

Idaho State Department of Agriculture
IDAPA 02.06.09 - Rules Governing Invasive Species and Noxious Weeds
September 18, 2019
Lloyd Knight, Facilitator

Present: Michael T. Ottley, Cassia County Noxious Weeds; Kali Sherrill, Twin Falls County Weed Control; Patxi Larrocea-Phillips, Idaho Weed Control Association; A. J. Mondor, Canyon County Weed Superintendent; Travis Smith, Idaho Pest Management Association; Heidi McMaster, Bureau of Reclamation; Jeremy Varley, ISDA; Pamm Juker, ISDA; Brian Oakey, ISDA; Katy DeVries, Office of Attorney General – ISDA; Nic Zurfluh, ISDA; Dan Safford, ISDA; Lloyd Knight, ISDA; Janis Perry, ISDA.

AGENDA ITEMS

WELCOME

Lloyd Knight convened the meeting at 9:20 a.m. He explained that this is a combination of rules into one chapter. The code sites were reviewed and redundant language eliminated. Since this is not the normal time of year for negotiated rulemaking, no substantive changes were made. The comment period ends September 20. The proposed rule will be published in the November Bulletin. He explained that the involvement of stakeholders in the legislative process is important and thanked those who attended the meeting.

Jeremy Varley asked about the change to administrative appeal. Brian Oakey responded that the language was updated to accurately reflect what the law allows for appeal.

Lloyd Knight showed on the website where to find the rules that are being combined. The rules being combined into “IDAPA 02.06.09 Rules Governing Invasive Species and Noxious Weeds” include:
IDAPA 02.06.09 Rules Governing Invasive Species;
IDAPA 02.06.22 Noxious Weed Rules; and
IDAPA 02.06.31 Noxious Weed Free Forage and Straw Certification Rules.

Lloyd indicated that Subchapter C - Weed Free includes changes made to the Noxious Weed Free Forage Rule that were made during negotiated rulemaking.

Kali Sherrill asked if the weed superintendents would see more funding from noxious weeds moved to invasive species. Lloyd responded that the rulemaking does not impact the funding for programs at all. Kali commented that on behalf of weed superintendents, they have not seen any problems with the combination of rules. Michael Ottley asked if someone will be monitoring the noxious weed list, now that the NAISMA list will be incorporated by reference. Dan Safford responded that he will be reviewing the lists annually. Brian Oakey stated that since the list will be incorporated by reference, it will be an annual process and all will have an opportunity to review the lists.

Lloyd Knight adjourned the meeting at 9:30 a.m.

Respectfully submitted by Janis Perry.