

Negotiated Rulemaking Meeting Notes – April 6, 2022

Name of Negotiated Rulemaking: Rules for Selling Forest Products on State-Owned Endowment Lands (IDAPA 20.02.14)

Docket number: 20-0214-2201

Location: Lewiston, Idaho and Zoom teleconference/web conference

Date/Time: Wednesday, April 6, 2022 – 9:30 a.m. to 9:51 a.m. PT

Attendees: See participant list

Facilitated by: Jeremy Shawver, Lands Section Manager – Timber Sales & Contract Administration, Idaho Department of Lands (IDL)

This is the second of 2 scheduled meetings during the public comment period March 2 – May 11, 2022.

Jeremy Shawver presented an overview of rulemaking and reviewed the draft rule changes. Discussion:

Section 010. Definitions

Mike Reggear: Question about definition 04. says road improvements but not “road construction” – could this be misunderstood that construction is not included in the rule.

Jeremy Shawver: Might use “infrastructure” – still thinking about wording to use.

Section 020. Direct Sales

Jeremy Shawver: The statute covers the size, and the rest is covered in policy/procedure (ex: 6-month extension). “Advance payment will be required and all sales will be on a lump sum basis” – with inflation, would like to increase the value via Land Board approval, so if getting bigger then might do something other than advance payment on a lump sum basis.

Mitch Reggear: Is the direct sale maximum volume at 100 or 200 MBF?

Jeremy Shawver: The statute 200 MBF, and then the Board Policy is set to 100 MBF.

Q: Are we going to keep the maximum value at \$15K for these sales?

Jeremy Shawver: We are looking into increasing this in the future to better treat isolated and passed over parcels of land. For now, the value will remain the same.

Section 026. Annual Sales Plan

Mike Reggear, IFG: Problem to the purchaser if plan presented in the same fiscal year

026. ANNUAL SALES PLAN.

~~The Department will prepare an annual sales plan which will describe the timber sales to be offered for sale during the forthcoming fiscal year. The plan will be based on recommended annual harvest volumes utilizing inventory data, local stand conditions, special management problems, and economic factors. The plan will be presented to the Board for approval annually and upon approval made available to all interested parties. The plan may be altered to respond to changing market conditions or to expedite the sale of damaged or insect-infested forest products. (3-20-20)T~~

Jeremy Shawver: It is in policy to present it by the April Land Board. The sales plan is posted to the timber sale website in January the prior fiscal year. IDL will look at adding in some language to the rule.

Mike Reggear: Would recommend keeping “forthcoming fiscal year” in the rule text.