

**IDAPA 20 – IDAHO DEPARTMENT OF LANDS**

**20.03.02 – RULES GOVERNING MINED LAND RECLAMATION**

**DOCKET NO. 20-0302-2401**

**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 58-104(6) and 58-105, Idaho Code, and Title 47, Chapter 15, Idaho Code.

**MEETING SCHEDULE:** Public meetings on the negotiated rulemaking will be held as follows:

<b>Wednesday, April 24, 2024 10:00 a.m. (PT)</b>
<b>Sandpoint Community Hall Main Room 204 S. 1st Ave Sandpoint, Idaho 83864</b>
<b>To attend by Zoom: <a href="https://idl.zoom.us/j/89780827339">https://idl.zoom.us/j/89780827339</a> To attend by telephone call: +1 (669) 900-6833 Meeting ID: 897 8082 7339</b>

<b>Thursday, April 25, 2024 10:00 a.m. (PT)</b>
<b>Idaho Department of Lands Louise Shaddock Building Sundance Conference Room 3284 W. Industrial Loop Coeur d'Alene, Idaho 83815</b>
<b>To attend by Zoom: <a href="https://idl.zoom.us/j/86584470550">https://idl.zoom.us/j/86584470550</a> To attend by telephone call: +1 (408) 638-0968 Meeting ID: 865 8447 0550</b>

<b>Tuesday, April 30, 2024 10:00 a.m. (MT)</b>
<b>Idaho Department of Lands Boise Staff Office Garnet Conference Room 300 N. 6th St., Suite 103 Boise, Idaho 83702</b>
<b>To attend by Zoom: <a href="https://idl.zoom.us/j/84608438206">https://idl.zoom.us/j/84608438206</a> To attend by telephone call: +1 (408) 638-0968 Meeting ID: 846 0843 8206</b>

<b>Wednesday, May 1, 2024 10:00 a.m. (MT)</b>
<b>McCall City Hall American Legion Post 119 216 Park Street McCall, ID 83638</b>
<b>To attend by Zoom: <a href="https://idl.zoom.us/j/85297350764">https://idl.zoom.us/j/85297350764</a> To attend by telephone call: +1 (669) 444-9171 Meeting ID: 852 9735 0764</b>

<b>Monday, May 6, 2024 10:00 a.m. (MT)</b>
<b>Idaho Department of Lands/Idaho Department of Fish and Game Jerome Field Office 324 S. 417 E., Suite 2 Jerome, Idaho 83338</b>
<b>To attend by Zoom: <a href="https://idl.zoom.us/j/87436405324">https://idl.zoom.us/j/87436405324</a> To attend by telephone call: +1 (669) 444-9171 Meeting ID: 874 3640 5324</b>

Tuesday, May 7, 2024  
10:00 a.m. (MT)

Idaho Department of Fish and Game  
Southeast Regional Office  
1345 Barton Road  
Pocatello, ID 83204

To attend by Zoom:  
<https://idl.zoom.us/j/83623454431>  
To attend by telephone call: +1 (346) 248-7799  
Meeting ID: 836 2345 4431

If additional meetings are scheduled, the dates, times, and locations will be posted on the Idaho Department of Lands website at <https://www.idl.idaho.gov/rulemaking/docket-20-0302-2401>.

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 by contacting the department at the address below.

**METHOD OF PARTICIPATION:** Those interested in participating in the negotiated rulemaking process are encouraged to attend scheduled meetings in person, via Zoom at the link provided, or by conference call using the number listed in this notice. Those interested may also submit written comments within the comment period by sending them to the address below or by email to [rulemaking@idl.idaho.gov](mailto:rulemaking@idl.idaho.gov).

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 department, and the summary will be posted on the department 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](#), this rule chapter is scheduled to be rewritten in 2025 for review during the 2026 legislative session. Due to the anticipated interest and technical nature, the Department is starting negotiations early. The Department aims to right-size its rule chapter and achieve several objectives, including, but not limited to:

1. Eliminating duplicative statutory language or any rule language that conflicts with governing statutes;
2. Removing rule language that is not absolutely necessary, is outdated, or is overly restrictive; and
3. Removing any language that merely relates to the internal processes of the Department.

**ASSISTANCE ON TECHNICAL QUESTIONS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Andy Mork at (208) 334-0247.

Materials pertaining to the negotiated rulemaking, including any preliminary rule drafts and research materials, can be found on the department website at the following web address: <https://www.idl.idaho.gov/rulemaking/docket-20-0302-2401>.

**SUBMISSION OF WRITTEN COMMENTS:** 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 June 13, 2025.

Any additional public comment opportunities will be posted on the department website at <https://www.idl.idaho.gov/rulemaking/docket-20-0302-2401>.

DATED this 8th day of March, 2024.

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