mark.
- **Highway District** – for help *determining culvert size* if road/driveway is in an approach to public roads.
- **Idaho Department of Lands** – if road/driveway is part of a forest operation; IFPA requires specific sizes based on drainage acres for the 50-year flood event (IFPA rule 040.02).

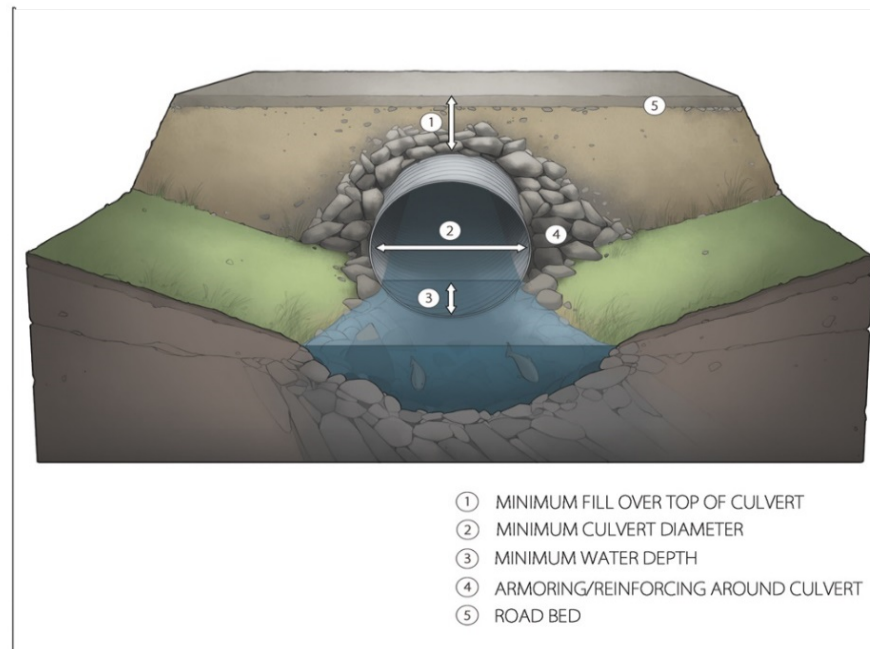
If you are **constructing logging roads and spurs**:

- **Idaho Department of Lands** – for an *IFPA Compliance/Notification*, which defines maximum width, location and amount allowed (IFPA rule 040.02).

Public roads:

- **Highway District** - must meet the minimum standards of the 2015 Highway Standards of the Associated Highway Districts.

Figure 4. How to install a permanent culvert.



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For Assistance:

- Kootenai County Community Development Department: (208) 446-1070
- Idaho Department of Lands:

Mica Area - Coeur d'Alene Office (208) 769-1577
Mica Area – Cataldo Office (208) 682-4611
St. Joe Area - Saint Maries Office (208) 245-4551



In cooperation with University of Idaho Extension and the Renewable Resource Extension Act



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Private Site Development, Roads/Driveways and Timber Harvest

Kootenai County, Idaho

Kootenai County Community Development Office

Idaho Department of Lands, Mica Area Office

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