

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Tuesday, March 08, 2016

**TIME:** 1:30 PM OR UPON ADJOURNMENT

**PLACE:** Room EW42

**MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representatives McMillan, Batt, Bell, Dayley, Miller, Romrell, VanOrden, Burtenshaw, Kerby, Troy, Pence, Erpelding

**ABSENT/  
EXCUSED:** Rep. Erpelding, Romrell, and Burtenshaw

**GUESTS:** Bob Naerebout, Idaho Dairymen Association; Britany Hurst, Idaho Cattlemen Association; Andy Briner, (Idaho Water Users Association) IWUA; Jonathan Oppenheimer (Idaho Conservation League) ICL; Norm Semanko, IWUA; Barry Burnell, (Idaho Department of Environmental Quality) IDEQ; Brent Olmstead, Milk Producers of Idaho; Marcia Jedry, (Idaho Association of Commerce and Industry) IACI; Elizabeth Criner, Simplot

**Chairman Andrus** called the meeting to order at 2:42 p.m.

**MOTION:** **Rep. Pence** made a motion to approve the minutes of the February 22, 2016, February 24, 2016 and March 2, 2016 meetings. **Motion carried by voice vote.**

**S 1260aa:** **Barry Burnell**, Idaho Department of Environmental Quality, explained this legislation is necessary for Idaho to submit an application to the Environmental Protection Agency (EPA) requesting authorization to implement a state National Pollutant Discharge Elimination System (NPDES) program. He said Idaho Code directs the Department of Environmental Quality (DEQ) to submit a complete application, consistent with the requirements of the Clean Water Act. Mr. Burnell stated the application will request authorization for what will be known as the Idaho Pollutant Discharge Elimination System (IPDES) program and will clarify the split of authority between the ISDA program and the DEQ authority to issue IPDES permits to those dairy and beef cattle operations that opt for coverage under the IPDES program. He said to the extent dairy farms or beef cattle animal feeding operations are regulated by EPA under the Clean Water Act's discharge program, those facilities would instead be regulated by DEQ under an approved IPDES program.

**Mr. Burnell** noted while the IPDES program will be partially supported by permit fees, no fees will be imposed for dairy farms or beef cattle animal feeding operations. He said the cost to such facilities should not increase under the legislation however there will be a cost to the State of Idaho to implement this aspect of the IPDES program.

**Bob Naerebout**, Idaho Dairymen's Association, spoke in support of **S 1260aa** stating the original statute requiring dairies to have Nutrient Management plans was first passed in 2000. He said since that time there has been an increase in research and knowledge on the beneficial use and value of the by-products associated with milk production which required bringing the law up to current knowledge. Mr. Naerebout said it was also necessary to bring clarity to the statute making sure the roles of both the DEQ and ISDA were clearly defined.

**Mr. Naerebout** said the terminology changes requested, reflect the paradigm shift the industry is going through in how we view all of the products we generate on our operations. He stated the current law is peppered with the word *waste* in referencing manure and lagoon water which falsely classifies a product that has value as a product with no value and requires disposal.

**Brittany Hurst**, Idaho Cattlemen's Association and **Brent Olmstead**, Milk Producers of Idaho both spoke **in support** of **S 1260aa**.

**MOTION:** **Rep. Miller** made a motion to send **S 1260aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Miller** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 3:16 p.m.

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Representative Andrus  
Chair

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Joan Majors  
Secretary