

**IDAPA 02 - DEPARTMENT OF AGRICULTURE**

**02.06.27 - RULES GOVERNING BACTERIAL RING ROT CAUSED BY  
(CLAVIBACTER MICHIGANENSIS SUBSP. SEPEDONICUS) OF POTATO**

**DOCKET NO. 02-0627-1402**

**(SECOND) NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 22-101A, 22-505, 22-1907, and 22-2006, Idaho Code. This is the second notice being published in connection with this rulemaking.

**\*COORDINATOR'S NOTE:** This second Notice of Intent is being published because the location of the public meetings has been changed to accommodate all parties interested in the negotiated rulemaking process, whether attending in person or via telephonic conference.

**MEETING SCHEDULE:** Public meetings on the negotiated rulemaking will be held as follows:

<b>*Idaho Farm Bureau, 275 Tierra Vista Drive, Pocatello, ID 83201</b>	
<b>Wednesday, July 9, 2014 10:00 a.m. to 3:00 p.m. (MDT)</b>	<b>Tuesday, August 5, 2014 10:00 a.m. to 3:00 p.m. (MDT)</b>
<b>Please RSVP in Advance to Participate Via Teleconference</b>	

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do the following:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho State Department of Agriculture addressed to Lloyd B. Knight, Plant Industries Division Administrator. Individuals may also attend the public meeting to be conducted on the above date during which the Idaho State Department of Agriculture will allow oral comments or presentations to be made. To participate via telephonic conference, please call Lloyd B. Knight at least twenty-four hours in advance of meeting to reserve a line and obtain instructions as space is limited.

**DESCRIPTIVE SUMMARY:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

The current temporary rule, which was adopted on February 26, 2014, and originally published as docket no. 02-0627-1401, needs to be negotiated and promulgated as a new docket before it is presented to the Legislature in 2015 as a pending rule. The proposed rule will help prevent the introduction and/or spread of *Clavibacter michiganensis*, subsp. *Sepedonicus*, and subsequently bacterial ring rot into and through Idaho and the United States.

**CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this negotiated rulemaking, contact Lloyd B. Knight, Plant Industries Division Administrator, (208) 332-8620 or email [Lloyd.Knight@agri.idaho.gov](mailto:Lloyd.Knight@agri.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA web site at the following web address: [http://www.agri.idaho.gov/Categories/LawsRules/sub\\_rules/Rulemaking.php](http://www.agri.idaho.gov/Categories/LawsRules/sub_rules/Rulemaking.php).

All written comments must be directed to the undersigned and must be delivered on or before August 12, 2014.

DATED this 9th day of May, 2014.

Brian J. Oakey, Deputy Director  
Idaho State Department of Agriculture  
2270 Old Penitentiary Rd

P.O. Box 790, Boise, ID 83701  
Phone: (208) 332-8500  
Fax: (208) 334-2170