

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.06.31 Rules Governing Noxious Weed Free Forage and Straw

DOCKET NO. 02-0631-1202

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 22-2403, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 17, 2012.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking: The scope and purpose of the program will be clarified to address all possible activities of certified forage and straw products and to add that these products are intended for use on Idaho public lands.

A color of certification twine that is no longer used will be deleted from the rules. Add the year on forage tags and the date on the tag must accurately reflect the year in which the bale was produced. Correct typographical errors of plant scientific names and amend several sections to correct a contradiction of when transit certificates need to be issued.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: Not applicable.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

ISDA does not anticipate any fiscal impact from the changes to be made to the Rule during this rulemaking.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the July 2012 Idaho Administrative Bulletin, Vol. 12-07, page 26. A negotiated rulemaking meeting was held at the Idaho State Department of Agriculture on July 19, 2012. No one attended the meeting, however three favorable written comments were received.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: Not applicable.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Dan Safford, Noxious Weed Specialist, 208-332-8592.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to Dan Safford and must be delivered on or before October 24, 2012 via email to dan.safford@agri.idaho.gov or via regular mail to Dan Safford's attention at the address listed below.

DATED this 31st day of August, 2012.

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