

From: [Brian Oakey](#)
To: [Janis Perry](#)
Subject: FW: {External}comments on IDAPA 02.03.03.
Date: Monday, July 20, 2020 8:15:20 AM

From: Representative Sally Toone <SToone@house.idaho.gov>
Sent: Sunday, July 19, 2020 8:15 PM
To: Brian Oakey <Brian.Oakey@ISDA.IDAHO.GOV>
Subject: {External}comments on IDAPA 02.03.03.



Idaho House of Representatives

Legislature.Idaho.Gov

Dear Deputy Director Brian Oakey,

This has been a very difficult research topic as nothing is perfect. I respectfully urge you to consider the consequences of these rules now and for the future.

The Pesticide Rules proposed by the Idaho State Department of Agriculture do not go far enough to ensure proper safety of workers and businesses, notification of sensitive populations and crops/living creatures, protections to limit drift and maintaining the primacy of the State of Idaho.

By re-doing the rules and putting enforcement with the FAA and the EPA, we have stripped Idaho of Primacy concerning pesticides and aerial applicator issues. The federal government will now deal with complaints from Idaho citizens. These complaints may be answered or may not and by someone other than Idaho. Leaving enforcement of a rule to the Federal Government, is not the "Idaho Way."

ISDA has issued several citations with faulty, careless and negligent reasoning. Enforcement of rules that again are more stringent than the label allows Idaho to protect and speak to the public health and safety of our state. And what is the cost of safety. Notifications need to be made with safety of individuals a

priority, whether a single home in a flight path, or workers. We need to allow all businesses to prosper, but none deserve an advantage over another. All notifications should only be valid for a very limited time, again to allow all to manage safely.

I am also very concerned with the removal of the wind velocity restrictions. The implication of the “Label is the law” on many pesticide labels does not address Idaho. Most labels are general enough for all 50 states. We need to be able to regulate the conditions in Idaho. Drift is a problem!!!!!! There is no measurable definition for drift and again the ISDA should have the ability to regulate issues and problems. The restrictions in the rules are a definite guide for all applicators and applications. Idaho primacy on this issue again would protect everyone and the industry.
The process is to be respected and thank you.

Representative Sally J. Toone
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The goal of education is the advancement of knowledge and the dissemination of the truth.--John F. Kennedy