



Tracking #: A210-2019-12
Status: DFM Analyst: Recommended 04/22/19
 Gov's Office: Recommended 05/02/19
 DFM Regulatory: Recommended 05/03/19
 DFM Admin:

Administrative Rules Request Form

Agency Name: Agriculture, Department of	Submitted on: 04/17/2019
Primary Contact: Scott Leibsle DVM Phone: 208-332-8540	Email: scott.leibsle@isda.idaho.gov
Secondary Contact: Phone:	Email:
Person Authorizing Rule: Brian Oakey Phone: 208-332-8500	Email: Brian.Oakey@ISDA.Idaho.gov
State or Federal Statute that Authorizes this Rule: Title 37, Chapter 6; Title 22, Chapters 1, 49; Title 25, Chapter 40, Idaho Code	
IDAPA, Title, Chapter, and Section Number(s) (e.g. - 35.01.02.028): 02.04.30.004	
Administrative Bulletin for Publication: June 2019	
This rule is: <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Temporary	
Under the Red Tape Reduction Act (Executive Order 2019-02), this rulemaking (select all that apply):	
<input type="checkbox"/> Increases regulatory requirements <input type="checkbox"/> Decreases regulatory requirements <input checked="" type="checkbox"/> Neither Increases nor decreases regulatory requirements <input type="checkbox"/> Qualifies for an exemption	
Agency has determined, according to Idaho Code 67-5220(1), that	
<input checked="" type="checkbox"/> This rule will be negotiated with interested persons as outlined in Idaho Code 67-5220(3) <input type="checkbox"/> Negotiation of this rule is not feasible	
Provide a short summary of the changes this rule makes:	
1) Incorporate by Reference the Idaho Dairy Nutrient Management Standard; and 2) Amend all associated rule language with reference to the previous standard. In addition to the proposed changes, IDAPA 02.04.30 will be reviewed for amendment or repeal of select sections in order to comply with Gov. Little's Executive Order 2019-02, Red Tape Reduction Act.	
Why is this rule needed? What prompted this request?	
The Idaho Dairy Industry petitioned ISDA for rulemaking in 2018 to create a new nutrient management standard that is appropriate and feasible for Idaho dairy producers. This rule must be updated to reflect the new standard.	
List any affected parties and potential concerns they may have with this rule. How will the agency involve these parties in the negotiated rulemaking process?	
Idaho dairy producers looking to expand their operation or purchase additional land/facilities will be affected by this rule change. Outreach and invitations to attend rulemaking to these stakeholders will be facilitated using industry groups such as the Milk Producers of Idaho, Association, Idaho Farm Bureau and Idaho Dairyman's Association.	
Provide the projected fiscal impact for all programs affected, including both positive and negative impacts to all fund sources (General, dedicated and federal):	
There will be no fiscal impact to Animal Industries programs as a result of this rule change	
What impact will this rule have on the competitiveness of businesses and individuals?	
This rule change will allow Idaho dairy producers to be regulated by a more simplified and defensible nutrient management standard.	
DFM Analyst: Amber Christofferson	<input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended Date: 04/22/2019
Comments:	
This rulemaking incorporates by reference the Idaho Dairy Nutrient Management Standard and allows for more simplified standards.	
Fiscal Impact Comments:	

This will be subject to standard rulemaking expenditures.

Final Draft Review Analyst Recommendation:

Recommended

Not Recommended

Date:

Governor's Office: Sam Eaton

Recommended

Not Recommended

Date: 05/02/2019

Comments:

This was petitioned by the dairy industry and updates references.

DFM Regulatory Review: Colby Cameron

Recommended

Not Recommended

Date: 05/03/2019

Comments:

Just a reminder to be reviewing current rules, and to draft all proposed rules to be clear and concise. Once the proposed rule language is submitted we will be doing a review under the Red Tape Reduction Act. That is where the word count will be checked against any cuts and reduction of administrative rules.

DFM Administrator Action: Alex Adams

Negotiation of proposed rule:

Authorized to begin negotiated rulemaking

Not Approved

Date: 05/03/2019

Final Approval:

Approved

Not Approved

Date:

Comments:

Are the projected fiscal impact and business impact statements still accurate? Yes No