

From: [Dr. Scott Leibsle](#)
To: [Rick Naerebout \(rick.naerebout@gmail.com\)](#); [marvrpatten@gmail.com](#); [Russ Hendricks \(rhendricks@idahofb.org\)](#); [Austin Hopkins](#); [April Leytem \(april.leytem@ars.usda.gov\)](#); [Dave Bjoerneberg \(dave.bjoerneberg@ars.usda.gov\)](#)
Cc: [Dallas Burkhalter](#); [Janis Perry](#); [Dr. Bill Barton](#); [Brian Oakey](#); [Pradip Adhikari](#); [Katy DeVries](#)
Subject: Dairy Byproduct Rulemaking Meeting - May 30th
Date: Thursday, May 16, 2019 11:34:30 AM
Attachments: [020414 Byproduct Strawman 3rd draft 5.16.19.pdf](#)
[Idaho Dairy Nutrient Management Standard final draft 5.15.19.pdf](#)
[Soil Experiment Data and Analysis.pdf](#)

Stakeholders –

Please review the attached documents in preparation for our rulemaking meeting on Thursday May 30, 2019 at 10:00am at the Boise office. The first document (Byproduct Strawman) is the actual rule itself with the proposed changes in red “strike/score”. Please note, pursuant to the Governor’s Executive Order known as the “Red Tape Reduction Act”, I have also identified any redundant, unnecessary or antiquated language within the rule that can be removed without impacting the structure/intent of the provisions of the rule. An example of this would be rule definitions which are duplicated from the statute. These changes are also identified in red “strike/score”. All rulemakings conducted by state agencies are now required to perform a “Red Tape Reduction” analysis and make similar changes to the language during the course of rulemaking.

The second attachment is the latest version of the Idaho Dairy Nutrient Management Standard. All suggested edits from the December meeting have been implemented as discussed. A few additional comments have trickled in over the past few months that I have also addressed in the NMS...any edits made to the rule that were not discussed at the December rulemaking meeting are displayed in red strike/score.

The third attachment is the results and summary of the soil experiment we conducted to determine if a “margin of error” exists with soil phosphorus testing. Please review the data and the results closely, as this will be the focal point of this meeting. We will need to discuss how the results of this experiment impact the ability to evaluate soil phosphorus and, ultimately, enforce proper nutrient management standards for Idaho dairies. I would ask each of you to think about possible solutions to this problem and bring ideas to discuss amongst the group.

Thank you again to all of you for the time you’ve spent on the rulemaking. Hope to see you all on May 30th at 10am.

Scott R. Leibsle DVM, DABVP

Deputy Administrator
Division of Animal Industries
Idaho State Department of Agriculture
2270 Old Penitentiary Road
Boise, ID 83712
208.332.8540
scott.leibsle@isda.idaho.gov

