



UI Extension Forestry Information Series II

Forest Management Planning No. 19

Permission to Recreate Please

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Fall has arrived and a lot of us are spending these last days of fine weather outside doing what we love to do most - recreate. Idahoans have long held with the belief that as long as folks do not vandalize a property they are welcome to recreate there. But private land in Idaho is, well, private.

There's a new law in town.

Idaho's trespass law changed July 1, 2018. The Law specifies that "No person shall enter or remain on private land to shoot any weapon or hunt, fish, trap or retrieve game without written permission or other lawful permission."

A person should know land is private, and that they are not allowed access without permission, if:

- The property is associated with a residence or business;
- OR cultivated;
- OR fenced or enclosed in a way that delineates the private property;
- OR unfenced and uncultivated but is conspicuously posted with "no trespassing" signs or bright orange, fluorescent paint at all property corners and boundaries where the property intersects public lands, navigable streams, roads, gates and rights-of-way entering the land.

To read the full law, go to: <https://idfg.idaho.gov/2018-trespass-law>

Private landowners include individuals who own small to very large parcels as well as industrial landowners such as *Potlatch Deltic Corporation* and *Bennet Lumber Products*, to name a few.

Getting permission to access private land is your responsibility. For small private landowners, such as Joe Smith or Jane Farmer, the easiest way to get

permission is to find the house, knock on the door and ask. Written permission is always best and should include:

- the date;
- name(s) permission is given to;
- dates permission is valid for;
- a general description of the parcel;
- the landowner name; and
- the landowner's or agent's signature.

For large industrial private landowners, the easiest way to get information about recreating on their land is to read their websites. *Potlatch Deltic Corporation*, for example, offers recreational opportunities through an online licensing program that grants licensee rights. For those interested in licensing land, go to their website at: <https://rlms.potlatchcorp.com/HomePage.aspx>

Another good example is *Bennett Lumber Products*, which allows recreation on almost all of their 70,000 acres of forestland. To recreate on Bennett property in Idaho, you must visit their office to get a free Sportsman's Courtesy Card. For more information, go to: <https://blpi.com/index.php/forest-resources/recreation/>

If you do not know who owns the land you are interested in accessing, contact the local County Assessor's office for ownership information.

What is, and is not, allowed depends on who owns the land.

There are two types of outdoor recreation - those types that involve a "taking" (hunting, fishing, picking berries, cutting firewood and Christmas trees, foraging for mushrooms, etc.) and those that do not (hiking, biking, camping, rafting, etc.).



Picking huckleberries is a recreational activity that involves a "taking."

Photo by: ChristianSW, Wikimedia Commons.org.



Hiking is a recreational activity that does not involve a "taking."

Photo by: Miguel Vieira, Wikimedia Commons.org.

There are a few across the board rules. No matter who owns the land or water, the State of Idaho requires you to have the following permits:

- *Hunting* - You need a hunting license and, depending on the species you want to hunt, you may need an additional tag or permit.
- *Firearms* are allowed on all federal and state lands for personal protection. Idaho State Gun and Weapons Laws are enforceable. Learn more at: <https://www.nps.gov/grca/learn/management/upload/Firearms-in-IMRparcs2-2010.pdf>
- *Fishing* - Any person 14 years of age or older must have a valid fishing license to fish anywhere in Idaho. Anglers younger than 14 do not need a license, but there are differences between resident and nonresident youth regulations. Contact Idaho Fish and Game for the particulars.
- *The Migratory Bird Treaty Act 1918* makes it "illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to Federal regulations." To learn more, go to: <https://www.fws.gov/birds/policies-and-regulations/laws-legislations/migratory-bird-treaty-act.php>.

State Lands

The *Idaho Department of Lands* (IDL) (<https://www.idl.idaho.gov/>) allows recreational access to most endowment lands as long as activities do not degrade land, interfere with management activities or otherwise negatively affect the long-term financial return to endowment beneficiaries. IDL firewood permits are available for non-commercial purposes and are \$5/cord with a four-cord minimum.

- For a map of *IDL Endowment Lands Accessible for Recreation* (PDF), go to; <https://www.idl.idaho.gov/maps-land-records/0-endowment-lands-access.pdf>
- For information about firewood permits, go to: <https://www.idl.idaho.gov/forestry/firewood-permits/index.html>



Eagle feathers, as well as all feathers from migratory birds, cannot be legally collected regardless of where you find them.

Photo by: Tperkins2, Wikimedia Commons.org

Idaho Parks and Recreation (IDPR) (<https://parksandrecreation.idaho.gov/>) manages our State parks and the registration programs for boats, snowmobiles and other off-highway vehicles. Except for a few exceptions, such as an archery deer season at Farragut State Park and duck hunting at Heyburn State Park, Idaho State Parks are primarily for non-taking outdoor experiences.

To access State Park lands, Idahoans may purchase an annual Idaho State Parks Passport for \$10 when you registering motorhomes or passenger vehicles, online, by mail-in renewal or at any county DMV office.

Idaho Educational Institutions

In general, land owned by the University of Idaho (UI), Boise State University and other state colleges and universities are not open to the public for recreational activities. Feel free to stop by and say "Hi," but know that the main function of our State educational institutions are teaching and research, not recreation.

A known exception to this rule is the **UI Experimental Forest (UIEF)** in Latah Co., ID. The UIEF provides a forest classroom for students to work and learn in while also offering numerous recreational opportunities. No motorized recreational access is permitted on the UIEF. Hunting is permitted on a limited basis, with the Flat Creek cabin continuing to be a popular hunting destination. Hunters must park at locked gates and walk in. No target shooting is permitted on any UIEF units and all hunting on the UIEF requires a no-cost permit.

- For where to get a permit, go to: <https://www.uidaho.edu/cnr/research/fur-programs/ui-experimental-forest>
- To check on availability of the Flat Creek Cabin, email Rob Keefe at robk@uidaho.edu.

Federal Land

Idaho has vast amounts of Federal land. There are two good websites to go to learn more about recreation on these public lands:

- **Public Lands Foundation** at: <https://publicland.org/links/public-lands-interactive-maps-information/>
- **Recreation.gov** at: <https://www.recreation.gov/>

U.S. Department of the Interior (DOI) Bureaus and Offices include the Bureau of Land Management, National Park Service, Bureau of Indian Affairs and U.S. Fish and Wildlife Service.

Hunting. Many of our most famous National Parks do not allow hunting, but 76 areas managed by the National Park service, as well as hundreds of sites and thousands of acres of DOI public lands, allow hunting in accordance with federal and state regulations and laws.

- All hunters on public lands must have the required state license(s).
- If you hunt migratory waterfowl and you are 16 years of age or older, you need to purchase and carry a current Duck Stamp or E-Stamp.

To learn more about hunting on DOI lands, go to: <https://www.doi.gov/blog/everything-you-need-know-about-hunting-public-lands>

Forest and Wood Products Permits. Special forest products are plant materials like seeds, berries, greenery, mushrooms, seedlings, fence posts and poles, firewood and Christmas trees. Visitors can harvest these products in reasonable amounts for personal use without a permit; harvesting more than small amounts requires a permit and, in some cases, may require a contract. Please contact your nearest BLM Idaho Office (<https://www.blm.gov/idaho>) for more information on forest products and permits.

USDA Forest Service. Some National Forests or Grasslands require a recreation fee and/or pass, depending on where they are and what you want to do. For detailed information on recreation fees and passes go to: <https://www.fs.fed.us/visit/passes-permits/recreation-fees-passes>.

Firewood Permits. Permits are \$6.25/cord with a four-cord minimum and a 10-cord maximum per household. Permits are available at Forest Service Ranger District offices and private vendors throughout Idaho.

We are fortunate to have access to the magnificent forests and grasslands of Idaho for our recreational pursuits. Remember, common courtesy applies to all, no matter who owns the land. Take only pictures. Make only memories. Leave only footprints.