

# STATE BOARD OF LAND COMMISSIONERS

January 18, 2022

Regular Agenda

## Subject

Negotiated rulemaking for IDAPA 20.02.14 *Rules for Selling Forest Products on State-Owned Endowment Lands*

## Question Presented

Shall the Land Board authorize the Department to initiate negotiated rulemaking for IDAPA 20.02.14 *Rules for Selling Forest Products on State-Owned Endowment Lands*?

## Background

The Idaho Department of Lands (Department) sells forest products on endowment land to purchasers using various techniques. IDAPA 20.02.14 establishes a consistent process for selling forest products by setting minimum requirements for timber sale auctions, initial deposits and bonding, stumpage and interest payment, and timber sale cancellation and termination.

## Discussion

Following Executive Order 2020-01, Zero-Based Regulation, this rule chapter is scheduled to be repealed and replaced in 2022 for review during the 2023 legislative session. The Department will review the rule with stakeholders to ensure that it provides clarity in our processes. Preliminary research from the Department has not identified any major changes. The Department anticipates reducing the total word count by removing repetitive statements from the rule chapter.

A proposed timeline for the rulemaking process is provided in Attachment 1.

## Recommendation

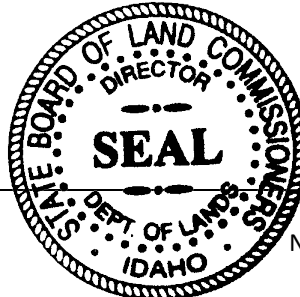
Authorize the Department to initiate negotiated rulemaking for IDAPA 20.02.14 *Rules for Selling Forest Products on State-Owned Endowment Lands*.

## Board Action

A motion was made by Attorney General Wasden that the Land Board adopt the Department recommendation and authorize the Department to initiate negotiated rulemaking for IDAPA 20.02.14 *Rules for Selling Forest Products on State-Owned Endowment Lands*. Controller Woolf seconded the motion. The motion carried on a vote of 5-0.

## Attachments

1. Draft rulemaking timeline





## Draft Rulemaking Timeline

IDAPA 20.02.14

### Rules for Selling Forest Products on State-Owned Endowment Lands

January 18, 2022	Approval from Land Board to start negotiated rulemaking (regular agenda)
February 11, 2022	Last day to submit <i>Notice of Intent to Promulgate Rules</i> to the Office of the Administrative Rules Coordinator (OARC) for publication in March
February 2022	Post information on IDL website about this rulemaking
March 2, 2022	<i>Notice of Intent to Promulgate Rules</i> publishes in the Idaho Administrative Bulletin; negotiated rulemaking and public comment period begins
April 5, 2022	Negotiated rulemaking public meeting in Coeur d'Alene and via Zoom
April 6, 2022	Negotiated rulemaking public meeting in Lewiston and via Zoom
May 11, 2022	End of comment period for negotiated rulemaking
July 22, 2022	Last day to submit proposed rule to DFM for the 2023 Legislature
August 5, 2022	Last day to submit <i>Notice of Proposed Rule</i> to OARC for the 2023 Legislature
September 7, 2022	Proposed rule publishes in the Idaho Administrative Bulletin and 21-day written public comment period begins
September 14, 2022	Public hearing on proposed rule
September 28, 2022	End of written public comment period on proposed rule
October 18, 2022	Request approval from Land Board to adopt pending fee rule (regular agenda)
November 10, 2022	Last day to submit <i>Notice of Pending Fee Rule</i> to OARC for publication in December 2022
	Pending fee rule to be reviewed during the 2023 legislative session

*Note:* All dates are subject to change.