



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
March 17, 2016

The regular meeting of the Idaho Oil and Gas Conservation Commission was held on Thursday, March 17, 2016 in the Boise City Council Chambers, Boise City Hall, 3rd Floor, 150 N. Capitol Blvd., Boise. The meeting began at 10:00 a.m. Chairman Chris Beck presided. The following members were present:

Vice Chairman Margaret Chipman
Commissioner Jim Classen
Commissioner Ken Smith

For the record, Chairman Beck recognized the presence of four Commission members and the absence of Commissioner Cellan.

• **ANNOUNCEMENTS**

Chairman Beck announced that the Commission would accept public comment on agenda items 4 and 5, Strategic Plan and Negotiated Rulemaking, respectively. Chairman Beck advised individuals wishing to provide comment to sign up in advance on the sign-in sheets provided. Chairman Beck stated that testimony would be limited to 3 minutes per individual and noted that time cards would be used: yellow for one minute remaining and red when allotted time was complete.

1. Director's Report

- A. Financial Update
- B. Summary of Current Well Permits
- C. Maps of Seismic Exploration in Idaho

• **CONSENT**

2. Approval of Minutes – February 18, 2016 Regular Meeting (Boise)

CONSENT AGENDA COMMISSION ACTION: A motion was made by Commissioner Classen that the Commission approve the meeting minutes on the Consent Agenda. Vice Chairman Chipman seconded the motion. The motion carried on a vote of 4-0.

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

- **INFORMATION**

- 3. Open Meeting Law Presentation - Brian Kane, Assistant Chief Deputy**

- **REGULAR**

- 4. OGCC Strategic Plan**

RECOMMENDATION: Approve the draft Idaho Oil and Gas Conservation Commission Strategic Plan.

DISCUSSION: A verbatim transcript is available by request to the Department of Lands, Attn: Oil and Gas Commission Recording Secretary, PO Box 83720, Boise, Idaho 83720-0050 or by email to public_records_request@idl.idaho.gov.

COMMISSION ACTION: A motion was made by Commissioner Classen to approve the strategic plan. Vice Chairman Chipman seconded the motion. After further discussion, Vice Chairman Chipman withdrew her second. Commissioner Smith then seconded Commissioner Classen's motion. Chairman Beck requested that a roll call vote be taken. Roll Call Vote: *Aye:* Classen, Smith, Beck; *Nay:* Chipman; *Absent:* Cellan. The motion carried.

- 5. Negotiated Rulemaking - 20.07.02**

RECOMMENDATION: Direct the Department to initiate Negotiated Rulemaking for IDAPA 20.07.02.

DISCUSSION: Commissioner Classen asked what will take place at the kick-off meeting on May 18th. Mr. Wilson explained that the kick-off meeting will be held at the Capitol due to adequate seating and presentation capabilities. Chairman Beck offered that it will be the initial meeting with the stakeholders for the negotiated rulemaking process. Mr. Wilson confirmed Chairman Beck's comment and added that the Department will go through some basic background information about the hierarchy of authorities – the Constitution, the statutes, and then administrative rules. The Department can only affect the rules, and cannot make rules that would violate the statutes or the Constitution. Mr. Wilson added the first meeting will cover the process of rulemaking and guidelines for participation to keep rulemaking progressing forward.

Commissioner Classen asked if the Idaho Geological Survey bill (H0509) will take effect immediately. Mr. Wilson responded that to the best of his recollection, H0509 did not have an emergency clause and will not take effect until July 1 of this year.

Alma Hasse expressed her approval of opening the negotiated rulemaking process. Ms. Hasse requested that draft versions of the rules be posted at least five working days before the subsequent rulemaking meeting to allow for adequate public review.

Justin Hayes, program director at Idaho Conservation League, supported initiation of the rulemaking process, noting that changes brought about by the Legislature, and other issues raised in the last year, have made rulemaking a timely event. Mr. Hayes stated that the Idaho Conservation League will be participating in the rulemaking process.

COMMISSION ACTION: A motion was made by Vice Chairman Chipman to proceed with negotiated rulemaking. Commissioner Smith seconded the motion. The motion carried on a vote of 4-0.

- **EXECUTIVE SESSION**

NONE

There being no further business before the Commission, a motion to adjourn was made by Vice Chairman Chipman. Commissioner Classen seconded the motion. The motion carried on a vote of 4-0. Meeting adjourned at 11:55 a.m.

IDAHO OIL AND GAS CONSERVATION COMMISSION

/s/ Chris C. Beck

Chris C. Beck, Chairman
Idaho Oil and Gas Conservation Commission

/s/ Thomas M. Schultz, Jr.

Thomas M. Schultz, Jr.
Secretary to the Commission

The above-listed final minutes were approved by the Commission at the April 21, 2016 regular Idaho Oil and Gas Conservation Commission meeting.