

## **IDAPA 02 - DEPARTMENT OF AGRICULTURE**

### **02.04.14 - RULES GOVERNING DAIRY WASTE**

**DOCKET NO. 02-0414-0902**

#### **NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 37-405, Idaho Code.

**MEETING SCHEDULE:** The first public negotiated rulemaking process is tentatively scheduled to begin in October 2009. Please contact the Idaho State Department of Agriculture ("ISDA") at 208-332-8550 to be included on the distribution list for the meeting announcements.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must attend the negotiated rulemaking meeting(s) and/or deliver written comments via U.S. Postal Mail, email, facsimile, or in person on or before October 30, 2009.

**DESCRIPTIVE SUMMARY:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

This negotiated rulemaking is in response to a Petition for Rulemaking filed by the Idaho Rural Council ("Petitioner") with ISDA on May 29, 2009. ISDA subsequently granted the petition, and expects that the Petitioner will propose specific additions to IDAPA 02.04.14, "Rules Governing Dairy Waste." ISDA anticipates that the Petitioner will propose changes which would allow ISDA to regulate pathogen drift from wastewater applications through pressurized irrigation systems on licensed dairy farms within the state of Idaho.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this negotiated rulemaking, contact John Bilderback, Section Manager, Dairy and CAFO Programs, 208-332-8550 or [john.bilderback@agri.idaho.gov](mailto:john.bilderback@agri.idaho.gov).

Anyone may deliver written comments regarding this negotiated rulemaking to ISDA.

DATED this 19th day of August, 2009.

Brian J. Oakey  
Deputy Director  
Idaho State Department of Agriculture  
2270 Old Penitentiary Road, Boise, ID 83712  
P.O. Box 790, Boise, ID 83701-0790  
Phone: (208) 332-8500  
Fax: (208) 332-4062