

**IDAPA 02
TITLE 04
CHAPTER 30**

02.04.30 - RULES GOVERNING NUTRIENT MANAGEMENT

000. LEGAL AUTHORITY.

This chapter is adopted under the legal authority of Title 37, Chapters 3 and 46, Title 22, Chapters 1 and 49, and Title 25, Chapter 40, Idaho Code. (3-29-12)(_____)

001. TITLE AND SCOPE.

01. Title. The title of this chapter is “Rules Governing Nutrient Management.” (4-2-08)

02. Scope. These rules shall govern the certification process for soil samplers and nutrient management planners, and the process for collecting and handling soil samples. (4-2-08)

(BREAK IN CONTINUITY OF SECTIONS)

004. INCORPORATION BY REFERENCE.

The following documents are incorporated by reference, and copies of the documents may be obtained from the Idaho State Department of Agriculture central office at 2270 Old Penitentiary Road, Boise, Idaho, 83712 or accessed online. (3-29-12)

01. August 1997 University of Idaho, Soil Sampling Bulletin 704 (revised). This document can be viewed online at <http://www.cals.uidaho.edu/edComm/pdf/EXT/EXT0704.pdf>. (3-29-12)

02. Nutrient Management Standard (NMS). (3-29-12)

a. The 1999 publication by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Idaho Conservation Practice Standard, Nutrient Management Code 590. This document can be viewed online at http://www.agri.idaho.gov/AGRI/Categories/Animals/Documents/nutrient_Management_code_590.PDF. (3-29-12)(_____)

b. The 2007 publication by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Idaho Conservation Practice Standard, Nutrient Management Code 590. This document can be viewed online at http://www.agri.idaho.gov/AGRI/Categories/Environment/nmp/nmpPDF/june_2007_NRCS_590.pdf. (3-29-12)(_____)

100. NUTRIENT MANAGEMENT PLANS.

All NMPs required by IDAPA 02.04.14, “Rules of the Department of Agriculture Governing Dairy Byproduct,” IDAPA 02.04.15, “Rules Governing Beef Cattle Animal Feeding Operations,” and IDAPA 02.04.32, “Rules Governing Poultry Operations,” must be written by nutrient management planners who have been certified by the Department. (3-29-12)

(BREAK IN CONTINUITY OF SECTIONS)

200. SOIL SAMPLES.

The owners or operators of all dairies, beef cattle operations, and poultry operations required to implement nutrient management plans pursuant to IDAPA 02.04.14, “Rules ~~of the Department of Agriculture Waste~~ Governing Dairy Byproduct,” IDAPA 02.04.15, “Rules Governing Beef Cattle Animal Feeding Operations,” and IDAPA 02.04.32, “Rules Governing Poultry Operations,” must have soil samples collected each year from all fields owned or operated by the dairy, beef, or poultry operation to which livestock waste, manure, or process wastewater from the operation was land applied. In addition, a poultry operation must have soil samples collected each year from all fields owned or operated by the poultry operation to which soil amendments from the operation were land applied. (3-29-12)

(BREAK IN CONTINUITY OF SECTIONS)

400. RECORDS OF NUTRIENT ANALYSIS.

Owners or operators of facilities who are required to implement NMPs pursuant to IDAPA 02.04.14, “Rules Governing Dairy ~~Waste~~ Byproduct,” IDAPA 02.04.15, “Rules Governing Beef Cattle Animal Feeding Operations,” and IDAPA 02.04.32, “Rules Governing Poultry Operations,” must retain records of nutrient analysis for a minimum of five (5) years. (3-29-12)

01. Complete Records. Records must be complete, readily available, and identified to the fields listed in the facility’s NMP. (4-2-08)

02. Available to the Director. Records must be made available to the director for inspection and copying upon request. (4-2-08)

(BREAK IN CONTINUITY OF SECTIONS)

990. PENALTIES.

Any person violating any of the provisions of this Chapter may be subject to the penalty provisions of Title 22, Chapter 1 and 49, Title 37, Chapter 46, and Title 25, Chapter 40, Idaho Code. (3-29-12)

01. Monetary Penalties. The imposition or computation of monetary penalties shall take into account the seriousness of the violation, good faith efforts to comply with the law, the economic impact of the penalty on the violator and such other matters as justice requires. (4-2-08)

02. Minor Violations. The Director may issue suitable warnings or other administrative actions for minor violations. (4-2-08)