

IDAPA 20 – IDAHO DEPARTMENT OF LANDS

**20.03.04 – RULES FOR THE REGULATION OF BEDS, WATERS, AND AIRSPACE
OVER NAVIGABLE LAKES IN THE STATE OF IDAHO**

DOCKET NO. 20-0304-2401

**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 58-1304 and 58-104(6), Idaho Code.

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

<p>Wednesday, April 24, 2024 1:00 – p.m. (PT)</p>
<p>Sandpoint Community Hall Main Room 204 S. 1st Ave Sandpoint, Idaho 83864</p> <p>To attend by Zoom: https://idl.zoom.us/j/82154991676 To attend by telephone call: +1 (669) 444-9171 Meeting ID: 821 5499 1676</p>

<p>Thursday, April 25, 2024 2:00 p.m. (PT)</p>
<p>Idaho Department of Lands Coeur d’Alene Staff Office Sundance Meeting Room 3284 W. Industrial Loop Coeur d’Alene, Idaho 83815</p> <p>To attend by Zoom: https://idl.zoom.us/j/85790111338 To attend by telephone call: +1 (719) 359-4580 Meeting ID: 857 9011 1338</p>

Wednesday, May 1, 2024
2:00 p.m. (MT)

McCall City Hall
American Legion Post 119
216 Park Street
McCall, ID 83638

To attend by Zoom:
<https://idl.zoom.us/j/83510145645>
To attend by telephone call: +1 (669) 219-2599
Meeting ID: 835 1014 5645

Monday, May 6, 2024
2:00 p.m. (MT)

Idaho Department of Lands/Idaho Department of Fish and Game
Jerome Field Office
324 S. 417 E., Suite 2
Jerome, Idaho 83338

To attend by Zoom:
<https://idl.zoom.us/j/81917084394>
To attend by telephone call: +1 (719) 359-4580
Meeting ID: 819 1708 4394

Tuesday, May 7, 2024
2:00 p.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/89677581551>
To attend by telephone call: +1 (346) 248-7799
Meeting ID: 896 7758 1551

When 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-20-0304-2401>.

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.

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 Marde Mensinger at (208) 334-0248.

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-20-0304-2401>.

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-20-0304-2401>.

DATED this 8th day of March, 2024.

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