



April 30, 2018

Idaho State Department of Agriculture  
2270 Old Penitentiary Road  
Boise, ID 83712

Dear Mr. Oakey,

On behalf of the members of our organizations, we are writing to formally request that the Department enter into negotiated rulemaking with regard to the Dairy Phosphorus Indexing rule as soon as practical.

We request that the rule be modified to allow dairy farmers the option of choosing either the phosphorus threshold method OR the phosphorus indexing method in the future, with no sunset on the use of the threshold method.

One way this could be accomplished is to delete the following sentence in rule 02.04.14.004 section 31:

“After June 30, 2023, dairy farms will no longer be allowed to use the Phosphorus Threshold (Section 031.02) provision and all facilities will be required to use Phosphorus Indexing (Section 031.01).”

Other items may come to light as our members begin to work with their nutrient management planners and determine how well the new rule will work. If our members are concerned about additional issues, we will contact the Department to discuss options to address them as they arise.

Thanks for your assistance with this important issue.

Sincerely,

A handwritten signature in blue ink that reads 'Marv Patten'.

Russ Hendricks  
Idaho Farm Bureau Federation

Marv Patten  
Milk Producers of Idaho