

IDAHO OIL AND GAS CONSERVATION COMMISSION
February 20, 2024
Information Agenda

SUBJECT

Update on Rulemaking IDAPA 20.07.02, Rules Governing Conservation of Oil and Natural Gas in the State of Idaho

BACKGROUND

The Idaho Department of Lands (Department) administers these rules under the authority of the Oil and Gas Conservation Act (Title 47 Chapter 3, Idaho Code). These rules apply to the extraction of any and all crude oil and natural gas resources in the state of Idaho, not including biogas, manufactured gas, or landfill gas, regardless of ownership.

Following Executive Order 2020-01, Zero-Based Regulation, this rule chapter is scheduled for a comprehensive review in 2024. Revisions are needed to better align procedures and wording with statute revisions that occurred in 2017 and 2023.

At the November 14, 2023 Oil and Gas Conservation Commission (Commission) meeting, the Commission authorized the Department to initiate negotiated rulemaking.

DISCUSSION

The Department is currently working to complete the Prospective Analysis Form (PAF) to submit to the Division of Financial Management (DFM) by February 23, 2024. Information about the Rulemaking will be posted on the Commission website by March 6, 2024. The Notice of Intent to Promulgate Rules will be submitted to DFM by March 8, 2024 for publication in the April Bulletin.

ATTACHMENT

1. Draft Rulemaking Timeline



Draft Rulemaking Timeline

IDAPA 20.07.02

Rules Governing Conservation of Oil and Natural Gas in the State of Idaho

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| November 14, 2023 | Approval from OGCC to start negotiated rulemaking (Regular Meeting / regular agenda item) |
| February 20, 2024 | Present update on this rulemaking to the OGCC (Regular Meeting / information agenda item) |
| February 23, 2024 | Prospective Analysis Form due to DFM (1, 2, 5) |
| March 6, 2024 | Post information on OGCC website about this rulemaking |
| March 8, 2024 | Last day to submit <i>Notice of Intent to Promulgate Rules</i> to the Division of Financial Management (DFM) for Bulletin publication in April |
| April 3, 2024 | <i>Notice of Intent to Promulgate Rules</i> publishes in the Idaho Administrative Bulletin; negotiated rulemaking and public comment period begins |
| April 5, 2024 | Post Draft #1 on OGCC website |
| April 11, 2024 | Negotiated rulemaking public meeting #1 in Boise and via Teams (Draft #1) |
| April 15, 2024 | Negotiated rulemaking public meeting #2 in Fruitland and via Teams (Draft #1) |
| April 19, 2024 | Written Comments on Draft #1 deadline |
| April 26, 2024 | Post Draft #2 on OGCC website |
| April 29, 2024 | Negotiated rulemaking public meeting #3 in Boise and via Teams (Draft #2) |
| May 3, 2024 | Written Comments on Draft #2 deadline |
| May 16, 2024 | Post Draft #3 on OGCC website |
| May 21, 2024 | Present update on this rulemaking to the OGCC (Regular Meeting / information agenda item with Draft #3. Will accept Commission and public comment) |
| May 31, 2024 | Written Comments on Draft #3 deadline and end of public comment period for negotiated rulemaking |
| July 5, 2023 | Last day to submit <i>Notice of Proposed Rule</i> to the Office of the Administrative Rules Coordinator (OARC) for Bulletin publication in August |

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| August 7, 2024 | <i>Notice of Proposed Rule</i> publishes in the Idaho Administrative Bulletin and 21-day written public comment period begins |
| August, 2024 | Hold public hearing on proposed rule (Date TBD) |
| August 28, 2024 | End of written public comment period on proposed rule |
| October, 2024 | Request approval from OGCC to adopt pending fee rule (Special Meeting / regular agenda item, Date TBD) |
| November 8, 2024 | Last day to submit <i>Notice of Pending Fee Rule</i> to OARC for publication in December |
| December 4, 2024 | <i>Notice of Pending Fee Rule</i> publishes in the Idaho Administrative Bulletin Pending fee rule to be reviewed during the 2025 legislative session |

Note: All dates are subject to change.