Zero-Based Regulation
Prospective Analysis

Notice to Negotiate only, fill out 1, 2, and 5

Agency Name: Department of Environmental Quality

Rule Docket Number: 58-0122-2401 PLANNING GRANTS FOR DRINKING AND WASTEWATER FACILITIES

1. What is the specific legal authority for this proposed rule?

Statute Section (include direct link)	Is the authority mandatory or discretionary?
Chapter 1, Title 39, Idaho Code Chapter 36, Title 39, Idaho Code	Mandatory Mandatory

2. Define the specific problem that the proposed rule is attempting to solve? Can the problem be addressed by non-regulatory measures?

In Executive Order 2020-01, Zero-Based Regulation, Governor Little directed agencies to conduct a 5-year review of each rule chapter effective on June 30, 2020. DEQ initiated this rulemaking in compliance with EO 2020-01.

This problem cannot be addressed by non-regulatory measures.

3. **How have other jurisdictions approached the problem this proposed rule intends to address?**

    a. **Is this proposed rule related to any existing federal law?**

Federal citation	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)

    b. **How does this proposed rule compare to other state laws?**

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)

c. If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

4. What evidence is there that the rule, as proposed, will solve the problem?

5. What is the anticipated impact of the proposed rule on various stakeholders? Include, how will you involve them in the negotiated rulemaking process?

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	None anticipated.
Impact to Idaho businesses, with special consideration for small businesses	None anticipated.
Impact to any local government in Idaho	None anticipated.
DEQ will involve stakeholders by 1) announcing initiation of the negotiated rulemaking on DEQ's website and sending email notification to identified stakeholders, and 2) providing opportunities to review rule drafts, attend meetings, and submit comments.	

6. What cumulative regulatory volume does this proposed rule add?

Category	Impact
Net change in word count	

Net change in restrictive word count (Restrictive words include shall, must, may not, prohibit, and require.)	