

**Idaho State Department of Agriculture**  
**IDAPA 02.04.18 Rules Governing CAFO Site Advisory Team**  
**June 18, 2019**  
**Dr. Scott Leibsle, Facilitator**

Present: Austin Walkins, Idaho Conservation League; Roland Wood, WPK Planning; Marv Patten, Milk Producers of Idaho; Rick Naerebout, Idaho Dairymen’s Association; Mitch Vermeer, ISDA; Scott Leibsle, ISDA; Brian Oakey, ISDA; Dallas Burkhalter, Office of Attorney General – ISDA.

**AGENDA ITEMS**

**WELCOME**

Scott Leibsle convened the meeting at 1:07 pm. After introductions, Dr. Leibsle explained that as petitioned, this rule would adopt the new Idaho Dairy Nutrient Management Standard to replace the existing 1999 NRCS 590 standard for Grade A dairies in Idaho. This new standard has been developed over the past year by stakeholders participating in rulemaking meetings for Rules Governing Dairy Byproduct and must also be amended in the CAFO site rule and the NMP rule for the standard to apply uniformly across all aspects of the dairy industry.

Marv Patten asked what happens if the Nutrient Management Standard does not move forward. Dr. Leibsle explained that then this rulemaking could be aborted or amended. Brian Oakey, Mitch Vermeer, and Dr. Leibsle discussed the comparison of “risk assessment” for CAFOs of phosphorus threshold versus phosphorus indexing. They agreed that the risk rating is subjective, but agreed to attempt to compare them.

Regarding Red Tape Reduction Act, Dr. Leibsle indicated that the suggested changes involve definitions that are duplicated from the statute. Marv Patten questioned whether “odor” and “land application” are duplicative. Marv also asked if the ISDA has an agreement with counties (specifically Jerome and Twin Falls) regarding defining a CAFO. Discussion followed regarding the authority to participate and that counties can be more restrictive than Federal or state laws. Brian Oakey and Dr. Leibsle summarized the suggested changes to the rule. No one had further comments.

Written comments regarding the changes to this rule may be submitted to Dr. Leibsle until June 30.

Scott Leibsle adjourned the meeting at 1:57 pm.

Respectfully submitted by Janis Perry