

Negotiated Rulemaking Meeting Notes – May 6, 2024

Jerome, Idaho

Name of Negotiated Rulemaking: Rules Governing Mined Land Reclamation (IDAPA 20.03.02)

Docket number: 20-0302-2401

Location: Idaho Fish & Game Magic Valley Regional office Jerome, ID and on Zoom/teleconference

Date/Time: Monday, May 6, 2024 – 10:00 a.m. MDT

Attendees: See participant list

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

This is the fifth of 6 scheduled meetings in April and May, 2024.

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

Discussion:

- **Question:** How do IDL reclamation plan reviews compare to BLM, and if an operator is permitted through BLM does that take care of permitting with IDL? **Response:** An approved reclamation plan was still needed for those operations approved by BLM. IDL reviews are often done with the BLM, or USFS, and with other state agencies. If a NEPA review is required, then IDL and other state agencies may have already reviewed the plan, but a reclamation plan approved by IDL is still needed.
- **Comment:** The longest part of the BLM review may be the archeological clearances. **Response:** IDL does not require archeological clearances, nor plant and animal surveys, for reclamation plans. The focus for IDL is potential impacts on water quality and making sure the site will be reclaimed. In general, a plan approved by BLM will also meet IDL's requirements.