

Negotiated Rule Chat Comments, June 30, 2020

from Elaine Kazakoff to everyone:

can you provide the link to where on ISDA website that language exists

from Elaine Kazakoff to everyone:

we think there need to be definitions for

from Elaine Kazakoff to everyone:

commercial applicator and restricted use pesticides

from Craig Nuthak to everyone:

Are current LS grandfathered into CO?

from A Christina Stucker-Gassi to everyone:

Should CO be listed separately since it's a requirement for all categories

from Elaine Kazakoff to everyone:

we think CA should only be direct supervision

from A Christina Stucker-Gassi to everyone:

definitions of private vs professional applicators

from kali.sherrill to everyone:

Will there be a fee for CA for government

from A Christina Stucker-Gassi to everyone:

can we get the epa definition of drift and language added to the restrictions' sections?

from Elaine Kazakoff to everyone:

what is considered a sister state

from A Christina Stucker-Gassi to everyone:

can we get no drift on hazard areas specifically under the restrictions' section

from Elaine Kazakoff to everyone:

why aren't you talking about warnings in language other than english in more areas of the rule

from User to everyone:

It seems like a step backwards to depend of the Feds for enforcement of low flying and hazard areas. It will distance enforcement and make it more difficult.

from Jonathan Oppenheimer to everyone:

Can comments also be submitted by email?

from kali.sherrill to everyone:

Will current endorsements remain in tact

from rhirnyck to everyone:

Do you plan to test for RU and CO categories on similar concepts, e.g. using the same training manual?

from Elaine Kazakoff to everyone:

can you put that email in chat

from Elaine Kazakoff to everyone:

for brian oakey

from bdraper to everyone:

I agree with extending the comment time period.

from Chanel Tewalt to everyone:

brian.oakey@isda.idaho.gov. The main ISDA line is 208-332-8500 if you have any issues with submitting an email.

from Jonathan Oppenheimer to everyone:

<https://agri.idaho.gov/main/i-need-to/see-lawsrules/rulemaking/isda-rulemaking-2019-2020/rules-governing-pesticide-and-chemigation-2020-2021/>

from Mike Jurak to everyone:

Question on the new AA license requirements?

from Bates to everyone:

I'm assuming that we will go over the question and comments I had in the next meeting - correct?

from Elaine Kazakoff to everyone:

we think the acceptable forms of government issued ID should be spelled out in definitions

from Todd Sawyer to everyone:

Brian and Vic. I am very comfortable that these proposed changes are in line with our previous discussions. Thank you for your efforts to streamline and modernize these rules.

from Doug Paddock He/Him IORC to everyone:

I would like some clarification about 400.05 Phenoxy Herbicide Restrictions - Hazard Areas? On February 4, when advocates from the Idaho Agricultural Aviation Association testified in the House Committee on Agricultural Affairs, they explained they wanted to strike the first line of IDAPA 02.03.03.550.03 which creates setbacks from hazard areas for mean sustained wind velocity from 0-3

MPH. However, due to the nature of the legislative review process, the committee was required to strike the entire subsection IDAPA 02.03.03.550.03. The Association stated openly on the record they did not want to eliminate the second, third, and fourth lines in that section. What is the Department's reasoning for striking that entire section?

from Elaine Kazakoff to everyone:

just to clarify July 21 is not date for final public comments

from Elaine Kazakoff to everyone:

that is just deadline for round one

from boakey to everyone:

July 21 comment period will be the deadline for the first meeting. There will be additional comment opportunities with subsequent meetings.

from Elaine Kazakoff to everyone:

is drift a definition though. not seeing it

from A Christina Stucker-Gassi to everyone:

There is currently no definition of pesticide drift in statute

from rhirnyck to everyone:

may need a definition for drift in the rule, if removing wind speed language.

from A Christina Stucker-Gassi to everyone:

the National Coalition on Drift Minimization, which include representatives from federal (including EPA and the U. S. Department of Agriculture) and state agencies and tribes, pesticide and equipment manufacturers, university scientists, and others, who have focused their attention on enhancing pesticide applicator education, application research, and regulatory initiatives to foster reductions in spray drift definition as: Pesticide drift is the movement of pesticide dust or droplets through the air at the time of application or soon after, to any site other than the area intended.

from Elaine Kazakoff to everyone:

can ISDA address why they decided to include the CA category in rule making. This seems like an area that should be addressed by legislation as it is a new direction. Is this really in scope for rule making?

from bdraper to everyone:

I ditto Elaine. It seems like the CA category was a brand new program that just popped up for this rulemaking. It seems like there should be more time to discuss amongst stakeholders and decisionmakers.

from Doug Paddock He/Him IORC to everyone:

Thank you.

from Elaine Kazakoff to everyone:

in opening remarks I believe Vic said ISDA is committed to rules that protect humans and the environment but we only see that particular phrase mentioned once or twice in the rule. I think we should see this more often is that is the commitment

from tgritzmacher to everyone:

What we are now calling CA has been under discussion with stakeholders and decision makers for at least the past five years. Advances in communication technology has now made this category a possibility.

from Doug Paddock He/Him IORC to everyone:

How will the public notification differ under the low-flying prohibition section in IDAPA vs. FAA regs. 14 CFR § 137.51?

from kali.sherrill to everyone:

Professional Applicators have been allowed to train in the field with trainees spraying off their licenses for years.

from A Christina Stucker-Gassi to everyone:

Thanks Kali. So this is just taking informal field training a step further to include CO?

from Elaine Kazakoff to everyone:

thanks for email Chanel

from Elaine Kazakoff to everyone:

thanks for clarification on deadlines Brian

from A Christina Stucker-Gassi to everyone:

is the CO available in Spanish or other languages other than English?

from Kimberly Tate, U of I to everyone:

Thank you!

from kali.sherrill to everyone:

Thanks