

**From:** [Marde Mensinger](#)  
**To:** [Dave Blyton](#)  
**Cc:** [Rulemaking](#)  
**Subject:** RE: IDAPA 20.03.04 Suggested Revision  
**Date:** Monday, June 9, 2025 8:16:08 AM

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Hi Dave and Helen,

Thank you so much for your thoughtful rulemaking comments. I will save these as part of the rulemaking comments and consider them as we create a new draft of the rule.

Sincerely,

**Marde Mensinger**  
**Lands Program Manager Navigable Waterways**  
Idaho Department of Lands  
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**From:** Dave Blyton <dblyton@msn.com>  
**Sent:** Sunday, June 8, 2025 9:46 AM  
**To:** Marde Mensinger <MMensinger@idl.idaho.gov>  
**Subject:** IDAPA 20.03.04 Suggested Revision

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Marde,

We own a cabin at Kilroy Bay on Lake Pend Oreille and a boat garage at Garfield Bay and have been following the rulemaking process for 20.03.04. The lakes and waterways in Idaho are amazing and we support the State's efforts to protect them. As property owners that use the lake not only for recreation but for access to our cabin, we appreciate the approach you have taken of reducing restrictive words and balancing regulation with common sense.

There is one section in Draft 2 regarding the Marine Motor Fuel Dispensing Facilities that we would like to see changed. The current language is very restrictive and will be virtually impossible to comply with, or for the State to enforce. On Lake Pend Oreille, it would require

boaters to go approximately 10 miles to get fuel. Since many of the boaters use their boats year round on the lake to get to their cabins, or to fish, this trip could be present unnecessary challenges trying to get to the limited fuel dispensing facilities on the lake. Many other lakes in Idaho are similar with year round boaters and limited fuel dispensing facilities.

We propose changing the language from requiring a marine motor fuel dispensing facility to requiring a fuel dispensing hose that has an automatic shut off nozzle and drip elimination device. These hoses and drip elimination options are available for purchase for \$40.00 - \$75.00 and can be used with portable gas cans. This keeps the can on the dock and the hose with a shut off nozzle at the boat or wave runner. This would be very similar to how it is dispensed at a fuel dispensing facility. This approach may still be difficult to enforce, but we believe its simplicity and common sense will get support from boaters so the end result will be less fuel getting into the water. Required signage at public boat ramps and moorage facilities could ensure all boaters are aware of the new fuel regulation. This would not only educate the boaters but help other boaters, property owners, marinas, and moorage associations say something to those who are not following the rules.

Thank you for your consideration of our suggestion.

Dave and Helen Blyton