A review of the things I request be taken away as record keeping requirements.

1. Please require only the day, month, and year for commercial/private/urban applications. Only agricultural applications should require start and end times, as is required in 40 CFR 170.311(b)(1)(iv).
    1. 7 CFR 110.3(b)(4) only requires day, month, and year.
    2. 40 CFR 170.311(b)(1)(iv) refers to agricultural applications only (see 40 CFR 170.311(b). (b) states that this regulation is "….for any pesticides that are used on the agricultural establishment…."
    3. Why is Idaho requiring MORE than what the EPA is requiring?
    4. IDAPA states in (02.03.03.400.05) that "Any pesticide that is toxic to bees shall not be applied to any agricultural crop….except during the period beginning three (3) hours before sunset until three (3) hours after sunrise." This rule applies to pesticides applied to agricultural crops (see above). Applications such as these would be lawful ONLY by someone who is licensed to make an agricultural pesticide application to an agricultural crop. Therefore, only those applications should require start and end times.
2. Please do not require the Target Pest or Pests
    1. It is not required by the EPA or other federal regulatory agency.
    2. Washington state does not require Target Pest or Pests
    3. This is an example of regulatory creep
        1. The slow but inexorable creation of more and more rules to cover all eventualities
        2. The Department of Ag has gotten by without this information for all these years until now. What is the compelling reason that overrides the inconveniences and inefficiencies this creates?
    4. The burden of adding more records starts becoming undue
        1. Each item an applicator has to record takes time.
        2. Time=wages=money
        3. There is also an opportunity cost. What could the applicator do if he spent less time record keeping? Make another sales visit per week? Spend just a little more time with his family?
        4. Some may argue that software mostly does it for you.
            1. Sure, software has made it a lot easier. But there is a cost for such convenience. Software platforms are expensive, Barrier spent $13,004.77 in fiscal year 2022 for software that (in part) helped us do our chemical recording quickly. But what if you can't afford it? What if you're a startup company or a small landowning farmer? You have to do it by hand, the old fashioned way. Each little record for each little chemical applied takes a LOT of time. How do I know? Not too long ago I was just a startup and could't afford the software…and spent a lot of time getting our records right.
            2. Some have argued that even if by hand or assisted by software it doesn't take THAT much time. What's the big deal about an extra 10 seconds? Our applicators do 15-20 different site applications per day. So, an average of 17.5 chemical records needs to be created. About three

minutes per day per technician. 15 minutes per week. 60 minutes per month. 12 hours per year. Now multiply that number by however many applicators you have multiplied by let's say, $20/hour? A company with 10 applicators would spend $2500/year for each additional chemical record requirement that gets added.

3. It's one thing when someone else is paying for those seconds and minutes and hours as they accumulate over the years. Quite another if it's YOU paying the bills. How would you feel if a government agency added a regulation to your household that cost you $2500/year? Would you be thrilled?

5. Please do not mandate the rate of application as a record keeping requirement.
    1. It is not required by the EPA or other federal regulatory agency
    2. Rate of application is a mathematical equation based off of:
        1. Total pesticide applied (required by the EPA)
        2. Total area treated (required by the EPA)
        3. Rate of application is redundant
    3. If your investigators find it to be vital to acquire the rate, have them simply do the math from the required information (Total applied and Total area treated). Let's save the applicator some time, please.
    4. You might argue that the applicator should be doing rate of application calculation anyway to ensure a legal application. No doubt this is true. But that's not the argument. It's about wether or not you should have to take the time to RECORD your calculation, information that is ALREADY extractable from the records that are actually required by the EPA.
    5. Why is it vital to the department that the applicator make this record? To make them show their work? Again, let's save the applicator some time.
    6. Yesterday it was stated that the department does 500 or so record inspections in a year. Easily there are many, many times that in terms of chemical records being created. The time it takes your investigators do the math to find the rate of application is CERTAINLY dwarfed by the time taken for the hundred of thousands (if not millions) of chemical records being made by applicators state-wide. Again, let's save our fellow Idahoans some time.
2. In the meeting on the 29th, multiple times I heard something to the effect like "These records that we are requiring are for the benefit of the applicator, or to promote best practices." To that I would say: What if the applicators tell you (like now) that they don't want that kind of benefit? Do you want to "benefit" us against our will?
3. As for best practices, since when is it in the mandate of the department to make best practices a matter of legal or illegal? Promote, sure. But making best practices a law by fiat is outside (or should be outside) the scope of the department.