

IN THE SENATE

SENATE BILL NO. 1346

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO BEEF CATTLE ANIMAL FEEDING OPERATIONS; AMENDING SECTION 22-4909A, IDAHO CODE, TO PROVIDE THAT THE IDAHO DEPARTMENT OF AGRICULTURE SHALL HAVE AUTHORITY TO ADMINISTER WATER QUALITY LAWS IN REGARD TO CERTAIN BEEF CATTLE ANIMAL FEEDING OPERATIONS AND TO PROVIDE THAT INFORMATION RELATING TO NUTRIENT MANAGEMENT PLANS SHALL BE CONFIDENTIAL.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 22-4909A, Idaho Code, be, and the same is hereby amended to read as follows:

22-4909A. EFFECT OF FEDERAL ENVIRONMENTAL PROTECTION AGENCY ENFORCEMENT ACTION. The Idaho department of agriculture shall have authority to administer all laws to protect the quality of water within the confines of a beef cattle animal feeding operation that is not under permit issued by the federal environmental protection agency. In addition, the nutrient management plan, and all information generated as a result of such plan, shall be deemed to be trade secrets, production records or other proprietary information, shall be kept confidential and shall be exempt from disclosure pursuant to section 9-340D, Idaho Code. In any case in which the United States environmental protection agency initiates an enforcement action regarding an alleged noncompliance at a beef cattle animal feeding operation, any pending administrative or civil enforcement action initiated by the director regarding the same alleged noncompliance shall be deemed void. If a compliance order addressing the alleged noncompliance has already been issued by the director, that order shall remain in full force and effect.