

MINUTES
HOUSE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Wednesday, January 24, 2024

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Andrus, Vice Chairman Raymond, Representatives Boyle, Cannon, McCann, Ehlers, Gallagher, Garner, Nelsen, Pickett, Sauter, Mathias, Nash (Coberly), Roberts

**ABSENT/
EXCUSED:** Mathias

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Andrus called the meeting to order at 1:34 p.m.

Chairman Andrus turned the gavel over to **Vice Chairman Raymond**.

Rep. Melissa Durrant expressed appreciation for **Chairman Andrus** and his wife, **Shelby**, acknowledging their representation of Idaho at the Farm Bureau Federation in Salt Lake City, Utah. The Andrus couple stood out among representatives from 25 states as part of the Excellence in Agriculture Program. This award specifically recognizes individuals engaged in agriculture but not exclusively reliant on it for their livelihood. Their distinctive story, passion, and dedicated efforts to advocate for and safeguard Idaho left a lasting impression on everyone present.

DOCKET NO. 02-0610-2301: **Andrea Thompson**, Idaho State Department of Agriculture (ISDA) explained the procedures for all potato management within Seed Potato Crop Management Areas and the procedures of identifying, handling and testing uncertified seed potatoes to be planted in Idaho. These rules also seek to prevent the spread of Pale Cyst Nematode and the introduction and/or spread of Cm (caused by a bacterium, *Clavibacter michiganensis* subsp. *sepedonicus*) (Cms) and subsequently bacterial ring rot throughout Idaho and the United States.

An inspector is authorized to enter and inspect public or private property, including examining, surveying, sampling, testing, treating, controlling, or eradicating soil, plants, or plant material with Pale Cyst Nematode. In response to committee concerns, **Lloyd Knight** and **Chanel Tewalt** from ISDA, noted this provision has long existed but remains unused. If a director's rule surpasses federal law or regulates unregulated activities, the director must specify the exceeding sections.

MOTION: **Rep. McCann** made a motion to **approve Docket No. 02-0610-2301. Motion carried by voice vote.**

DOCKET NO. 02-0616-2301: **Andrea Thompson**, ISDA, mentioned these rules apply to all honey produced by honeybees and incorporate the United States Standards for Grades of Extracted Honey for quality control. The standards, adopted by the Agriculture Marketing Service, USDA, on May 23, 1985, are adopted for extracted honey grades. The Idaho Honey Commission's intent is to ensure that honey sold in Idaho meets these basic standards, as the federal government sets a standard for honey definition but doesn't enforce it at the state level.

MOTION: **Rep. Cannon** made a motion to **approve Docket No. 02-0616-2301. Motion carried by voice vote.**

- DOCKET NO. 02-0423-2301:** **Dr. Scott Leibsle**, ISDA, addressed Commercial Livestock Truck Washing Facilities (CLTWF). The focus is on facilities that charge fees for washing livestock trucks and trailers or where the process wastewater is unregulated. This change impacts the regulatory scope, particularly in Animal Industries. The regulation specifies that only manure and process wastewater from CLTWF operations are allowed in wastewater storage and containment facilities. The disposal of materials like oil, grease, heavy metals, chlorinated solvents, and human waste into these facilities is strictly prohibited.
- MOTION:** **Rep. Pickett** made a motion to **approve Docket No. 02-0423-2301. Motion carried by voice vote.**
- DOCKET NO. 02-0430-2301:** **Dr. Scott Leibsle** clarified that the regulation oversees the certification process for soil samplers and nutrient management planners. It includes the collection and handling of soil samples, creating a request for a CAFO Site Advisory Team, forming the team, developing a site suitability determination, and submitting it to county officials. The rule also addresses odor management on agricultural operations (excluding certain animal feeding operations) and the stockpiling of agricultural waste to safeguard the well-being of animals, humans, and the environment.
- MOTION:** **Rep. McCann** made a motion to **approve Docket No. 02-0430-2301. Motion carried by voice vote.**
- DOCKET NO. 02-0414-2301:** **Dr. Scott Leibsle** explained each dairy farm is required to have a Dairy Nutrient Management Plan (DNMP) that covers both the dairy farm site and other associated land where dairy by-products are applied. The DNMP must include a completed nitrogen management plan worksheet for all fields and pastures receiving nutrient applications. All pastures used for grazing dairy and other animals must be incorporated into the DNMP. If pastured animals have access to surface water within a pasture, the producer may need to implement National Resources Conservation Standards (NRCS) to mitigate adverse impacts on surface water quality.
- MOTION:** **Rep. Roberts** made a motion to **approve Docket No. 02-0414-2301. Motion carried by voice vote.**
- DOCKET NO. 02-0432-2301:** **Dr. Scott Leibsle** mentioned these rules regulate the management practices of waste systems on poultry concentrated animal feeding operations. They cover the design, function, and management practices of these waste systems, with no changes to fees included in this rulemaking.
- MOTION:** **Rep. Andrus** made a motion to **approve Docket No. 02-0432-2301. Motion carried by voice vote**
- DOCKET NO. 02-0303-2301:** **Lloyd Knight**, Deputy Director, ISDA, said this chapter presides over the utilization and application of pesticides, the licensing of pesticide applicators, the registration of pesticides, and the duties of chemigation in Idaho. **Chanel Tewalt** emphasized the goal is to meet Idaho's legal requirements while ensuring customer satisfaction and finding a balanced and workable solution that doesn't jeopardize the authority of the EPA. The importance of continuing education credits and the consideration of chemigation within the application process were highlighted, making it more streamlined and efficient. Mr. Knight said all professional applicators must pass the Applicator Core Competency exam in addition to any other category. In response to committee inquiries, Mr. Knight directed the questions to **Ryan Ward**, ISDA, who informed the committee all examination documents are transmitted electronically and securely stored on servers. It was emphasized any pesticide with toxicity to bees should not be applied to any agricultural crop during its bloom or when bees are actively foraging on blooming weeds in the crop being sprayed.
- MOTION:** **Rep. Nelsen** made a motion to **approve Docket No. 02-0303-2301.**

SUBSTITUTE MOTION: **Rep. Roberts** made a substitute motion to **approve Docket No. 02-0303-2301**, except page 56, section 010.01 Anti- microbial enzymes, due to an error in wording.

MOTION: **Rep. Nelsen** made a motion to withdraw the motion to **approve Docket No. 02-0303-2301**.

SUBSTITUTE MOTION: **Rep. Andrus** made an substitute motion to **hold Docket No. 02-0303-2301** subject to call of the chair. **Motion carried by voice vote.**

Vice Chairman Raymond turned the gavel back over to **Chairman Andrus**.

ADJOURN: There being no further business to come before the committee, the meeting adjourned at 3:02 p.m.

Representative Raymond
Chair

Jayne Feik
Secretary