

TO BE RESCINDED

901:13-1-12 **Placing and sloughing.**

Each owner, operator, or person responsible for agricultural operations shall prevent pollution caused by placing soil directly into or in such a position that it may readily erode or slough into waters of the state. Agricultural operations found by the director or the director's designee to have failed to implement best management practices (BMPs) to prevent sloughing of soil and have caused pollution to waters of the state shall apply and maintain BMPs to prevent soil sloughing from occurring. Agricultural operations shall not use earth disturbing practices, including tillage, immediately adjacent to waters of the state such that the disturbed soil is placed or may readily erode or slough into waters of the state, except for those practices constructed or implemented in accordance with generally accepted agricultural and engineering practices.

Effective:

Five Year Review (FYR) Dates: 3/5/2018

Certification

Date

Promulgated Under: 119.03

Statutory Authority: 939.02

Rule Amplifies: 939.02

Prior Effective Dates: 11/01/1979, 05/01/1989, 05/07/1992, 12/23/2010,
12/31/2015 (Emer.), 04/01/2016