



IDAHO OIL AND GAS CONSERVATION COMMISSION

Betty Coppersmith, Chairman
Marc Shigeta, Vice Chairman
Jim Classen, Commissioner
Ray Hinchcliff, Commissioner
Dustin T. Miller, Commissioner

Mick Thomas, Secretary to the Commission

Final Minutes

Idaho Oil and Gas Conservation Commission Regular Meeting
August 4, 2021

The regular meeting of the Idaho Oil and Gas Conservation Commission was held on Wednesday, August 4, 2021, with the physical location at State Capitol, House Hearing Room EW42, 700 W Jefferson Street, Boise, Idaho. There was also a teleconference option. The meeting began at 1:00 p.m. (MT). Chairman Betty Coppersmith presided. The following members were present:

Vice Chairman Marc Shigeta
Commissioner Jim Classen
Commissioner Ray Hinchcliff
Commissioner Dustin Miller

For the record, four Commissioners and Secretary Thomas were present at the physical location. Vice Chairman Shigeta was present via teleconference.

• **ANNOUNCEMENTS**

1. Division Administrator's Report

- A. Financial Update
- B. Current Oil and Gas Activity

• **CONSENT – ACTION ITEM(S)**

2. Approval of Minutes – May 25, 2021 – Regular Meeting (Boise)

COMMISSION ACTION: A motion was made by Commissioner Classen that the Commission approve the meeting minutes from May 25th. Commissioner Hinchcliff seconded the motion. The motion carried on a vote of 5-0.

3. Approval of Minutes – June 15, 2021 – Special Meeting (Boise)

COMMISSION ACTION: A motion was made by Commissioner Miller that the Commission approve the meeting minutes from June 15th. Commissioner Classen seconded the motion. The motion carried on a vote of 5-0.

- **REGULAR – ACTION ITEM(S)**

4. Proposed Legislation for Idaho Code 47-3 – Presented by Mick Thomas, Division Administrator – Minerals, Public Trust, and Oil & Gas

RECOMMENDATION: Direct the Department to investigate potential statute changes to recommend to the Commission.

DISCUSSION: Chairman Coppersmith expressed with the experience of the commission and ongoing operations, this seems to be a timely thing to do. Commissioner Classen stated that he has suggested that the statutes be revised, and he hopes the Commission will support the staff's recommendation to do this. Commissioner Classen explained some changes he thought needed to be looked at including speeding up the integration process, changing the Department Director position on the Commission to someone else with an industrial background, and allowing the Commission to have more involvement in the hearing process. Commissioner Hinchcliff asked that the Commission be actively involved in this process and to provide recommendations in advance and not at the end. Secretary Thomas responded that he has documented Commissioner Classen's and Commissioner Hinchcliff's recommendations. Secretary Thomas added that the Commission is welcome to immediately provide recommendations to the Department as a draft is built, and that he expects a draft will be presented at the next meeting. Secretary Thomas anticipates that comments will come in from stakeholders. Chairman Coppersmith inquired about the Commission being able to see the draft before it is available for public comment or if that would be done concurrently. Secretary Thomas answered that it would be done concurrently and that there would be more than one opportunity to provide comments. Commissioner Hinchcliff asked when the Department would like the Commission's input on the draft and when the first draft would be available. Secretary Thomas answered that it is likely the first draft would be available in October/November; he added that there is a lot of legal research that the Deputy Attorney General will have to do to be sure it all fits where it needs to with other Idaho laws. Commissioner Classen asked about the involvement of the stakeholders and described when meetings were held before they had laborious item by item review, and nobody seemed satisfied with the data. Commissioner Classen thought that was impractical and asked for clarification on how the stakeholders' comments would be included. Secretary Thomas responded that he was not present during that process that happened in 2016; he explained that he wants to give everybody the opportunity to provide comments and that the Department would evaluate the legality of the comments. There would be meetings where people can come provide comments or people can submit written comments. Chairman Coppersmith asked when a suggestion or recommendation is made will it be evaluated on whether it has merit or not. Secretary Thomas clarified that all comments and recommendations that are received are going to be compared against some standards such as Idaho Law, Federal Law, and Industry Standards. Commissioner Miller added that he appreciates the words of his colleague to him serving on the Commission but some updates to the statutes would be a good thing to consider.

COMMISSION ACTION: A motion was made by Commissioner Miller that the Idaho Oil and Gas Conservation Commission direct the Department of Lands to investigate potential statute changes to recommend to the Commission at a later date. Commissioner Hinchcliff seconded the motion. The motion carried on a vote of 5-0.

5. Election of Chairman and Vice-Chairman – *Presented by Mick Thomas, Division Administrator – Minerals, Public Trust, and Oil & Gas*

RECOMMENDATION: Direct the Commission to elect a Chairman and Vice Chairman.

DISCUSSION: Chairman Coppersmith stated that she spoke with Vice Chairman Shigeta to confirm that he is willing to continue to serve in that capacity and that she also would not mind continuing as Chairman. Commissioner Classen inquired about having a discussion and made a motion for chair.

COMMISSION ACTION: A motion was made by Commissioner Classen to re-elect Chairman Coppersmith for an additional term. Commissioner Miller seconded the motion. The motion carried on a vote of 5-0.

DISCUSSION: Commissioner Classen commented that Vice Chairman Shigeta has been here for a few years and wanted to encourage new Commissioner Hinchcliff if he might be interested in the job to help him get his feet on the ground. Commissioner Hinchcliff responded that he would be honored; he inquired if there were any issues with him being on the other side of the state and if the meetings are all done remotely. Secretary Thomas responded that logistically there is no concern about him being on the other side of the state and that the overwhelming bulk of communication now is telephonic or virtual. He added that he saw no problem with that. Commissioner Hinchcliff stated he would be honored to serve if approved. Chairman Coppersmith inquired if Commissioner Hinchcliff was comfortable with this as he is new to the Commission. Commissioner Hinchcliff clarified that he was. After the motion was made for Vice-Chair, Chairman Coppersmith expressed thanks for Commissioner Shigeta serving in that role and that he had done a great job and is a valuable member of the Commission.

COMMISSION ACTION: A motion was made by Commissioner Classen to elect Commissioner Hinchcliff as Vice-Chair. Commissioner Miller seconded the motion. The motion carried on a vote of 5-0.

Background information was provided by the presenter indicated below. No Commission action is required on the Information Agenda.

- **INFORMATION**

6. Presentation: Overview of Legal Requirements for Commission: Open Meetings; Public Records; Ethics in Government – *Presented by Kristina Fugate, Deputy Attorney General*

- **EXECUTIVE SESSION**

None

There being no further business before the Commission, at 2:13 p.m. a motion to adjourn was made by Commissioner Miller. Commissioner Hinchcliff seconded the motion. The motion carried on a vote of 5-0. Meeting adjourned at 2:14 p.m.

IDAHO OIL AND GAS CONSERVATION COMMISSION

/s/ Betty Coppersmith

Betty Coppersmith, Chairman
Idaho Oil and Gas Conservation Commission

/s/ Mick Thomas

Mick Thomas
Secretary to the Commission

The above-listed final minutes were approved by the Commission at the November 16, 2021 regular Idaho Oil and Gas Conservation Commission meeting.