

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

- DATE:** Tuesday, February 16, 2021
- TIME:** 8:00 A.M.
- PLACE:** Room WW53
- MEMBERS PRESENT:** Vice Chairman Bayer, Senators Siddoway (Burtenshaw), Patrick, Den Hartog, Johnson, Zito, Ricks, and Rabe
- ABSENT/ EXCUSED:** Senator Nelson
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Vice Chairman Bayer** called the meeting of the Senate Agricultural Affairs Committee (Committee) to order at 8:01 a.m.
- MINUTES APPROVAL:** **Senator Johnson** moved to approve the Minutes of February 9, 2021. **Senator Siddoway** seconded the motion. The motion carried by **voice vote**.
- PRESENTATION:** **Agricultural Update - Idaho Department of Environmental Quality (DEQ).** **Jess Byrne**, Director, DEQ, stated that his presentation focuses on providing information about what the DEQ does and an update on issues relevant to the Committee (see Attachment 1). He explained that the DEQ works for the people of Idaho with local compliance assistance, which leads to better long-term outcomes. The DEQ also influences the implementation of federal rules for Idaho, and provides timely permit decisions, which are essential for Idaho's business community. **Mr. Byrne** discussed the State's implementation plan for DEQ's Crop Residue Burning program and rule changes, pointing out that in the 2020 season a total of 48,380 acres burned. **Mr. Byrne** also discussed the dairy ammonia program and its qualifications, inspections, and enforcement support. Lastly, **Mr. Byrne** talked about the Waters of the U.S. and the Navigable Waters Protection Rule of 2020, including the Idaho Pollutant Discharge Elimination System.
- DISCUSSION:** **Senators Johnson, Ricks, and Bayer** asked questions about specific ongoing projects the DEQ is addressing, which Mr. Byrne explored.
- S 1079** **Relating to Environmental Quality - To Establish the Agricultural Best Management Practices (BMP) Fund.** **Dr. Mary Anne Nelson**, Surface and Wastewater Division Administrator, DEQ, explained that the State Legislature appropriates annual monies to supplement the DEQ's federal nonpoint source program grant to implement agricultural best management practices (BMPs) that improve water quality. The nature of these projects and the award process makes it difficult to expend appropriated funds in a single fiscal year, resulting in annual requests for re-appropriation. As a result of this issue, the DEQ and Legislative Services Office worked together to solve the dilemma of crossing appropriations over fiscal years. The solution was this bill, which provides:
- a way to handle the appropriated monies for implementation of agricultural BMPs;
 - establishment of a dedicated account;
 - funding sources; and
 - sidebars on the DEQ for allocating funds.

Further, this bill requires an accounting at the beginning of each Legislative Session for funds appropriated to and from the account. **Dr. Nelson** elaborated that this dedicated account will help the DEQ align the awarding of state monies with the federal nonpoint source program grants, and thereby reduce the administrative overhead and duplication of efforts associated with running separate application and award periods. **Dr. Nelson** requested that the Committee send **S 1079** to the floor with a **do pass** recommendation.

TESTIMONY: **Paul Arrington**, Executive Director, Idaho Water Users Association, testified that he represented people eligible for the grant, in particular agricultural producers and organizations that provide irrigation water and drainage. He pointed out that his clients rely upon federal nonpoint sources program to help them address water-quality issues and assist with getting on-the-ground projects completed. Other projects have access to this continuous appropriation authority and are working well. He urged the Committee to support the bill.

Jonathan Oppenheimer, Idaho Conservation League (ICL), stated in virtual testimony that the ICL strongly supports this bill and thinks it will be a significant benefit to the success of the BMP program and high-priority watersheds. He said ICL feels that the ability to carry over funds from one year to the next is important to ensure the successful implementation of programs that help protect and maintain water quality throughout the state.

DISCUSSION: **Senator Johnson** asked Dr. Nelson about the language on line 24 of the bill, specifically the word "may" in regards to expending, loaning, or granting monies from the BMP fund; and the word "loan" if DEQ plans to loan monies from this program. **Dr. Nelson** clarified that the language is modeled after other language in different dedicated accounts where there was more flexibility in the program and the DEQ could potentially loan money. She further stated that it does not mean that the DEQ would make loans with this particular account, and it is not their intention to do so. **Senator Johnson** wanted to make sure the language is very clear that if it is DEQ's intent to spend the funds then the bill should indicate "shall" grant moneys rather than "may." He also stated that if this is not a fund set up to have loans made from it then the word "loan" should not be in the bill.

MOTION: **Senator Johnson** moved to send **S 1079** to the 14th Order for amendment. **Senator Siddoway** seconded the motion. The motion carried by **voice vote**.

PRESENTATION: **Idaho Sugarbeet Growers Association (ISGA) Presentation.** **Jessica Anderson**, Public Affairs Manager, Amalgamated Sugar Company (ASC), presented ASC's mission, vision, legislative priorities, and information about the sugar beet industry in Idaho. She continued by discussed the economic experience for growers and employees, as well as recent technological advances. (See Attachment 2.) **Ms. Anderson** answered several Committee questions about betaine and its emerging use.

Brad Griff, ISGA, introduced himself and stated he was providing "sugar beets 101," discussing several facts about and background of sugar beets, its sustainability, and their impact on the Idaho economy. (See Attachment 3.) He further informed the Committee that sugar beets contribute 10 percent of Idaho's total cash receipts from crops and provides over 2.5 percent of all manufacturing jobs in Idaho. **Mr. Griff** also discussed the growth of stainable farming, use of pesticides, reducing the use of diesel and therefore emissions, soil conservation methods, and reduction of inputs like fertilizers and pesticides. (See Attachment 4.)

ADJOURNED: There being no further business at this time, **Vice Chairman Bayer** adjourned the meeting at 9:37 a.m.

Senator Bayer
Vice Chairman

Erin Miller
Secretary