

Welcome to Rulemaking!

IDAPA 20.03.02
Rules Governing Mined Land Reclamation

Agenda

- Welcome and Introductions
- Rulemaking
- Participation & guidance
- Zero Based Regulations
- Types of Draft Changes to Negotiated Rule
- Next Steps
- Discussion

IDAHO CONSTITUTION

LEGISLATIVE STATUTES (IDAHO CODE)

STATE AGENCY RULES (ADMINISTRATIVE CODE)

POLICIES

PROCEDURES

GUIDELINES AND OTHER WRITTEN INTERPRETATIONS

Public Participation

<https://www.idl.idaho.gov/rulemaking/docket-20-0302-2401/>

- Idaho Administrative Bulletin
- Postcard, GovDelivery emails
- Public Meetings
- Comments
 - rulemaking@idl.idaho.gov
 - Online Comment Form
 - 300 N. 6th St., Suite 103 – Boise ID 83720



Guidelines for Success

- Stay on topic
- Be respectful of others (raise hand / take turns speaking)
- Keep comments brief and relevant
- Offer specific wording suggestions

Zero-Based Regulation

Ensure Idaho regulations remain streamlined, user-friendly, and easy to understand.

Rule Text	Word Count
Current Rule Text	19,949
IDL Draft	19,550
Reduction	2%

Zero-Based Regulation

Ensure Idaho regulations remain streamlined, user-friendly, and easy to understand.

Rule Text	Restrictive Words (Shall, Must, May Not, Prohibited, Required)
Current Rule Text	240
IDL Draft	186
Reduction	22.5%

Types of Changes to Draft Rule Text

Reduction to Overall Word Count

- ~~20.03.02.001.01. **Title.** These rules are titled IDAPA 20.03.02 “Rules Governing Mined Land Reclamation,” IDAPA 20, Title 03, Chapter 02.~~
- 20.03.02.011.03. **IDWR.** Idaho Department of Water Resources (5 usages)
- 20.03.02.071.04.a An ~~Department~~ application ~~form completed, signed, and dated by the applicant. This form shall contain the following information:~~
provided by the Director.
- ~~20.03.02.200.02 Plans Submitted in 2019. Reclamation plan applications submitted prior to July 1, 2019, but not yet approved, have until July 1, 2020 to submit post closure plans and financial assurances as described in the 2019 legislative amendments to the chapter.~~

Types of Changes to Draft Rule Text

Efficiency

- **20.03.02.060.03 and 04 03. Notification.** Any operator desiring to conduct exploration using motorized earth-moving equipment to locate minerals for immediate or ultimate sale ~~shall~~must notify the Department prior to or within seven (7) days after beginning exploration operations. The notification must include the information listed in Section 47-1506(e), Idaho Code. No application fee or financial assurance is required for exploration that is not a mining operation.
- ~~04. Contents of Notification~~
- **20.03.02.080** Inspection language in both 080.03 and 080.04 eliminated and combined into new Subsection 080.03.

Types of Changes to Draft Rule Text

Reorganization

- Making lists of items consistent with better punctuation and grammar.
- **20.03.02.069.03 Map requirements.** At least two maps will be required, a vicinity map and a site detail map. Requirements for these are clearer.
- **20.03.02.080 Procedures for Review.** Public Hearing and Referral to Board moved up to Subsections 04 and 05 for a more sequential list of the steps needed for review and approval.

Changes to Draft Rule Text

New Definitions

- Coarse and Durable Rock Armor
- Disturbed Acres
- Permitted Acres

Next Steps This Year

- April 24 Public meeting – Sandpoint
- April 25 Public meeting – Coeur d'Alene
- April 30 Public meeting – Boise
- May 1 Public meeting – McCall
- May 6 Public meeting – Jerome
- May 7 Public meeting – Pocatello
- Additional meetings as needed

Next Year

- April through June Public meetings as needed
- June 13 Public's deadline to submit comments to IDL
- September 3 Proposed Rule published in Bulletin and start 21-day public comment period
- September 24 Deadline to submit comments on Proposed Rule
- October 21 Present pending rule to Land Board
- 2026 Present pending rule to 2026 Legislature

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Thank you for your input today!

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Idaho Department of Lands · Mining Regulatory Program

<https://www.idl.idaho.gov/rulemaking/docket-20-0302-2401/>