

Zero-Based Regulation Prospective Analysis

Fill out entire form to the best of your ability, unless submitting a Notice to Negotiate only fill out 1, 2, and 5

Agency Name: Idaho Department of Lands

Rule Docket Number: 20-0214-2201

1. What is the specific legal authority for this proposed rule?

Statute Section (include direct link)	Is the authority mandatory or discretionary?
Public Lands – Department of Lands: Section 58-104(6), Idaho Code – State Land Board – Powers and Duties https://legislature.idaho.gov/statutesrules/idstat/Title58/T58CH1/SECT58-104/	Discretionary
Public Lands – Department of Lands: Section 58-105, Idaho Code – Director https://legislature.idaho.gov/statutesrules/idstat/Title58/T58CH1/SECT58-105/	Discretionary
Idaho Code Title 58 Chapter 4 – Sale of Timber on State Lands https://legislature.idaho.gov/statutesrules/idstat/Title58/T58CH4/	Discretionary

2. Define the specific problem that the proposed rule is attempting to solve? Can the problem be addressed by non-regulatory measures?

This rule governs the selling of forest products from state endowment lands and sets minimum requirements for timber sale auctions, initial deposits and bonding, stumpage and interest payment, and timber sale cancellation and termination. The proposed changes seek to comply with Executive Order 2020-01, reduce the total word count, and reduce the number of repetitive statements in the new chapter.

3. How have other jurisdictions approached the problem this proposed rule intends to address?

a. Is this proposed rule related to any existing federal law?

Federal citation	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)

b. How does this proposed rule compare to other state laws?

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Washington		
Oregon		
Nevada		
Utah		
Wyoming		
Montana		
Alaska		
South Dakota		

c. If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

4. What evidence is there that the rule, as proposed, will solve the problem?

5. What is the anticipated impact of the proposed rule on various stakeholders? Include, how will you involve them in the negotiated rulemaking process?

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	No impact. The rule is already in place and its administration is funded from earnings reserve.
Impact to Idaho businesses, with special consideration for small businesses	The proposed changes will make the rule easier to understand by reducing the word count and repetitive statements. The rule will be reviewed with stakeholders to ensure it provides clarity to our processes.
Impact to any local government in Idaho	No impact is anticipated to local government in Idaho. The rule is in place, and the reduction of total word count and repetitive statements will not change the intent of the rule.

6. What cumulative regulatory volume does this proposed rule add?

Category	Impact
Net change in word count	
Net change in restrictive word count	