

From: [Dr. Scott Leibsle](#)
To: [Janis Perry](#); [Brian Oakey](#)
Cc: [Dr. Bill Barton](#)
Subject: FW: {External}Re: Dairy Byproduct Rulemaking
Date: Monday, August 19, 2019 11:08:00 AM

Please add this to the rulemaking record.

From: Austin Walkins [mailto:awalkins@idahoconservation.org]
Sent: Monday, August 19, 2019 11:06 AM
To: Dr. Scott Leibsle; Josh Johnson
Subject: {External}Re: Dairy Byproduct Rulemaking

Dr. Leibsle,

Our preference would be to declare a "no consensus" and retain the existing rule.

If the rulemaking continues, we wish to stress that the final rule must be backed by the best available science. From the discussions during the numerous rulemaking meetings, the science indicates that the P threshold method is inappropriate at levels above 20 ppm. We are concerned that the intent of continuing with a rulemaking would be to modify language such that it undercuts or disregards what the best available science has concluded.

Thank you for your efforts on coordinating this rulemaking.

Regards,

Austin Walkins

On Wed, Aug 14, 2019, 14:52 Dr. Scott Leibsle <Scott.Leibsle@isda.idaho.gov> wrote:

Marv & Austin –

At the rulemaking today, due to a lack of consensus amongst stakeholders, both IDA and Farm Bureau voted to continue the rulemaking through next year to allow additional time for conversation and outreach with their constituents. I know I have spoken to both of you informally on the phone, but I would appreciate it if you could both respond to me in writing as to the position of your organizations so I can enter it into the rulemaking record. The two options are to either declare “no consensus” and terminate the rulemaking or to request the rulemaking continue through next year and we reconvene next spring and try to negotiate the final language of the nutrient management standard and the rule. Please keep in mind that if you desire to continue the rulemaking, the agency strongly urges that you continue discussions and solicit feedback from your members in the interim period that you can report back to the rulemaking committee your findings and position next spring. Thanks for you participation in this rulemaking...I look forward to receiving your responses.

Scott R. Leibsle DVM, DABVP

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