

02.04.14.004 – RULES GOVERNING DAIRY BYPRODUCT

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004. INCORPORATION BY REFERENCE. The following documents are incorporated by reference into this chapter.

02. Nutrient Management Standard (NMS).

a. **Idaho NRCS Nutrient Management Standard 590.** The 1999 publication by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Idaho Conservation Practice Standard, Nutrient Management Code 590 (**Idaho NRCS Nutrient Management Standard 590**). This document is available online at https://agri.idaho.gov/main/wpcontent/uploads/2017/08/nutrient_Management_code_590.pdf; or-

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~~a-b.~~ **07. The Phosphorus Site Index: A Systematic Approach to Assess the Risk of Nonpoint Source Pollution of Idaho Waters by Agricultural Phosphorus, 2017 (Phosphorous Site Index).** This document is available online at <https://agri.idaho.gov/main/wp-content/uploads/2018/12/Phosphorus-Site-Index-reference-2017-revised.pdf>.

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031. PHOSPHORUS MANAGEMENT.

Dairy farms shall utilize either Phosphorus Indexing (Section 031.01) **in accordance with the Idaho Phosphorous Site Index**, or the Phosphorus Threshold (Section 031.02) **in accordance with the 1999 Idaho NRCS Nutrient Management Standard 590** to manage nutrient application. (3-31-22)

01. Phosphorus Indexing. The dairy farm shall utilize phosphorus site indexing (PSI) for each field where dairy byproducts and/or commercial fertilizers are land applied and for each pasture utilized for grazing, in accordance with the 2017 Idaho Phosphorus Site Index Standards. The PSI shall be calculated by a Nutrient Management Planner, certified by the Department, and be included as a component of the DNMP in the dairy farm's Environmental Management Plan. It shall be the dairy farm's responsibility to provide updated information, including annual soil test results, to the Nutrient Management Planner for calculation of the PSI on all fields and pastures on an annual basis. Failure to abide by the nutrient application and management provisions of a field or pasture's PSI risk classification in the DNMP shall constitute a non-compliance and the producer may be penalized as provided in these rules. (3-31-22)

- a. Notwithstanding anything to the contrary in the 2017 Idaho Phosphorus Site Index Standards, no land application of phosphorus shall be permitted on any fields or pastures that possess a soil phosphorus level exceeding three hundred (300) parts per million, as determined by the required annual soil test (via Olsen method). Further, the dairy farm shall not receive BMP Coefficient credit for implementing any best management practice designed to reduce phosphorus loss on fields exceeding three hundred (300) parts per million, via Olsen method. (3-31-22)

-b. The Department may award zero (0) or partial BMP Coefficient credit when a dairy farm implements a best management practice designed to reduce phosphorus loss from fields that does not fully conform

02. Phosphorus Threshold. If the regulatory or producer soil tests reveal that phosphorus thresholds on fields and pastures have exceeded the levels established in [the 1999 Idaho NRCS Nutrient Management Standard 590](#)~~the NMS~~, the producer shall only apply phosphorus at the appropriate phosphorus crop uptake rate. Subsequent regulatory soil test(s) on fields and pastures that were identified as exceeding the phosphorus threshold will be conducted. If two (2) out of three (3) tests reveal the phosphorus index continues to trend upward, the producer will be penalized as provided in these rules. These tests shall be taken in the top one (1) foot of soil.

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02.04.30 – RULES GOVERNING ENVIRONMENTAL AND NUTRIENT MANAGEMENT

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104. INCORPORATION BY REFERENCE. The following documents are incorporated by reference into Subchapter A, Sections 104-203 only:

01. **August 1997 University of Idaho, Soil Sampling Bulletin 704 (revised)**. This document can be viewed online at <http://www.extension.uidaho.edu/publishing/pdf/EXT/EXT0704.pdf>.

02. **Nutrient Management Standard (NMS)**.

a. **Idaho NRCS Nutrient Management Standard 590, June 1999**. The 1999 publication by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Idaho Conservation Practice Standard, Nutrient Management Code 590 ([1999 Idaho NRCS Nutrient Management Standard 590](https://www.nrcs.usda.gov/wps/wcm/connect/00000000-0000-0000-0000-000000000000/1999-Idaho-NRCS-Nutrient-Management-Standard-590.pdf?MOD=AJAX&_afPz=1)). This document can be viewed online at https://agri.idaho.gov/main/wp-content/uploads/2017/08/nutrient_Management_code_590.pdf. (3-31-22)

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b. **Idaho NRCS Nutrient Management Standard 590, 2007**. 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 https://agri.idaho.gov/main/wp-content/uploads/2017/10/june_2007_NRCS_590.pdf.

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c. The Phosphorus Site Index: A Systematic Approach to Assess the Risk of Nonpoint Source Pollution of Idaho Waters by Agricultural Phosphorus, 2017 (Idaho Phosphorous Site Index). This document is available online at <https://agri.idaho.gov/main/wp-content/uploads/2018/12/Phosphorus-Site-Index-reference-2017-revised.pdf>.

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110. DEFINITIONS

The following definitions apply in the interpretation and enforcement of Subchapter A, Sections 104-203 only:

03. Nutrient Management Standard. For beef cattle animal feeding operations, the Nutrient Management Standard is the 1999 publication by the United States Department of Agriculture Natural Resources Conservation Service Conservation Practice Standard, Nutrient Management Code 590 or other standard approved by the Director. For poultry concentrated animal feeding operations, the Nutrient Management Standard is the 2007 publication by the United States Department of Agriculture Natural Resources Conservation Service Conservation Practice Standard, Nutrient Management Code 590 or other standard approved by the director. For dairies, the Nutrient Management Standard is (a) the 1999 Idaho NRCS Nutrient Management Standard 590; (b) the Idaho Phosphorous Site Index; or (c) other standard approved by the

Director, pursuant to Idaho Code § 37-606(2).

Notes/Considerations:

- May need to add definition/incorporation by reference throughout the Environmental planning rule if those sections are left in (odor management section, cafo site advisory section, etc.)—they are currently highlighted and I was unsure what was planned for them.

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