



# CAPITOL REVIEW

## A WEEKLY LEGISLATIVE REPORT

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### A Weekly Legislative Report

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#### FOREIGN LAND OWNERSHIP

Idaho House Bill No. 12 expands restrictions on land ownership by foreign governments and foreign adversaries in Idaho. It prohibits foreign governments from purchasing Idaho forest land, in addition to existing bans on acquiring agricultural land, water rights, mining claims, or mineral rights. Foreign adversaries that already own such lands or resources must sell them within 180 days of notification or face judicial foreclosure. Additionally, foreign adversaries are barred from purchasing or leasing property within designated geographic boundaries to establish secure military operations areas. Responsibility for determining violations to this proposed legislation lies with the foreign entity, the attorney general, or qualifying whistleblowers. Whistleblowers who initiate referrals that result in the disposition of land or other assets held in violation of the law are entitled to a 30% reward from the proceeds of the resulting sale, after lienholders are paid. The term "**foreign adversary**" includes nations such as **China, Russia, Iran, North Korea, Cuba, Venezuela, and Syria**, along with entities under their significant control.

#### CALDWELL CANYON MINE

Bayer's production of **glyphosate-based Roundup® herbicides** begins with phosphate ore mined near Soda Springs, Idaho. For over 60 years, Bayer, through its subsidiary P4 Production, has been a vital economic contributor to the region, refining phosphate ore into elemental phosphorus at its Soda Springs plant. With the current Blackfoot Bridge Mine nearing the end of its life, Bayer has worked since **2013 to permit the Caldwell Canyon Mine**, which holds an estimated **40 years of phosphate reserves**.

P4 submitted its mine reclamation plan (MRP) in May 2016, and BLM issued an initial Notice to Proceed in September 2019. However, in April 2021, three NGOs filed a lawsuit based on the concern over the impact of the mine on sage-group populations, and in June 2023,

the court vacated the permits. P4 appealed the decision, leading to a settlement where the NGOs agreed not to challenge BLM's new mine permitting analysis. As part of the settlement, Bayer committed to several environmental initiatives, including \$5.1 million for sage-grouse habitat restoration, \$2.43 million for wildlife habitat corridor land purchases, and \$300,000 for sage-grouse population surveys.

In November 2023, BLM began a new review process, publishing a Notice of Intent (NOI) on November 22 and issuing a Draft Environmental Impact Statement (EIS) on December 20, 2024. The public comment period runs until February 3, 2025, with BLM aiming to conclude the review in the second half of 2025. If approved, the Caldwell Canyon Mine will supply essential elemental phosphorus for products like herbicides, fire retardants, and other industrial goods, with the Caldwell Canyon ore providing the only U.S. source of elemental phosphorus, as China is the alternative supplier. **Agriculture groups, including Food Producers of Idaho, are actively supporting the approval of the Caldwell Canyon Mine**, recognizing its critical importance to agriculture and its role in ensuring a stable, affordable food supply.

#### PROTEIN LABELING

A protein labeling bill was introduced by Representative Heather Scott in the House Agricultural Affairs Committee on Thursday. RS31941 would clarify labeling requirements under state statute likely requiring labeling **for alternative forms of meat or protein**. The main driver or reason for the bill is to provide clear advertising so that consumers are aware of what they are purchasing and putting in their bodies. Cell cultivated or lab grown meat is becoming more of a hot topic. There are no requirements on the state level that a company must label their meat as being cell cultivated, or lab grown. **Alabama** passed similar legislation that protects consumers from protein grown in laboratories being labeled as "meat" in 2019. The

state has even taken a further step, along with Florida, in passing legislation that prohibits "the manufacture, sale, or distribution of food products made from cultured animal cells." There were several questions during the print hearing and several requests made from committee members for more information before proceeding to a full committee hearing. Additionally, the sponsored stated that compliance on the bill would be handled by the Idaho State Department of Agriculture.

### ADMINISTRATIVE RULES

The presentation of administrative rules to their germane legislative committees began this past week. However, this coming week we will see a good chunk of agriculture and natural resource-based rules actually presented. Administrative rules that will be reviewed by both bodies include:

[02-0108-2401](#) – Rules Governing Grizzly Bear and Wolf Depredation – Adoption of Temporary Rule  
[02-0212-2401](#) – Bonded Warehouse Rules (ZBR Chapter Rewrite) – Proposed Rule  
[02-0214-2401](#) – Rules for Weights and Measures – Proposed Rule  
[02-0301-2401](#) – Rules Governing Pesticide Management Plans for Ground Water Protection (ZBR Chapter Rewrite) – Proposed Rule  
[02-0303-2401](#) – Rules Governing Pesticide and Chemigation Use and Application – Adoption of Temporary Rule  
[02-0303-2402](#) – Rules Governing Pesticide and Chemigation Use and Application – Temporary and Proposed Rule  
[02-0403-2401](#) – Rules Governing Animal Industry (ZBR Chapter Rewrite) – Proposed Rule  
[02-0405-2401](#) – Rules Governing Grade A Milk and Manufacture Grade Milk – Proposed Rule  
[02-0415-2401](#) – Rules Governing Beef Cattle Animal Feeding Operations – Proposed Rule  
[02-0419-2401](#) – Rules Governing Domestic Cervidae – Proposed Rule  
[02-0501-2401](#) – Rules Governing Produce Safety (ZBR Chapter Rewrite) – Proposed Rule  
[02-0602-2401](#) – Rules Governing Registrations and Licenses – Proposed Rule  
[02-0609-2304](#) – Rules Governing Invasive Species and Noxious Weeds – Adoption of Temporary Rule  
[02-0609-2401](#) – Rules Governing Invasive Species and Noxious Weeds – Adoption of Temporary Rule  
[02-0609-2402](#) – Rules Governing Invasive Species and Noxious Weeds – Proposed Rule  
[02-0609-2403](#) – Rules Governing Invasive Species and Noxious Weeds – Adoption of Temporary Rule  
[02-0609-2404](#) – Rules Governing Invasive Species and Noxious Weeds – Adoption of Temporary Rule  
[02-0609-2405](#) – Rules Governing Invasive Species and Noxious Weeds – Adoption of Temporary Rule  
[02-0609-2406](#) – Rules Governing Invasive Species and Noxious Weeds – Adoption of Temporary Rule

[02-0633-2401](#) – Organic Food Products Rules – Proposed Rule

[02-0801-2401](#) – Sheep and Goat Rules of the Idaho Sheep and Goat Health Board (ZBR Chapter Rewrite) – Proposed Rule

[43-0101-2401](#) – Rules Governing the Idaho Oilseed Commission (ZBR Chapter Rewrite) – Proposed Rule

[20-0314-2401](#) – Rules Governing Grazing, Farming, and Conservation Leases (ZBR Chapter Rewrite) – Proposed Rule

We will be following these rules as they move through process.

### USDA RURAL DEVELOPMENT IN IDAHO

With the change of administration at a national level there will be some changes in leadership in Idaho federal agencies. One of those agencies that receive a president appointment of a **new leader is USDA Rural Development**. The name of former Representatives **Laurie Lickley** has surfaced. Lickley is a native of Salmon, ID and a 1990 graduate of the University of Idaho with a BS in agricultural economics. She and her husband raised their two children on the family's century farm and ranch in Jerome. Along with the day-to-day ranch and farm operations in Idaho and Nevada, Laurie served Idaho's beef industry in both the local and national level. – Her experience includes Director National Cattlemen's Beef Association (NCBA) from 2009-2011 and 2014-2016; Co-chair NCBA Nominating Committee 2011-2012; Lifetime affiliate member and former board member of Leadership Idaho Agriculture; Idaho's Behavioral Health Council 2020-present; Northwest Pacific Fisheries Task Force; Vice-chair of House Resources and Conservation Committee 2021-present; Idaho Power's Integrated Resource Plan Advisory Council (IRPAC); Past president of Jerome Rotary.

**NOTE:** If your organization is wanting to sign onto a letter endorsing the appointment of Laurie Lickley to this position please contact **Patxi Larrocea-Phillips** at [patxi@amgidaho.com](mailto:patxi@amgidaho.com) by noon Monday, January 20.

### SCHEDULED FOR JFAC HEARINGS

Two important dates have been released for hearings on budgets impacting agriculture:

Idaho State Department of Agriculture Budget Hearing – **Thursday, January 30**  
U of I Agriculture, Research, Extension Service – **Monday, February 10**

You can watch JFAC proceedings online at <https://www.idahoptv.org/shows/idahoinsession/jfac/>

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