Chapter 8a
Utah Forest Practices Act

65A-8a-102 Definitions.

As used in this chapter:

(1) "Commercial tree species" means:
- (a) Abies concolor (white fir);
- (b) Abies lasiocarpa (subalpine fir);
- (c) Juniperus osteosperma (Utah juniper);
- (d) Juniperus scopulorum (Rocky Mountain juniper);
- (e) Picea engelmannii (Engelmann spruce);
- (f) Picea pungens (blue spruce);
- (g) Pinus contorta (lodgepole pine);
- (h) Pinus edulis (piñon pine);
- (i) Pinus flexilis (limber pine);
- (j) Pinus longaeva (bristlecone pine);
- (k) Pinus monophylla (singleleaf piñon);
- (l) Pinus ponderosa (ponderosa pine);
- (m) Populous tremuloides (quaking aspen);
- (n) Pseudotsuga menziesii (Douglas fir); or
- (o) Quercus gambelii (gambel oak).

(2)
- (a) "Forest practice" means, except as provided in Subsection (2)(b):
  - (i) the harvesting of commercial tree species;
  - (ii) new road construction associated with harvesting or accessing trees;
  - (iii) site preparation for regeneration of a timber stand;
  - (iv) reforestation; or
  - (v) the management of logging slash.
- (b) "Forest practice" does not include:
  - (i) the operation of a nursery or Christmas tree farm;
  - (ii) the harvest of Christmas trees;
  - (iii) the harvest of trees for the noncommercial, personal use by the owner of forested land from which the trees are harvested;
  - (iv) a harvesting operation encompassing fewer than five contiguous acres of forested land;
  - (v) clearing land for defensible space in a wildland-urban interface; or
  - (vi) fuel reduction for a wildland-urban interface or hazardous fuel reduction project.

(3) "Forested land" means land, except land owned by the federal government or located within an incorporated city, growing commercial tree species that are, or could be at maturity, capable of furnishing raw material used in the manufacture of lumber or other forest products.

(4) "Forest Water Quality Guidelines" means the field-applicable practice guidelines adopted by the division for use during forestry activities to protect water quality and contained within a nonpoint source management plan.

(5) "Landowner" means a person who holds an ownership interest in forested land.

(6) "Operator" means a person who:
- (a) is responsible for conducting forest practices; or
- (b) through a contractual agreement with the landowner, is obligated to or entitled to conduct forest practices or to carry out a timber sale.

Amended by Chapter 113, 2025 General Session

65A-8a-103 Registration of operators.

(1) An operator intending to conduct forest practices in Utah, except a landowner conducting forest practices on the landowner's own land, shall register with the division.

(2) The operator shall submit the following information to the division:

(a) the name of the company;

(b) the name of the state where the company is incorporated; and

(c) the name, telephone number, and address of a company officer and an on-the-ground supervisor.

(3) In consultation with industry representatives, the division may establish, by rule, minimum requirements for registration of operators in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(4) The division shall make available to landowners a list of registered operators.

Amended by Chapter 382, 2008 General Session

65A-8a-104 Notification of intent to conduct forest practices.

(1) No later than 30 days before an operator commences forest practices, the operator shall notify the division of the operator's intent to conduct forest practices.

(2) The notification shall include:

(a) the name and address of the operator;

(b) the name, address, and other current contact information of the landowner;

(c) a legal description of the area in which the forest practices are to be conducted;

(d) a description of the proposed forest practices to be conducted, including the number of acres with timber to be harvested; and

(e) an agreement granting the state forestry personnel permission to enter the area in which the forest practices are to be conducted to conduct an inspection, when the state forestry personnel reasonably consider an inspection necessary to ensure compliance with this chapter.

(3) Upon the receipt of notification, the division shall, within 10 days, mail to the landowner and the operator:

(a) an acknowledgment of notification;

(b) information on Forest Water Quality Guidelines; and

(c) any other information the division believes would assist the landowner and operator in conducting forest practices.

(4)

(a) Failure to notify the division in accordance with this section is a class B misdemeanor.

(b)

(i) The division may bring an action in a court with jurisdiction under Title 78A, Judiciary and Judicial Administration, to enjoin an operator engaged in conduct violating this chapter from operating until the operator complies with this chapter.

(ii) Notwithstanding Title 78B, Chapter 3a, Venue for Civil Actions, the division shall bring an action described in Subsection (4)(b)(i) in the county in which the forest practices are to be conducted is located if the division brings the action in the district court.

(c) In an action by the division in accordance with Subsection (4)(b), the operator shall pay reasonable attorney fees and all court costs incurred by the division because of the action.

Amended by Chapter 158, 2024 General Session

65A-8a-105 Division to promote implementation of Forest Water Quality Guidelines.

(1) The division shall promote implementation of Forest Water Quality Guidelines before, during, and after the conduct of forest practices on forested land in order to:
  (a) preserve water quality and soil stability;
  (b) prevent the hazard of fire and insect infestation;
  (c) minimize waste of timber resources; and
  (d) protect the regenerative and productive capacity of forested land.
(2) The division, in cooperation with Utah State University Extension Services:
  (a) shall implement a program to develop demonstration areas, books, brochures, informational material, seminars and workshops, and other aids to display correct application of the Forest Water Quality Guidelines; and
  (b) may aid private landowners by providing technical assistance to landowners and operators in implementing Forest Water Quality Guidelines.

Enacted by Chapter 80, 2001 General Session

65A-8a-106 Division to provide technical assistance -- Administrative rules.

(1) The division may provide:
  (a) advice and technical assistance to landowners and operators by:
    (i) developing forest stewardship plans;
    (ii) developing harvest or forest management plans; and
    (iii) developing programs and activities promoting stewardship of forest and other lands;
  (b) information about tax incentives or other financial incentives designed to enhance the productive potential of forested land; or
  (c) federal cost-share incentives to eligible nonindustrial, private forest landowners, if available.
(2) The division, in cooperation with Utah State University Extension Services, shall:
  (a) develop and implement a public education and awareness program to inform citizens about the benefits of long-term stewardship of forest and other lands; and
  (b) provide technical assistance to landowners in developing management plans that may be required for financial incentive programs.
(3) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, governing the application, approval, implementation, and monitoring of a forest stewardship plan.

Amended by Chapter 40, 2010 General Session