

**IDAPA 02 – DEPARTMENT OF AGRICULTURE**

**02.06.17 – RULES GOVERNING THE DISPOSAL OF CULL ONIONS AND POTATOES**

**DOCKET NO. 02-0617-170\_**

**NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is February 8, 2017.

**AUTHORITY:** In compliance with Section 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Sections 22-103(21) and 22-2006, Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

There is a need to relax the cull onion disposal rule because of severe weather and heavy snowfall which collapsed onion storage sheds and packing buildings. The volume of onions to be disposed across the onion growing region is significant and flexibility is needed in order to accommodate the challenges facing packing sheds and growers. Governor Otter declared an emergency in Washington County. Onion sheds have collapsed in Owyhee, Canyon, and Payette counties as well. The rule is limited to temporarily suspending the March 15 disposal deadline. All other disposal requirements remain in place. ISDA intends to rescind the temporary rule once the emergency is over.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Section 67-5226(1)(a), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

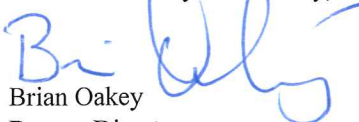
Protection of the public health, safety, or welfare.

**FEE SUMMARY:** Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

Not applicable.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the temporary rule, contact Lloyd Knight, Plant Industries, (208) 332-8664.

Dated this 8<sup>th</sup> day of February, 2017.



Brian Oakey  
Deputy Director  
Idaho Department of Agriculture  
2270 Old Penitentiary Road  
P.O. Box 790  
Boise, Idaho 83701-0790  
Phone: (208) 332-8552  
Fax: (208) 334-2710