

IDAPA 20 – IDAHO DEPARTMENT OF LANDS

**20.04.02 – RULES PERTAINING TO THE IDAHO FORESTRY ACT
AND FIRE HAZARD REDUCTION LAWS**

DOCKET NO. 20-0402-2301

**NOTICE OF INTENT TO PROMULGATE RULES –
ZERO-BASED REGULATION (ZBR) NEGOTIATED RULEMAKING**

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 38-132 and 38-402, Idaho Code.

MEETING SCHEDULE: Two public meetings on the negotiated rulemaking will be held as follows:

Tuesday, October 10, 2023 5:00 p.m. to 6:00 p.m. (PT)
<i>In-person participation is available at:</i> Idaho Department of Lands Coeur d’Alene Staff Office Sundance Room 3284 W Industrial Loop Coeur d’Alene, ID 83815
<i>Join on your computer, mobile app, or room device</i> Click here to join the meeting Meeting ID: 227 783 468 761 Passcode: hKCmxn Download Teams Join on the web
<i>To attend by telephone call</i> +1 469-998-7393,,127613129# Phone Conference ID: 127 613 129#

Wednesday, October 11, 2023 7:00 p.m. to 8:00 p.m. (MT)
<i>In-person participation is available at:</i> Evergreen Hotel McCall Western Larch Room 210 N. Third Street McCall, ID 83638
<i>Join on your computer, mobile app, or room device</i> Click here to join the meeting Meeting ID: 264 100 652 596 Passcode: vMK9kq Download Teams Join on the web
<i>To attend by telephone call</i> +1 469-998-7393,,310381629# Phone Conference ID: 310 381 629#

If additional meetings are scheduled, the dates, times, and locations will be posted on the Idaho Department of Lands (IDL) website at: [https://www.idl.idaho.gov/rulemaking/docket 20-0402-2301](https://www.idl.idaho.gov/rulemaking/docket%2020-0402-2301). The meeting sites will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

METHOD OF PARTICIPATION: Those interested in participating in the negotiated rulemaking process are encouraged to attend scheduled meetings and submit written comments to the address below or by email to rulemaking@idl.idaho.gov. If providing comments by email, please enter IDAPA 20.04.02 in the subject line. Written comments must be provided within the comment period listed on the rulemaking page for this docket.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

Following Executive Order 2020-01, Zero-Based Regulation ([Executive Order No. 2020-1](#)), this rule chapter is scheduled to be repealed and replaced in 2024 for review during the 2025 legislative session. The State Board of Land Commissioners has authorized the Department of Lands to enter negotiated rulemaking with the intent to remove unnecessary rule language and amend other rules to reduce verbiage and improve readability. The Department will review the rules with stakeholders to ensure it provides clarity in our processes. Preliminary research from the Department has not identified any major changes.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text, contact Brooke Heasty at bheasty@idl.idaho.gov.

Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Department of Lands website at the following web address: <https://www.idl.idaho.gov/rulemaking>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before November 17, 2023.

DATED this 1st day of September, 2023.

Joshua J. Harvey
Fire Management Chief
Forestry and Fire Division
Idaho Department of Lands
3284 W Industrial Loop
Coeur d'Alene, Idaho, 83815
Phone: (208) 666-8649
Fax: (208) 769-1524