



CAPITOL REVIEW

A WEEKLY LEGISLATIVE REPORT

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A Weekly Legislative Report

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UPDATED LEGISLATION

With an ending date in tentative range to the 2024 Legislative Session, we are providing some updates on key legislation previously discussed in Capitol Review:

FARMLAND PRESERVATION'S LONG ROAD

On a 33-1-1 vote, H608a passed the Senate after being amended. The amendment indicates that the bill will now have to be voted on again by the House, even though it already passed 68-0-2. The measure provides landowners with an additional option when considering preserving agricultural land in the state and would add **a new chapter to the Idaho Land Use Planning Act** if passed. H608a provides the legislative authority for local units of government to receive applications from willing landowners to establish a land use designation, known as an Agricultural Protection Area (APA). The minimum requirements to establish an APA would include a parcel size of at least five acres that is dedicated to production agriculture and has been actively farmed or ranched for the past three years. An application would be reviewed by a locally created APA Advisory Board that would make a recommendation to the local governing body. Once an APA is established, the designation would **remain in place for 20 years** with an option for an automatic renewal. A landowner would be able to remove the APA from their land 10 years after submitting official notice to the local governing body of their intention to dissolve the designation. Any financial or monetary benefit received for the unfulfilled portion of the contract would have to be repaid.

WATER INFRASTRUCTURE SPENDING

The Idaho legislature has passed several bills that provide funding for water infrastructure and on-farm improvements to help with water quality. The bills have passed both the House and Senate and are on

the governor's desk or have recently been signed into law by the governor. Water-related spending is an annual priority for agriculture in our state and the 2024 Legislative Session has proved to be a relative success. S1411 directs **\$30 million to improving water infrastructure** from the state budget surplus and federal coronavirus relief funds. S1412 focuses on **\$2 million to grants to help farmers, ranchers, dairies and confined animal feeding operations with environmental improvement programs**. This spending will improve soil, water and air quality in agricultural communities, according to the governor's office. S1373 appropriates **\$1 million to help farmers improve irrigation systems** and water quality through the Water Quality Program for Agriculture, administered by the state Soil and Water Conservation Commission.

RANGELAND IMPROVEMENT

H468 has been signed into law and will assist ranchers and stewards of the range in completing rangeland improvement projects. These projects will be for: range improvement and maintenance, the control of predatory and depredating animals, the control, management or extermination of invading species, range damaging organisms, and poisonous or noxious weeds, or any other management tool that benefits a grazing district, watershed protection, development, distribution, and improvement, the general welfare of livestock grazing within a grazing district, and monitoring of rangeland improvement projects.

PLANT PESTICIDE ACT

H472 will ensure that the Idaho State Department of Agriculture is able to inspect plants and pests on private land the same way that is statutorily spelled out to inspect livestock. This has been the agencies practice but had not been updated. The legislation explains that ISDA may enter and inspect, with the

permission of the landowner or agent, or with probable cause, or with a warrant, any private premises, lands, or means of conveyance, or article of any person within this state, for the purpose of inspecting, surveying, treating, controlling, or destroying any plant or plant pest. H472 has been signed into law.

COLUMBIA-SNAKE RIVER SYSTEM

Senate Joint Memorial (SJM) 103 states that the Idaho Legislature will recognize and support the **international competitiveness, multi-modal transportation, and economic development benefits** provided by the Port of Lewiston and the Columbia-Snake River System. The declaration is intended to clarify that the Idaho Legislature opposes the removal or breaching of the dams on the Columbia-Snake River System and its tributaries. Idaho has sovereignty of its water resources and benefits from the multiuse system that provides transportation of commodities, fish and wildlife habitat, recreation, hydropower, flood control and irrigation. Both the Senate and the House have adopted the memorial.

LIVESTOCK DEPREDATION

Two depredation bills have had good momentum this session. H612 is on its way to the governor and would add the payment of depredations to the authorizing language of the Wolf Depredation Control Board. Currently, the Wolf Depredation Control Board is solely responsible for the lethal control of wolves within the state of Idaho. H612 would expand their authority to remit payment from the fund to ranchers who suffer losses due to these animals. The governing agencies, specifically the Idaho State Department of Agriculture (ISDA), would have to develop and compile data on the death losses prior to 1995 and the reintroduction of wolves. Using these death losses the board would allow ranchers to submit their previous years' death losses in a chronic depredation area for payment from the board for those losses. H592 has been signed into law and will create a state level livestock depredation fund for producers that experience losses from wolves and grizzly bears. Currently, the Office of Species and Conservation applies for a federal grant through U.S. Fish and Wildlife Services that has historically provided relief to ranchers for wolf depredations and for non-lethal or conflict prevention. However, the funding that is being provided by this federal grant is continually diminishing and provides no relief for grizzly bear depredations or conflict prevention for grizzly bears. Livestock interactions with predators continue to be significant across rural Idaho. These depredations only account for those animals that could be discovered and investigated in a timely manner.

There are likely many more that are not investigated because they occur in allotments or pastures that producers do not access each day. These economic losses are not compensated but realistically occur and are shouldered by the producer. The wolf and grizzly bear depredation fund would be administered by the Idaho State Department of Agriculture (ISDA) with consultation from the Office of Species Conservation and Idaho Fish and Game. ISDA will promulgate rules that provide standards for validated or probable claims of depredated animals alongside the types of conflict or prevention methods that could be funded.

DEPARTMENT OF AG BUDGET

The Idaho State Department of Agriculture's trailer bill (S1372) has been signed into law and will include a request for spending authority for: a Veterinary Medical Officer (\$215,000); Dairy Inspectors (\$284,600); Seed Lab Personnel (\$88,800); Idaho Preferred Operating Enhancement (\$67,500); Storage Building Construction (\$1,500,000); International Trade Support with Japan (\$60,000); Resilient Food Systems Grant (\$6,184,900); CEC for Fruits & Vegetables Inspectors (\$94,500); Honey Commission Increase (\$5,700); and Quagga Mussel Resources (\$6,569,900). Food Producers of Idaho supported S1372 and the entire Fiscal Year 2025 budget request.

CHEMIGATION

H549 has passed both bodies and was signed by the Governor on March 19. Previously, an individual had to go through the rigorous training for a pesticide applicators license to also be licensed to chemigate. **Now to be licensed, chemigators have the option to attend an ISDA training, either in person or online, rather than having to mirror the pesticide applicator licensing process and exams.** ISDA is implementing a temporary rule to ensure these changes are in place for the 2024 growing season. ISDA chemigation inspections will continue to be performed with the intention of supporting industry in compliance.

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