

Dear Senators Nichols, Zito, Semmelroth, and
Representatives Raymond, Shirts, Mathias:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
Department of Agriculture:

IDAPA 02.06.09 - Rules Governing Invasive Species and Noxious Weeds-Proposed Rule (Docket
No. 02-0609-2601).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 11/09/2026. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 12/07/2026.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the
memorandum attached below.



Terri Kondeff
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Agricultural Affairs Committee and the House Agricultural Affairs Committee

FROM: Legislative Drafting Attorney - Alli Olson

DATE: October 23, 2026

SUBJECT: Department of Agriculture

IDAPA 02.06.09 - Rules Governing Invasive Species and Noxious Weeds-Proposed Rule (Docket No. 02-0609-2601)

Summary and Stated Reasons for the Rule

The Idaho Department of Agriculture submits notice of proposed rulemaking for the rules governing invasive species and noxious weeds, IDAPA 02.06.09. ISDA states that rulemaking was initiated after the Idaho Association of Weed Control Superintendents petitioned the Department to add Spiny Cocklebur to the noxious weed list contained in the rule chapter. The Department states that adding the species to the list, as the proposed rule does, will ensure that the state and counties have the authority to treat it as noxious for the purposes of treatment and control.

Negotiated Rulemaking / Fiscal Impact

ISDA states that negotiated rulemaking was conducted and notice was published in the July 1, 2026, Idaho Administrative Bulletin, Vol. 26-7, pages 43-44. The Department states that it does not anticipate any fiscal impact as a result of the rulemaking.

Statutory Authority

The Department appears to have the authority to promulgate this rule pursuant to sections 22-1907 and 22-2403, Idaho Code.

cc: Department of Agriculture
Lloyd Knight

*** PLEASE NOTE ***

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

Paul Headlee, Deputy Director Legislative Services Office	Matt Drake, Manager Research & Legislation	Keith Bybee, Manager Budget & Policy Analysis	April Renfro, Manager Legislative Audits	Norma Clark, Manager Information Technology
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Statehouse, P.O. Box 83720
Boise, Idaho 83720-0054

Tel: 208-334-2475
legislature.idaho.gov

IDAPA 02 – IDAHO DEPARTMENT OF AGRICULTURE
02.06.09 – RULES GOVERNING INVASIVE SPECIES AND NOXIOUS WEEDS

DOCKET NO. 02-0609-2601

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section [67-5221](#)(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections [22-1907](#) and [22-2403](#) Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 21, 2026.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Idaho Association of Weed Control Superintendents have petitioned the department to add Spiny cocklebur (*Xanthium spinosum*) to the Noxious Weed list contained in this rule chapter. Spiny cocklebur is a non-native plant that poses invasive tendencies and a threat to Idaho agriculture and native habitats. It is currently listed as a noxious weed in Washington, Oregon, and New Mexico. It has been identified in Idaho and adding it to Idaho's Noxious Weed list will ensure that the state and counties have the authority to treat it as noxious for the purposes of treatment and control.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

The agency does not anticipate any fiscal impact as a result of this rulemaking.

NEGOTIATED RULEMAKING: Pursuant to Section [67-5220](#)(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the July 1, 2026 Idaho Administrative Bulletin, [Vol. 26-7, page 43-44](#).

INCORPORATION BY REFERENCE: Pursuant to Section [67-5229](#)(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

A petition was received from stakeholders to update the reference to the most current version of the North American Invasive Species Management Association (NAISMA) Weed Free Products Forage Minimum Standards.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Dr. Scott Leibsle, Administrator – Division of Animal Industries at (208) 332-8614. Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 28, 2026.

DATED this 26th day of August, 2026.

Scott R. Leibsle DVM
State Veterinarian/Administrator
Division of Animal Industries
Idaho State Department of Agriculture
2270 Old Penitentiary Road
P.O. Box 7249
Boise, Idaho 83707
Phone: (208) 332-8614
Email: scott.leibsle@isda.idaho.gov

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 02-0609-2601
(Only Those Sections With Amendments Are Shown.)

02.06.09 – RULES GOVERNING INVASIVE SPECIES AND NOXIOUS WEEDS

110. DEFINITIONS.

In addition to the definitions found in Section 22-1904 and 22-2005, Idaho Code, the following definitions apply in the interpretation and enforcement of Subchapter A only: (3-15-22)

- 01. Acts.** Title 22, Chapter 19, Idaho Code, the “Idaho Invasive Species Act of 2008.” (3-15-22)
- 02. Aquatic Invertebrate Invasive Species.** Those species listed in Section 140. (3-15-22)
- 03. Control.** The abatement, suppression, or containment of an invasive species or pest population. (3-15-22)
- 04. ~~Dreissenia~~Dreissena Infested Waterbody.** Body of water designated by the United States Geological Survey, <http://nas.er.usgs.gov/taxgroup/mollusks/zebramussel/>, or the Director as having a population of any life stage of ~~Dreissenia~~ Dreissena mussels. (3-15-22)()
- 05. Early Detection/Rapid Response.** Finding invasive species during the initial stages of colonization and then responding within ten (10) days. (3-15-22)
- 06. Energy Crop Invasive Species.** Non-native plant grown to harvest for use in making biofuels, such as bioethanol, or combusted for its energy content to generate electricity or heat. Energy Crop Invasive Species are non-native plants that are cultivated for the purpose of producing (non-food) energy. (3-15-22)
- 07. Equipment.** An article, tool, implement, or device capable of carrying or containing: (3-15-22)
 - a.** Water; or (3-15-22)
 - b.** An invasive species. (3-15-22)
- 08. Facility.** Any place, site or location or part thereof where a species listed as invasive pursuant to Subchapter A are found, handled, housed, held, planted, or otherwise maintained for purposes governed by a possession, production, or transport permit issued pursuant to Subchapter A and includes, but is not limited to all fields, plats, buildings, lots, structures, and other appurtenances and improvements on the land. (3-15-22)
- 09. Possession.** The act of cultivating, importing, exporting, shipping or transporting a listed invasive species in Idaho. Possession does not include the act of having, releasing or transporting a listed invasive species through circumstances beyond individual control, including but not limited to infestations in a water supply system, infestations resulting from natural spread of the species or some other acts of nature. (3-15-22)
- 10. Trap Crop Invasive Species.** Non-native plant species planted for purposes of controlling or eradicating a Plant Pest, as defined in the Idaho Plant Pest Act of 2002. (3-15-22)
- 11. Water Body.** Natural or impounded surface water, including a stream, river, spring, lake, reservoir, pond, wetland, tank and fountain. (3-15-22)
- 12. Water Supply System.** A system used to treat, store, convey, or distribute water for irrigation, industrial, waste water treatment, residential, or culinary use. A Water Supply System includes a pump, canal, ditch,

regulating impoundment, in-canal forebay, pipeline, or associated wetland and water quality improvement project, but does not include a Water Body as defined in Subsection 110.11. (3-15-22)

(BREAK IN CONTINUITY OF SECTIONS)

130. EARLY DETECTION AND RAPID RESPONSE AQUATIC INVERTEBRATE INVASIVE SPECIES.

01. Statewide EDRR AIIS List. If any of the species listed in the following table are found to occur in Idaho, they shall be reported to the Department immediately. Positive identification will be made by the Department or other qualified authority as approved by the Director. Subsections 130.02 through 130.05 are applicable to EDRR AIIS only and not to other invasive species listed in Sections 140 through 148.

Early Detection Rapid Response Aquatic Invertebrate Invasive Species (EDRR AIIS) List	
Common Name	Scientific Name
Quagga Mussel	<i>Dreissena bugensis</i>
Zebra Mussel	<i>Dreissena polymorpha</i>
Golden Mussel	<i>Linoperna forunei</i>

(7-1-26)

02. Transporting EDRR AIIS Over Public Roads. No person may transport Equipment or any Conveyance containing EDRR AIIS over public roads within the state of Idaho without first being decontaminated. (3-15-22)

03. Contaminated Conveyances in Idaho Waters. No person may place any EDRR AIIS contaminated Equipment or Conveyance into any Water Body or Water Supply System in the state of Idaho. (3-15-22)

04. Firefighting Equipment. Precautions should be taken to prevent the introduction and spread of EDRR AIIS through firefighting activities. All firefighting agencies moving equipment into the state of Idaho shall follow protocols similar to the United States Forest Service decontamination protocols set forth in "Guide to Preventing Aquatic Invasive Species Transport by Wildland Fire Operations." Those protocols can be viewed online at https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprd5373422.pdf <https://www.fs.usda.gov/sites/default/files/2019-09/pms444.pdf>. (7-1-24)()

05. Construction and Road Building and Maintenance Equipment. Construction and equipment used for road building and maintenance must be free of EDRR AIIS. If equipment that is being transported into the state of Idaho has been in an infested water body or water supply system within the preceding thirty (30) days, the equipment must be inspected in accordance with Section 132. The Department may require decontamination. (3-15-22)

(BREAK IN CONTINUITY OF SECTIONS)

140. INVASIVE SPECIES - AQUATIC INVERTEBRATES.

INVASIVE SPECIES - AQUATIC INVERTEBRATES		
	Common Name	Scientific Name
01.	Zebra Mussel	~~Dreissenia~~ <u>Dreissena</u> polymorpha
02.	Quagga Mussel	~~Dreissenia~~ <u>Dreissena</u> bugensis
03.	New Zealand Mud Snail	Potamopyrgus antipodarum
04.	~~Red-Claw~~ <u>Swamp</u> Crayfish	Cherax quadricarinatus/ <u>C. destructor</u>
05.	Yabby Crayfish	Cherax albidus/C. destructor
06.	~~Marene~~ <u>Marron</u> Crayfish	Cherax tenuimanus/ <u>C. cainii</u>
07.	Marbled Crayfish	~~Procambarus fallax f. virginalis~~ <u>Procambarus virginalis</u>
08.	Rusty Crayfish	Faxonius rusticus
09.	Asian Clam	Corbicula ~~fluminea~~ <u>spp.</u>
10.	Spiny Waterflea	Bythotrephes ~~cederstroemi~~ <u>longimanus</u>
11.	Fishhook Waterflea	Cercopagis pengoi
12.	~~Marmoratus~~ <u>Procambarus</u> <u>Crayfish Species</u>	Procambarus ~~sp.~~
13.	Golden Mussel	Limnoperna ~~forunei~~ <u>fortunei</u>

(7-1-26)()

141. INVASIVE SPECIES - FISH.

INVASIVE SPECIES - FISH		
	Common Name	Scientific Name
01.	Green Sturgeon	Acipenser medirostris
02.	Walking Catfish	~~Clariidae~~ <u>Clariidae</u>
03.	Bowfin	Amia ~~calva~~ <u>spp.</u>
04.	Gar	~~Lepiostidae~~ <u>Lepisosteidae</u>
05.	Piranhas	Serrasalmus spp., Rosseveltella spp., Pygocentrus spp.
06.	Rudd	Scardinius ~~erythrophthalmus~~ <u>erythrophthalmus</u>
07.	Ide	Leuciscus idus
08.	Diploid Grass Carp	Ctenopharyngodon ~~idella~~

INVASIVE SPECIES - FISH		
	Common Name	Scientific Name
09.	Bighead Carp	~~Hypophthalmichthys~~ <u>Hypophthalmichthys</u> nobilis
10.	Silver Carp	~~Hypophthalmichthys~~ <u>Hypophthalmichthys</u> molitrix
11.	Black Carp	~~Mylopharyngodon~~ <u>Mylopharyngodon</u> piceus
12.	Snakeheads	Channa spp., Parachanna spp.
13.	Round Goby	Neogobius melanostomas
14.	Ruffe	Gymnocephalus cernuus

(3-15-22)()

142. INVASIVE SPECIES - AMPHIBIANS

Invasive Species - Amphibians		
	Common Name	Scientific Name
01.	Rough-skinned Newt	Taricha granulose
02.	<u>American</u> Bullfrog	Lithobates catesbeianus

(3-15-22)()

143. INVASIVE SPECIES - REPTILES.

Invasive Species - Reptiles		
	Common Name	Scientific Name
01.	Red-eared Slider	Trachemys scripta elegans
02.	Mediterranean Gecko	Hemidactylus turcicus
03.	Common Wall Lizard	Podarcis muralis
04.	Italian Wall Lizard	Podarcis ~~sicula~~ <u>siculosa</u>
05.	Brahminy Blindsnake	~~Ramphotyphlops~~ <u>Indotyphlops</u> braminus
06.	<u>Common</u> Snapping Turtle	Chelydra serpentina

(3-15-22)()

(BREAK IN CONTINUITY OF SECTIONS)

146. INVASIVE SPECIES – INSECTS.

Invasive Species - Insects		
	Common Name	Scientific Name
01.	Asian Longhorned Beetle	~~Anglophobia~~ Anoplophora glabripennis
02.	Emerald Ash Borer	Agrilus planipennis
03.	Spongy Moth	Lymantria dispar

(7-1-24)()

147. INVASIVE SPECIES – MOLLUSKS.

Invasive Species – Mollusks		
	Common Name	Scientific Name
01.	Applesnail	Pomacea spp.
02.	Brown Garden Snail	~~Cryptomphalus~~ Helix aspersa
03.	Chinese Mysterysnail	~~Bellamya Cipangopaludina~~ Bellamya chinensis
04.	Decollate Snail	Rumina decollata
05.	Faucet Snail	Bithynia tentaculata
06.	Giant African Snail	~~Achatha~~ Achatina fulica
07.	Green or Burrowing Snail	Cantareus apertus
08.	Japanese Mysterysnail	~~Bellamya~~ Cipangopaludina japonica
09.	~~Lactea~~ Milk Snail	Otala lactea
10.	~~Marisa~~ Giant Ramshorn Snail	Marisa cornuarietis
11.	Maritime Garden Snail	Cernuella virgata
12.	~~Pulmonate~~ Roman Snail	Helix pomatia
13.	Quilted Melania	Tarebia granifera
14.	Red-rim Melania	Melanoides tuberculata
15.	White Garden Snail	Theba pisana
16.	Wrinkled Snail	Candidula intersecta

(7-1-24)()

148. (RESERVED)

149. INVASIVE SPECIES - INVASIVE PLANTS: ENERGY CROPS.

Invasive Species - Invasive Plants: Energy Crops		
	Common Name	Scientific Name
01.	Giant Reed	<i>Arundo donax</i> (and hybrids)
02.	Kudzu	<i>Pueraria montana</i> (and hybrids)
03.	Chinese Silver Grass	<i>Miscanthus</i> - ~~<i>giganteus</i>~~ <i>sinensis</i> (and hybrids)
04.	Purging Nut	<i>Jatropha</i> - ~~<i>curcus</i>~~ <i>curcas</i> (and hybrids)
05.	Cold Tolerant ~~<i>Eucalyptis</i>~~ <i>Eucalyptus</i> (and hybrids)	

(3-15-22)()

150. INVASIVE SPECIES - INVASIVE PLANTS: TRAP CROPS.

Invasive Species - Invasive Plants: Trap Crops		
	Common Name	Scientific Name
01.	Litchi Tomato	<i>Solanum sisymbriifolium</i> (and hybrids) (Otherwise known as Sticky Nightshade or Fire and Ice)
02.	Black Nightshade	<i>Solanum</i> - ~~<i>nigrus</i>~~ <i>nigrum</i> (and hybrids)

(3-15-22)()

(BREAK IN CONTINUITY OF SECTIONS)

220. NOXIOUS WEEDS - DESIGNATIONS.

The weeds listed on the Statewide Prohibited Genera, EDRR, Containment, and Control lists are hereby officially designated and published as noxious. (3-15-22)

01. Statewide Prohibited Genera Noxious Weed List. (3-15-22)

a. All plants and plant parts in the genera of: *Cytisus*, *Genista*, *Spartium*, and *Chamaecytisus* additionally including “all” subtaxa of these plant genera are prohibited in Idaho. (3-15-22)

b. Weeds listed in the Prohibited Genera list may exist in varying populations throughout the state. The concentration of these weeds is at a level where control and/or eradication may be possible. A written plan for weeds on the Statewide Prohibited Genera Noxious Weed List shall be developed by the control authority that specifies active control methods to reduce known populations in not more than five (5) years. The plan shall be available to the Department upon request. (3-15-22)

02. **Statewide EDRR Noxious Weed List.** Weeds listed in the EDRR list are not known to exist in Idaho, however, have the potential to become established, or are known to exist in Idaho in small enough infestations that eradication is possible. If any of the listed plants (Subsection 220.02) are found to occur in Idaho, they shall be reported to the Department within ten (10) days following positive identification by the University of Idaho or other qualified authority as approved by the Director. These weeds shall be eradicated during the same growing season as identified.

	Common Name	Scientific Name
1.	Brazilian Elodea	Egeria densa
2.	Cogongrass	Imperata cylindrica
3.	Common/European Frogbit	Hydrocharis morsus-ranae
4.	Fanwort	Cabomba caroliniana
5.	Feathered Mosquito Fern	Azolla pinnata
6.	Giant Hogweed	Heracleum mantegazzianum
7.	Giant Salvinia	Salvinia molesta
8.	Goatsrue	Galega officinalis
9.	Hydrilla	Hydrilla verticillata
10.	Iberian Starthistle	Centaurea iberica
11.	Policeman's Helmet	Impatiens glandulifera
12.	Purple Starthistle	Centaurea calcitrapa
~~13.~~	~~Spiny Cocklebur~~	~~Xanthium spinosum~~
~~134.~~	~~Squarrose Knapweed~~	~~Centaurea triumphetti~~
~~145.~~	~~Starry Stonewort~~	~~Nitellopsis obtusa~~
~~156.~~	~~Syrian Beancaper~~	~~Zygophyllum fabago~~
~~167.~~	~~Tall Hawkweed~~	~~Hieracium piloselloides~~
~~178.~~	<del>Variable-Leaf-~~Water~~Milfoil</del>	~~Myriophyllum heterophyllum~~
~~189.~~	<del>Water-~~Chestnut~~ Caltrop</del>	~~Trapa natans~~
~~1920.~~	~~Water Hyacinth~~	~~Eichhornia crassipes~~
~~201.~~	~~Yellow Devil Hawkweed~~	~~Hieracium glomeratum~~
~~242.~~	~~Yellow Floating Heart~~	~~Nymphoides-pelata peltata~~

(7-1-25)()

03. Statewide Control Noxious Weed List. Weeds listed in the control list are known to exist in varying populations throughout the state. The concentration of these weeds is at a level where control or eradication, or both, may be possible. A written plan for weeds on the Statewide Control Noxious Weed List shall be developed by the control authority that specifies active control methods to reduce known populations in not more than five (5) years. The plan shall be available to the Department upon request.

	Common Name	Scientific Name
1.	Black Henbane	Hyoscyamus niger
2.	Bohemian Knotweed	Polygonum X bohemicum
3.	Common Crupina	Crupina vulgaris
4.	Common Reed (Phragmites)	Phragmites australis
5.	Dyer's Woad	Isatis tinctoria

	Common Name	Scientific Name
6.	Eurasian Watermilfoil	<i>Myriophyllum spicatum</i> (and hybrids)
7.	Flowering Rush	<i>Butomus umbellatus</i>
8.	Giant Knotweed	<i>Polygonum sachalinense</i>
9.	Japanese Knotweed	<i>Polygonum cuspidatum</i>
10.	Johnsongrass	<i>Sorghum halepense</i>
11.	Matgrass	<i>Nardus stricta</i>
12.	Meadow Knapweed	<i>Centaurea debeauxii</i>
13.	Mediterranean Sage	<i>Salvia aethiopis</i>
14.	Musk Thistle	<i>Carduus nutans</i>
15.	Orange Hawkweed	<i>Hieracium aurantiacum</i>
16.	Parrotfeather Milfoil	<i>Myriophyllum aquaticum</i>
17.	Perennial Sowthistle	<i>Sonchus arvensis</i>
18.	Russian Knapweed	<i>Acroptilon repens</i>
19.	Scotch Broom	<i>Cytisus scoparius</i>
20.	Small Bugloss	<i>Anchusa arvensis</i>
21.	Turkish Thistle	<i>Carduus cinereus</i>
22.	Vipers Bugloss	<i>Echium vulgare</i>
23.	Yellow Hawkweed	<i>Hieracium caespitosum</i>

(7-1-25)

04. Statewide Containment Noxious Weed List. Weeds listed in the containment noxious weeds list are known to exist in various populations throughout the state. Weed control efforts may be directed at reducing or eliminating new or expanding weed populations while known and established weed populations, as determined by the weed control authority, may be managed by any approved weed control methodology, as determined by the weed control authority.

	Common Name	Scientific Name
1.	Canada Thistle	<i>Cirsium arvense</i>
2.	Curlyleaf Pondweed	<i>Potamogeton crispus</i>
3.	Dalmatian Toadflax	<i>Linaria dalmatica</i> ssp. <i>dalmatica</i>
4.	Diffuse Knapweed	<i>Centaurea diffusa</i>
5.	Field Bindweed	<i>Convolvulus arvensis</i>
6.	Hoary Alyssum	<i>Berteroa incana</i>
7.	Houndstongue	<i>Cynoglossum officinale</i>
8.	Jointed Goatgrass	<i>Aegilops cylindrica</i>
9.	Leafy Spurge	<i>Euphorbia esula</i>

Common Name	Scientific Name
10. Miliun	<i>Milium vernale</i>
11. Oxeye Daisy	<i>Leucanthemum vulgare</i>
12. Perennial Pepperweed	<i>Lepidium latifolium</i>
13. Plumeless Thistle	<i>Carduus acanthoides</i>
14. Poison Hemlock	<i>Conium maculatum</i>
15. Puncturevine	<i>Tribulus terrestris</i>
16. Purple Loosestrife	<i>Lythrum salicaria</i>
17. Rush Skeletonweed	<i>Chondrilla juncea</i>
18. Saltcedar	<i>Tamarix</i> spp.
19. Scotch Thistle	<i>Onopordum acanthium</i>
20. Spotted Knapweed	<i>Centaurea stoebe</i>
21. Tansy Ragwort	<i>Senecio jacobaea</i>
22. White Bryony	<i>Bryonia alba</i>
23. Whitetop (Hoary Cress)	<i>Cardaria draba</i>
24. Yellow Flag Iris	<i>Iris ~~pseudocorus~~ pseudacorus</i>
25. Yellow Starthistle	<i>Centaurea solstitialis</i>
26. Yellow Toadflax	<i>Linaria vulgaris</i>

(3-15-22)()

05. Designation of Articles Capable of Disseminating Noxious Weeds. The following articles are designated by the Director as capable of disseminating noxious weeds: (3-15-22)

- a. Construction equipment, road building and maintenance equipment, and implements of husbandry. (3-15-22)
- b. Motorized vehicles such as, all-terrain vehicles, motorcycles, and other off-road vehicles and non-motorized vehicles such as bicycles and trailers. (3-15-22)
- c. Grain and seed. (3-15-22)
- d. Hay, straw and other material of similar nature. (3-15-22)
- e. Nursery stock including plant material propagated for the support of aquarium, pet, or horticultural activities. (3-15-22)
- f. Feed and seed screenings. (3-15-22)
- g. Fence posts, fencing and railroad ties. (3-15-22)
- h. Sod. (3-15-22)
- i. Manure, fertilizers and material of similar nature. (3-15-22)
- j. Soil, sand, mulch, and gravel. (3-15-22)

- k. Boats, personal watercraft, watercraft trailers, and items of a similar nature. (3-15-22)

(BREAK IN CONTINUITY OF SECTIONS)

304. INCORPORATION BY REFERENCE.

The following document is incorporated by reference and applies to Subchapter C, only: (3-15-22)

01. ~~The~~ NAISMA Certified Weed Free Products Forage Minimum ~~Certification~~ Standards. Revised 06/05/2024, as published at ~~https://naisma.org/wp-content/uploads/2020/04/NAISMA-WFF-Minimum-Standards-Final-4-16-20.pdf~~ <https://drive.google.com/file/d/1kVLu5ZKmQaZRZ4qO4RF4sye1ZB3Ud4aB/view>. (3-15-22)()

INCORPORATION BY REFERENCE SYNOPSIS

In compliance with Section 67-5223(4), Idaho Code, the following is a synopsis of the differences between the materials previously incorporated by reference in this rule that are currently of full force and effect and newly revised or amended versions of these same materials that are being proposed for incorporation by reference under this rulemaking.

The following agency of the state of Idaho has prepared this synopsis as part of the proposed rulemaking for the chapter cited here under the docket number specified:

Idaho State Department of Agriculture
IDAPA 02.06.09 - Rules Governing Invasive Species and Noxious Weeds
Subchapter C – Noxious Weed Free Forage and Straw Certification
Docket No. 02-0609-2601

IDAPA 02.06.09, Subchapter C incorporates by reference the North American Invasive Species Management Association (NAISMA) Weed Free Products Forage Minimum Standards as updated 06/04/2024.

304. Incorporation By Reference.

The following document is incorporated by reference and applies to Subchapter C, only:

01. The NAISMA Weed Free Products Forage Minimum Certification Standards 10/9/202306/04/2024, as published at https://naisma.org/wp-content/uploads/2024/04/6_2024-NAISMA-WFF-Minimum-Standards.docx.pdf

Listed below is an overview of changes to the 2024 NAISMA Weed Free Products Forage Minimum Standards.

1. A larger introduction/page 1.
2. Additional definitions (area of origin/manufacture, responsible party) as well as expanded language for each definition (inspector certification price added, twine color, etc).
3. Appendix A, ***ventenata (a grass) was added to the list.*** Some language changes in the procedure for species listing.
4. Additional language in Appendix D: Certification Marking.