

IDAPA 02 - DEPARTMENT OF AGRICULTURE

02.06.31 - NOXIOUS WEED FREE FORAGE AND STRAW CERTIFICATION RULES

DOCKET NO. 02-0631-1602

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 22-101(3), 22-2403, 22-2411, 22-2412, and 22-2413.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held as follows:

**Wednesday, July 13, 2016
1:00 - 3:00 p.m. (MDT)**

**Idaho State Department of Agriculture
2270 Old Penitentiary Road
Boise, ID 83712**

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

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 Dan Safford, Program Specialist, Invasive Species. 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. Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

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 ISDA is a member of a national standards organization called the North American Invasive Species Management Association (NAISMA). NAISMA has standards for Noxious Weed Free Forage and Straw (NWFFS) products. NAISMA changed its NWFFS standards on February 1, 2016. ISDA will not be able to certify forage crops to the NAISMA standards until these rules are amended.

Idaho has multiple manufacturers of NWFFS products (forage cubes & pellets). As currently written in the rules, these products can only be certified to the previous NAISMA standards.

CONTACT INFORMATION, WEB, ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Dan Safford, Program Specialist, Invasive Species, 208-332-8592 or email Dan.Safford@isda.idaho.gov. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA website at the following web address: 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 July 27, 2016.

DATED this 2nd Day of June, 2016.

Brian J. Oakey, Deputy Director
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