Department of Environmental Quality
Idaho Rules for Public Drinking Water Systems
IDAPA 58.01.08

Docket No. 58-0108-2601
Negotiated Rulemaking Summary
Idaho Code § 67-5220(3)(f)

Rulemaking initiated to update fees for public drinking water systems and revise invoice delivery and payment methods.

On April 1, 2026, the Notice of Intent to Promulgate Rules –Negotiated Rulemaking was published in the Idaho Administrative Bulletin, and the preliminary draft rule was posted on DEQ's website. Meetings were held on April 9, May 8, and June 2, 2026. Stakeholders and members of the public participated by receiving email notifications, attending the meetings, reviewing DEQ's presentations and rules, and submitting comments.

Key information considered during negotiated rulemaking included the existing fee schedule, which has not been revised since 1993; current and projected drinking water program operating costs; available dedicated and federal funding; changes in federal funding; proposed fee amounts and structure; proposed invoice delivery and payment methods; comments during negotiated rulemaking, and written comments submitted by stakeholders.

Based on this information and stakeholder input, DEQ concluded that the fee schedule should be revised to better align fee revenue with current and anticipated program costs and provide a more stable source of program funding. DEQ also concluded that the rule should be revised to update invoice delivery and payment methods. The preliminary draft was revised in response to comments received during negotiated rulemaking. Major changes made included a phased approach to fee increase implementation, moving to a flat fee structure regardless of system size, and implementation of late fees.

There were no unresolved issues at the conclusion of negotiated rulemaking**.**

All comments received during the negotiated rulemaking process were considered by DEQ when making decisions regarding the development of the rule.

At the conclusion of the negotiated rulemaking process, DEQ submitted the draft rule to the Division of Financial Management for review. DEQ formatted the draft for publication as a proposed rule for public comment. The negotiated rulemaking record, which includes the negotiated rule drafts, documents distributed during the negotiated rulemaking process, and the negotiated rulemaking summary, is available at Drinking Water: Docket No. 58-0108-2601.