



IDAHO OIL AND GAS CONSERVATION COMMISSION

Chris Beck, Chairman
Margaret Chipman, Vice Chairman
Sid Cellan, Commissioner
Jim Classen, Commissioner
Ken Smith, Commissioner

Tom Schultz, Secretary to the Commission

Final Minutes
Idaho Oil and Gas Conservation Commission Regular Meeting
April 23, 2015

The regular meeting of the Idaho Oil and Gas Conservation Commission was held on Thursday, April 23, 2015 in the State Capitol, Hearing Room WW17, at 700 West Jefferson Street, Boise, Idaho. The meeting began at 1:30 p.m. Chairman Chris Beck presided. The following members were present:

Vice Chairman Margaret Chipman
Commissioner Jim Classen
Commissioner Ken Smith
Commissioner Sid Cellan (*via teleconference*)

For the record, Chairman Beck recognized the presence of all Commission members with Commissioner Cellan joining the meeting via conference phone.

1. Director's Report

- A. Financial Update
- B. Summary of Current Well Permits
- C. Final Legislative Update

• **CONSENT**

2. Approval of Minutes – February 12, 2015 Regular Meeting (Boise)

CONSENT AGENDA COMMISSION ACTION: A motion was made by Vice Chairman Chipman that the Commission approve the meeting minutes on the Consent Agenda. Commissioner Smith seconded the motion. The motion carried on a vote of 5-0.

- **REGULAR**

3. Sage Grouse Management Plan – Presented by Patrick Seymour, Program Manager-Endangered Species

RECOMMENDATION: The Department recommends the Commission approve the applicable sections of Part II of the proposed Plan.

Upon approval, implementation of the Plan will be contingent on the federal agencies (USFWS and BLM) acceptance and incorporation of the Governor's Plan into the Final Idaho and Southwest Montana Sub-regional Sage-grouse LUPA and EIS. Implementation will begin within 60 days of the Record of Decision (ROD) for the Final Idaho and Southwest Montana Sub-regional Sage-grouse LUPA and EIS.

If the ROD does not include the foundational elements of the Governor's Plan, IDL will reevaluate and revise the Plan if necessary and inform the Commission or seek approval as needed.

DISCUSSION: Commissioner Classen inquired whether there would be an opportunity at a later date to reconsider the recommendation based on experience. Mr. Seymour replied that there would be opportunities in the future to readdress as one of the main considerations in the Governor's Plan is the use of adaptive management. Director Schultz clarified that those specific elements are within the authority and responsibility of the Commission to approve as per Attachment 2.

Chairman Beck asked if that specifically applied to Sections 14 (Infrastructure Development) and 15 (Minerals); Director Schultz confirmed that to be correct.

COMMISSION ACTION: A motion was made by Commissioner Classen that the Commission approve the recommendation. Vice Chairman Chipman seconded the motion. The motion carried on a vote of 5-0.

4. Negotiated Rulemaking, IDAPA 20.07.01, Rules of Practice and Procedure Before the Idaho Oil and Gas Conservation Commission – Presented by Patrick Hodges, Deputy Director-Lands and Waterways

RECOMMENDATION: Direct the Department to initiate negotiated rulemaking for IDAPA 20.07.01.

DISCUSSION: Justin Hayes, program director with the Idaho Conservation League spoke in support of the Department's request to initiate a rulemaking on this matter and also highlighted the timeliness necessary to get it before the legislature next session. The administrative bulk of the rulemaking needs to be completed by late July.

Alma Hasse, executive director for ICARE, provided handouts and stated she was in favor of opening up negotiated rulemaking and talking about the contested cases. Ms. Hasse expressed concern about the impacts of oil and gas leasing on mortgages and commented that she would

