

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.06.09 – RULES GOVERNING INVASIVE SPECIES AND NOXIOUS WEEDS

DOCKET NO. 02-0609-2402

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section(s) 22-1907, 22-2004, 22-2006, 22-2403, 22-2412, Idaho Code.

MEETING SCHEDULE: Negotiated rulemaking meetings will be held as follows:

Wednesday, July 10, 2024 – 1 p.m. to 4 p.m.(MT)	Monday, July 29, 2024 – 1 p.m. to 4 p.m. (MT)
Idaho State Department of Agriculture 2270 Old Penitentiary Road Boise, ID 83712 Conference Rooms 1 and 2	

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meeting via telephone and web conferencing. Individuals interested in participating by telephone and web conferencing should contact: rulesinfo@isda.idaho.gov.

For those who cannot participate by attending the meeting, information for submitting written comments is provided below.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

The department has received two separate petitions proposing new additional to the Noxious Weed List, which the department is required to maintain through rulemaking. These proposals are for Palmar amaranth and Myrtle spurge. Palmar amaranth is a weed species found in agricultural crop lands. Myrtle spurge is a landscaping species. These species have either had in impact on agricultural production or present a threat to native species or human or animal health. The negotiated rulemaking process will allow for open discussion of possible listings and any possible support or opposition to such listings.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Lloyd B. Knight, Deputy Director, at (208)332-8615.

Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA website at the following web address: <https://agri.idaho.gov/laws-and-rules/rulemaking/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 29, 2024.

DATED this 24th day of May, 2024.

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