



CAPITOL REVIEW

A WEEKLY LEGISLATIVE REPORT

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A Weekly Legislative Report

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CENARRUSA DAY ON THE HILL

On Monday, January 27, over 450 FFA students from a total of 34 chapters descended on Boise for the 22nd Annual Cenarrusa Day on the Hill event. The event is sponsored by the NWACC (Northwest Agricultural Cooperative Council) representing farmer owned cooperatives throughout ID, MT, OR and WA. Rick Waitley and Patxi Larrocea-Phillips are the Idaho lobbyists for the organization and coordinate the Cenarrusa event held in honor of the late Pete Cenarrusa who spent 52 years of his life in public service. During the event four awards were presented. The Honorary State FFA Degree was presented to **Senator Dave Lent** (who sported his FFA jacket when he was in high school) and to **Representative Lori McCann**. Friend of the Cooperative Awards were presented to **Senator Julie VanOrden** and **Representative Judy Boyle**. State agency representatives, legislators, industry leaders and others involved with FFA were present.

RIGHT TO FARM ACT

Idaho has had a Right to Farm Act in place for decades which has offered some protection for farmers and ranchers as they go about their daily tasks in production agriculture. Senator Todd Lakey from District 23 has proposed some additional amendments to add clarity in the act. The current statute protects lawfully conducted agricultural operations but lacks practical protection for meritless lawsuits or complaints. **S1033 provides that if a lawsuit alleging nuisance is filed against a lawfully conducted agricultural operation and the agriculture operator prevails, then they are entitled to recover their attorney's fees.** It also provides fines and penalties for filing multiple meritless complaints with applicable state and local agencies. S1033 has been printed in the Senate Agricultural Affairs Committee. Food Producers of Idaho, instrumental in the initial passage of Idaho's Right to Farm Act, voted this week to support the legislation.

IDAHO NOXIOUS WEED CONTROL ASSOCIATION

The Idaho Noxious Weed Control Association hosted its annual conference in Nampa this week to discuss various issues related to local, state and federal management of noxious weeds. Various departments at all levels were present including Idaho Department of Transportation, Idaho Fish and Game, Idaho State Department of Agriculture, Bureau of Land Management, USDA Forest Service, local county noxious weed superintendents and some private land owners and applicators. During the event individuals were honored with the INWCA Hall of Fame Award. Those honored included:

- **Bryce Fowler** - This weed superintendent is what we know to be a true professional in this industry. He is always looking to improve and move forward with new technologies and share it with all who are interested. He is a true leader and a great asset to the noxious weed and invasive species industry. When it comes to knowledge and experience, he has worked through about every possible situation that a weed superintendent could face. Bryce Fowler was born and raised in Southeastern Idaho. Bryce is married with 3 children and enjoys spending his free time in the outdoors. He is dedicated to protecting our natural resources for the future of all Idahoans. He has been the Fremont County Weed Control Superintendent for over 16 years. Previous to that he worked for Bonneville County Weed Control for 9 years. He is the current chair of the Henrys Fork Cooperative Weed Management Area serving for 14 years. He has served as the chair of the Idaho Weed Control Superintendents Association, and the Aquatic Invasive Species Subcommittee of the Greater Yellowstone Coordinating Committee. He has served on the board of the Idaho Weed Awareness Campaign and was involved with the Hold the Line project serving as the project lead for several years.
- **Becky Freiberg** - Becky has been the push behind the Southern Idaho Biological Control (SIBC)

program for 16 years as the Program Administrator. This program is essentially a youth program with biological control of invasive plant species as a bonus. The program teaches young adults how to work as a team, keep records, speak in public and be responsible. In Becky's words, "Kids that have worked in this program are better students, more polite and have more respect for their elders and other students." Mrs. Freiberg, as her students at Gooding High School call her, is a dedicated professional educator whose Environmental Science class has won numerous national awards.

- **Dave Wenk** - Dave Wenk was hired by Boundary County to be their Weed Superintendent close to the same time that I was promoted to the same position in Bonner County. We developed a strong working relationship right away, and have continually worked well together on statewide collaborations, CWMA projects and political matters. Dave served as the most recent previous chair for the IANWCS, a position that he took over in the heart of the pandemic and proceeded to lead the association through it with as little fuss as overall circumstances would allow—not an easy task! He is currently serving as the Vice President of the INWCA, and has served as my right hand man in the Selkirk CWMA as the Vice Chair for as long as we have been in our respective county positions. Not only is Dave a dedicated warrior in the fight against noxious weeds but is also a dedicated community member in Boundary County—serving on the Translator District Board, Fair Board, and as an elected precinct committeeman on Boundary County's Republican Central Committee.

SUGARBEET DAY AT THE CAPITOL

On Tuesday, January 28th, the Snake River Sugarbeet Growers Association hosted Sugarbeet Day at the Capitol, bringing sugarbeet growers from across the state to Boise to engage with legislators and elected officials in support of Idaho's sugarbeet industry including Lt. Governor Scott Bedke and Governor Brad Little. Throughout the day, growers discussed key issues such as immigration, crop protection tools, and farmland preservation, ensuring policymakers understood the challenges and opportunities facing the industry. They also presented to the House Agricultural Affairs Committee, highlighting the vital role sugarbeets play in Idaho's agricultural economy. Later that evening, members of the Nyssa-Nampa Sugarbeet Growers Association (NNSGA) attended the Sugarbeet Industry Reception, where they had the opportunity to further connect with legislators and strengthen industry relationships. The sugarbeet industry is deeply grateful for the elected officials who continue to advocate for and support its success.

LOW TEMPERATURE GEO-THERMAL

The state of California originated geothermal policy in the U.S. in the 1980's and defined Low Temperature Geothermal Resources. Also, during the 1980's Idaho held meetings and in 1987 adopted a standard for Low Temperature Geothermal to begin right after 85 degrees and up to the boiling point of water. The IDWR also researched this issue and "could not find a specific reference that clearly explained the origin or basis for the minimum 85-degree standard." In the well construction industry's opinion, the 85 degree rule is arbitrary and restrictive. There was even a case law search performed on the matter that came up empty. Idaho has the most stringent Low Temperature Geothermal standard in the western United States at 85-degrees Fahrenheit. Surrounding states like **Oregon, Washington and Utah don't have Low Temperature Geothermal standards at all.** Their regulations on geothermal water kicks in when you hit 212-degree water in Washington, 248-degree water in Utah and 250 degrees water in Oregon. California rewrote its Geothermal Well Standards with 212 degrees as its threshold. Nevada has a Low Temperature Geothermal standard of 180 degrees. Since 1987 for those who drill wells, if a driller hits 85-degree water they must stop drilling. They can apply for a waiver with the IDWR which will only be granted if that well is the only domestic water source available. Sometimes waivers are not granted by the Department. The biggest issue is a Low Temperature Geothermal Well costs a lot more to construct than a regular cold water well because you have to have 2 strings of casing and also obtain bonding. This makes a \$30k well turn into a \$50k well for the consumer when it really should be constructed as a cold water well. The Low Temperature Geothermal Rules that the IGWA and IDWR presented on in the Senate Resources and Conservation Committee help out the well construction industry and the consumer by raising the Low Temperature Geothermal standard from 85 degrees to 140 degrees. The rules passed the Senate Resources and Conservation Committee and will be heard next week in the House Natural Resources Committee.

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