

Welcome to Rulemaking!

IDAPA 20.03.01
Rules Governing Dredge and Placer
Mining Operations in Idaho

Agenda

- Welcome and Introductions
- Rulemaking
- Participation & guidance
- Draft Changes to Negotiated Rule
- Discussion
- Next Steps

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-20-0301-2301/>

- 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	13,079
IDL Draft	9,698
Reduction	- 26%

Changes to Draft Rule Text (1 of 6)

Reduction to Overall Word Count

- ~~20.03.01.001.01. **Title.** These rules are titled IDAPA 20.03.01 “Rules Governing Dredge and Placer Mining Operations in Idaho.”~~
- ~~20.03.01.010.04. **Board.** The State Board of Land Commissioners or any department, commission, or agency that may lawfully succeed to the powers and duties of such Board.~~
- ~~20.03.01.060.01 **Prohibited Areas.** Placer or dredge mining in any form is prohibited on water bodies making up the national wild and scenic river system:~~

Changes to Draft Rule Text (2 of 6)

Efficiency

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- ~~20.03.01.060.05.a~~ — ~~Process and procedures under these rules will be as summary and simple as may be possible. The Director, Board, or any member thereof, or the hearing officer designated by the Director, has the power to subpoena witnesses and administer oaths. The District Court will enforce the attendance and testimony of witnesses and the production for examination of books, papers, and records. A stenographic record or other recording of the hearing will be made. Witnesses subpoenaed by the Director or the hearing officer will be allowed such fees and traveling expenses as are allowed in civil actions in the District Court, to be paid by the party in whose interest such witnesses are subpoenaed. The Board, Director, or hearing officer will make such inquiries and investigations as deemed relevant. Each hearing will be held at the county seat in the county where any of the lands involved in the hearing are situate, or in the County of Ada, as the Board or Director may designate. Hearings under Section 47-1318, Idaho Code, will be held as directed by Title 67, Chapter 52, Idaho Code.~~

Changes to Draft Rule Text (3 of 6)

Efficiency

- 20.03.01.040.14.b Reclamation activities should be concurrent with the mining operation and may be included in the approved ~~placer or dredge mining permit and reclamation plan~~. Final reclamation of the permit area or any part of the permit area must begin within one (1) year after the placer or dredge mining operations have permanently ceased ~~on a mine panel~~. If the Permittee ~~permanently ceases disposing of overburden on a waste area or permanently ceases removing minerals from a pit or permanently ceases using a road or other disturbed land~~, the reclamation activity on each given area must start within one (1) year of such cessation, despite the fact that all operations as to the mine panel, which included such pit, road, overburden pile, or other disturbed land, has not permanently ceased on those parts of the permit area.

Changes to Draft Rule Text (4 of 6)

Inspection Fee Increase

- 20.02.01.**051.a** Cost of inspection is assessed at a flat rate of ~~two hundred and fifty-four hundred~~ thirty five dollars (\$~~250~~435) per year for each permit. ~~Permits upon U.S. Forest Service administered lands is assessed at a flat rate of one hundred dollars (\$100) per year for each permit, to reflect the reduced inspection work for the department.~~

	Current	Proposed
Forest Service Land	\$ 100	\$ 435
BLM, State, and Private Land	\$ 250	\$ 435

Fee Increase

Dredge and Placer Mine Inspection				
	Position	Hourly Wage plus benefits and insurance	Time (hr) Avg	Cost (\$)
Inspection (Drive time, inspection, write up)	Resource Specialist, Sr.	\$ 54.51	8.00	\$ 436.08

Changes to Draft Rule Text (5 of 6)

Surety Bonds 20.03.01.035.02.a

- A surety company issuing a bond must be listed as an acceptable surety in Circular 570 of the U.S. Department of the Treasury.
- 120 day cancellation notification is reduced to 90 days.
- Other surety bond requirements consolidated to this paragraph.

Changes to Draft Rule Text (6 of 6)

Collateral Bonds 20.03.01.035.02.b

- In addition to Certificates of Deposit, Time Deposit Receipts would be acceptable.

Next Steps

- April 26 Public meeting – Boise, ID
- May 4 Public meeting – Coeur d’Alene, ID
- May 10 Public meeting – Salmon, ID
- June 16 Public’s deadline to submit comments to IDL
- September 6 Proposed rule published in Bulletin and start of 21-day public comment period
- September 27 Deadline to submit comments to the Bulletin
- October 17 Present pending rule to Land Board
- 2024 Present pending rule to 2024 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-20-0301-2301/>