

MINUTES  
**SENATE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Thursday, February 24, 2022

**TIME:** 8:00 A.M.

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Burtenshaw, Vice Chairman Bayer, Senators Patrick, Den Hartog, Blair (Johnson), Zito, Ricks, Nelson, and Semmelroth

**ABSENT/ EXCUSED:** None

**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:** **Chairman Burtenshaw** called the meeting of the Senate Agricultural Affairs Committee (Committee) to order at 8:01 a.m.

**INTRODUCTION:** **Committee Page Katelyn Berry. Ms. Berry**, Boise, Idaho introduced herself. She gave an overview of her hobbies and interest in serving as a Senate Page. In response to Committee questions, **Ms. Berry** reviewed her plans to attend college at Boise State University and join the National Guard. She explained her absence on Monday was due to her participation in the State high school bowling tournament.

**MINUTES APPROVAL:** **Vice Chairman Bayer** moved to approve the Minutes of February 15, 2022. **Senator Nelson** seconded the motion. The motion carried by **voice vote**.

**Senator Blair** moved to approve the Minutes of February 17, 2022. **Senator Patrick** seconded the motion. The motion carried by **voice vote**.

**WELCOME:** **Leadership Idaho Agriculture (LIA) Class 42. Rick Waitley**, Executive Director, LIA, provided an overview of the LIA program. LIA Class 42 members introduced themselves to the Committee.

**H 559** **CONFINED ANIMAL FEED OPERATIONS** - Adds to existing law to provide for the confined animal feeding operations improvement fund and committee. **Bob Naerebout**, Idaho Dairymen's Association, introduced himself to the Committee. **Mr. Naerebout** reported the bill would establish a grant fund for projects to improve water quality from confined animal feeding operations (CAFOs). He noted the bill's multiple legislative co-sponsors. **Mr. Naerebout** advised that CAFOs were ineligible for grants from the Agricultural Best Management Practices (BMP) Fund or federal funds. He added the Governor's recommended budget included \$5 million for the CAFO improvement fund if it was established.

**DISCUSSION:** **Senator Den Hartog** inquired what dairy property would be eligible for grant funding. **Mr. Naerebout** responded that funding would be available only for improvements to CAFO dairy production areas, primarily for handling of manure. **Vice Chairman Bayer** asked why the fiscal note stated there was no fiscal impact if the Governor recommended a \$5 million appropriation. **Mr. Naerebout** responded that establishing a fund did not carry a fiscal impact.

**Mr. Naerebout** reviewed the provisions of the proposed legislation. He noted it would establish a committee within the Idaho Department of Environmental Quality (DEQ) to oversee the grant process and administer the fund. **Mr. Naerebout** advised the bill established an oversight committee and specified the composition of the committee. He said the bill also set forth the criteria for grant eligibility and awarding grants.

**DISCUSSION:** **Senator Nelson** asked for clarification on the language excluding the fund from another section of Idaho Code. **Mr. Naerebout** answered that the exclusion language pertained to the Basin Advisory Group (BAG). He said the BAG was not the appropriate committee to consider this type of grant funding.

**Senator Blair** inquired if biodigesters would be eligible for funding under the new program. **Mr. Naerebout** answered it was unlikely because methane biodigesters supported air quality while the bill was intended to enhance water quality.

**Senator Den Hartog** inquired about the need for the CAFO fund. **Mr. Naerebout** explained the new fund would segregate CAFO-specific funding to ensure smaller producers had an equal chance at obtaining a grant. He noted that consumers demanded their food be produced with the least amount of environmental impact possible. **Mr. Naerebout** reported that companies had received pressure to meet increased sustainability standards. He said the bill would help protect Idaho's important agriculture industry.

**Senator Zito** asked whether the bill would impact ESG scores of participating producers. She explained the acronym as Environment, Social Justice, and Governance. **Mr. Naerebout** replied that he was unfamiliar with an ESG score.

**TESTIMONY:** **Wyatt Prescott**, Idaho Cattle Association, testified in support of **H 559** because it was a unique opportunity to gain access to resources to upcycle dairy byproduct. **Mr. Prescott** reported some familiarity with ESG scores but not metrics used to establish them. He understood that publicly traded entities would have an ESG score. He added that the bill could impact an ESG score.

**Braden Jensen**, Idaho Farm Bureau Federation (IFBF), testified in support of the bill. He stated IFBF's policy supports voluntary BMP in CAFO nutrient management plans and educational programs on BMP for livestock operators.

**MOTION:** **Senator Nelson** moved to send **H 559** to the floor with a **do pass** recommendation. **Senator Semmelroth** seconded the motion.

**DISCUSSION:** **Senator Ricks** and **Vice Chairman Bayer** said they would support the motion but reserved the right to vote against the bill on the floor.

**Senator Patrick** commented that setting up this fund was consistent with how other funds were established. He said there is no fiscal impact unless money became available.

**VOICE VOTE:** The motion to send **H 559** to the floor with a **do pass** recommendation carried by **voice vote**.

**PRESENTATION:** **Idaho Alfalfa and Clover Seed Commission (IACSC) Annual Update.** **Benjamin Kelly**, Administrator, IACSC, introduced himself to the Committee. He gave an overview of the IACSC's mission and research projects on pesticides and soil health. **Mr. Kelly** presented an IACSC informational video on production of alfalfa seed and use of leaf cutter bees. He reported on IACSC's contributions and other sources of funding to build the Idaho Center for Plant and Soil Health in Parma (see Attachment 1).

**ADJOURNED:** There being no further business at this time, **Chairman Burtenshaw** adjourned the meeting at 8:52 a.m.

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Senator Burtenshaw  
Chair

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Jeanne Jackson-Heim  
Secretary