



NEGOTIATED RULE MAKING

Zero Based Regulation

20.03.14 RULES GOVERNING GRAZING, AGRICULTURE, CONSERVATION,
NON-COMMERCIAL RECREATION, COMMUNICATION SITE LEASES

AGENDA

1. Welcome and Introductions
 - 1) Rulemaking
 - 2) Participation guidance
2. Draft Negotiated Rule
3. Discussion
4. Next Steps
 - Deadline for written comments on the draft negotiated rule: April 17, 2024
 - Find documents and status updates on our website: <https://www.idl.idaho.gov/rulemaking/docket-20-0314-2401>.
 - Public comment opportunity on proposed rule, tentatively scheduled July 3 to July 24, 2024
 - **Submit comments** by email to rulemaking@idl.idaho.gov and enter “IDAPA 20.03.14” in the Subject line.

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HOUSE KEEPING

- SIGN-IN SHEETS
- VIRTUAL
 - PLEASE PUT NAME, EMAIL ADDRESS AND AFFILIATION INTO THE CHAT TO DOCUMENT ATTENDANCE
 - PLEASE REMAIN MUTED UNLESS YOU HAVE QUESTIONS, COMMENTS OR CONCERNS TO REDUCE BACKGROUND NOISE.
 - MEETING IS BEING RECORDED
- RESTATE NAME AND AFFILIATION WHEN THERE ARE QUESTIONS OR COMMENTS

EXECUTIVE ORDER NO. 2020-01 ZERO-BASED REGULATION

- AKA- RED TAPE REDUCTION ACT
- AIMED IN PART TO:
 - REDUCE OR REMOVE REGULATORY BURDEN
 - REMOVE OBSOLETE, OUTDATED, OR UNNECESSARY REGULATIONS
- 20.03.14 RULES GOVERNING GRAZING, FARMING, CONSERVATION, NON-COMMERCIAL RECREATION, AND COMMUNICATION SITE LEASES IS SCHEDULED FOR THIS REVIEW TO BE CONSIDERED IN THE 2025 LEGISLATIVE SESSION.

SUMMARY OF CHANGES

- REMOVED NON-COMMERCIAL RECREATION AND COMMUNICATION SITE LANGUAGE
- FORMATTING FOR CLARITY AND READABILITY
- REDUCE WORD COUNT (~500)
- SENTENCE RE-STRUCTURING
- REMOVAL OF 2 CLAUSES

MORE SIGNIFICANT CHANGES

- REMOVAL OF 052.071 -MORTGAGE AGREEMENTS
 - A LESSEE'S ABILITY TO ENTER INTO A MORTGAGE AGREEMENT IS CLEARLY STATED IN EACH LEASE AND IT IS MORE APPROPRIATE TO BE CONTAINED IN LEASE LANGUAGE.
- REMOVAL OF 114- LIABILITY (INDEMNITY)
 - THIS LANGUAGE IS WELL DEFINED IN THE LEASES AND IS MORE APPROPRIATELY DEFINED IN LEASE LANGUAGE.

NEGOTIATED RULEMAKING TIMELINE



Land Board Approval

The Land Board approved moving forward with the rulemaking for IDAPA 20.03.14 on **January 16, 2024**.

Part of 5-year review cycle for all IDL Rules



Notice of Intent

The Notice of Intent for rulemaking was published in the **March 2024** Idaho Administrative Bulletin.



Public Meetings

1st Meeting
March 27, 2024

2nd Meeting
April 4, 2024
1:00 pm
IDL Office – Idaho Falls



Proposed Rule

Public comment period ends:
April 17, 2024

Proposed Rule is published in
July 2024

Public Hearing on Proposed Rule in **July 2024** (TBD)



Pending Rule

Request Land Board approval of Pending Rule – **August 2024**

The Pending Rule will be reviewed by **2025 Legislature**

NEXT STEPS

- SEND WRITTEN COMMENTS TO RULEMAKING@IDL.IDAHO.GOV AND ENTER “IDAPA 20.03.14” IN THE SUBJECT LINE
- NEXT MEETING: IDAHO FALLS IDL OFFICE, APRIL 4, 1:00 PM
- DEADLINE FOR WRITTEN COMMENTS ON THE DRAFT NEGOTIATED RULE MAKING: APRIL 17, 2024
- PUBLIC COMMENT ON PROPOSED RULE TENTATIVELY SCHEDULED FOR JULY 3-24.