

To: The Idaho Department of Lands

Subject: Negotiated rulemaking process for gas and oil development in Idaho

October 25, 2016

Greetings,

The following are comments and issues I am concerned with and ask that you consider them during the negotiated rulemaking process.

- It is important Idaho taxpayers do not end up paying for oil and gas (OG) development in the state. The current approach of relying on the OG industry to self monitor and report is naïve, and frankly foolish. The following steps must be legally implemented to ensure the industry pays for the OG taken from Idaho lands.
 - Either the state or independent oversight of the whole reporting/data gathering process must be adopted.
 - Reporting of OG production numbers must be required. Reporting should occur no less than on a monthly basis; weekly or real time would be better. Similarly, payments from OG companies to the state should also occur regularly (no longer than monthly).
 - All production data and payment information should be made public information.
 - Installation, monitoring, calibration, and subsequent maintenance of production meters must required before extraction of OG begins. This should be accomplished by the state or an independent third-party.
- Reporting of chemicals used in the process of OG development must be required. This information should be made available to the public and there should be no exemptions for so-called trade-secret chemicals. Chemicals expected to be used in production should be reported in advance of actual use. If different chemicals are subsequently used, the OG developers must immediately report that information to the state.
- The industry must be required to dispose of waste products (fluids, solids, etc.) in an environmentally sound manner. Disposal of hazardous, toxic, and other suspect materials must not be allowed on agricultural or other lands.
- The OG industry must be made responsible for all peripheral negative and/or costly impacts they generate in the process of developing OG. One in particular is there will be significant levels of heavy truck usage on Idaho roads and that will end up damaging roads. The OG industry should be made responsible to pay for any maintenance and repair for their damaged to roads.

- My understanding is there is only a 300 feet setback required from well operations to structures to protect them from the impacts of the OG development. This is completely inadequate given the significant scale of industrial processes that will occur night and day at these sites. This setback should be substantially increased.

I appreciate this opportunity to comment.

Regards,

Martin Marzinelli
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