



Negotiated Rulemaking Meeting
Idaho Department of Lands
Docket No. 20-0303-2301
April 26, 2023, 10:00 a.m. (MT)
Boise, Idaho and Zoom

Negotiated Rulemaking Meeting Notes – April 26, 2023

Name of Negotiated Rulemaking: Rules Governing Bond Assurance Fund in Idaho (IDAPA 20.03.03)

Docket number: 20-0303-2301

Location: Boise Staff Office, Garnet Conference Room and on Zoom/Teleconference

Date/Time: Wednesday, April 26, 2023 – 10:00 a.m. MT

Attendees: See participant list

Facilitated by: Eric Wilson, Resource Protection and Assistance Bureau Chief, Idaho Department of Lands (IDL)

This is the first of 2 scheduled meetings during the public comment period April 4 – June 16, 2023.

Eric Wilson presented an overview of rulemaking and reviewed the draft rule changes.

Discussion:

- There was a question on the elimination of Section 002, Administrative Appeals, and if any substantive changes to administrative appeals are intended or will Title 67, Chapter 52 control appeals. IDL responded that the intent is to just refer to Title 67, Chapter 52 for guidance on administrative appeals.
- A question was asked regarding Section 18.02 with the maximum disturbance and reclamation costs, and how that translates to the actual limits which are lower. IDL responded that the maximum allowable disturbance and the maximum allowable reclamation cost are set by rule, but the Land Board has flexibility to set the actual allowable limit. This is determined through periodic actuarial analysis. The current limits set by the Land Board in 2020 are 40 acres and \$220,000.