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June 24, 2020

Scott R. Leibsle DVM, DABVP  
Idaho State Department of Agriculture  
2270 Old Penitentiary Road  
Boise, ID 83712

Submitted via email: [scott.leibsle@isda.idaho.gov](mailto:scott.leibsle@isda.idaho.gov)

**RE: Idaho Conservation League's comments following June 16<sup>th</sup> 2020 meeting on Rules Governing Dairy Byproduct - IDAPA 02.04.14**

Dear Dr. Leibsle:

Thank you for the opportunity to provide comments following the Idaho State Department of Agriculture (ISDA or "the Department") rulemaking meeting on June 16<sup>th</sup>, 2020, discussing the Rules Governing Dairy Byproduct - IDAPA 02.04.14.

Since 1973, the Idaho Conservation League has been Idaho's leading voice for clean water, clean air and wilderness—values that are the foundation for Idaho's extraordinary quality of life. The Idaho Conservation League works to protect these values through public education, outreach, advocacy and policy development. As Idaho's largest state-based conservation organization, we represent over 25,000 supporters, many of whom are interested in ensuring that dairies in Idaho are adequately regulated so as to ensure the protection of Idaho's groundwater, surface water and air resources.

Our detailed comments follow this letter. Please contact me at 208-345-6933 ext. 23 or [awalkins@idahoconservation.org](mailto:awalkins@idahoconservation.org) if you have any questions regarding our comments or if we can provide you with any additional information on this matter.

Sincerely,

Austin Walkins  
Climate Campaign Coordinator

*RE: Idaho Conservation League's comments following June 16th 2020 meeting on Rules Governing Dairy Byproduct - IDAPA 02.04.14*

## **Phosphorus Threshold - Maximum Allowable Soil P Concentration**

We appreciate the work that has gone into determining the appropriate concentration of soil phosphorus that would require dairies to switch to the Phosphorus Site Index (PSI).

Based on the available science,<sup>1,2</sup> it seems that the most appropriate and defensible approach would be to limit the use of the phosphorus threshold method to fields with soil phosphorus concentrations of 40 ppm or less. As indicated by Carey et al., 2011,<sup>1</sup> soil P concentrations of 20-30 ppm (Olsen P) should be the threshold where groundwater contamination is the primary concern. Thus, setting a hard limit of 40 ppm (Olsen P) - above which the PSI would be mandatory - would provide a more than adequate buffer that accounts for the variability associated with soil testing.

We note that Carey et al., 2011<sup>1</sup> concluded that soil P concentrations of 40 ppm (Olsen P) should be the threshold where surface water contamination is the primary concern. Given that the majority of dairies overlie groundwater resources, particularly the Eastern Snake Plain Aquifer, we believe that a hard limit of 40 ppm (Olsen P) remains the appropriate cut off for the switch between P Threshold to P Indexing.

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<sup>1</sup> See A. Carey, A. Moore and A. Leytem. (2011). Phosphorus in the Calcareous Soils of Southern Idaho: A Literature Review with Implications for Crop Production, Manure Management and Water Quality. *University of Idaho Extension*. Bul 877.  
<https://www.extension.uidaho.edu/publishing/pdf/BUL/BUL0877.pdf>

<sup>2</sup> See Dr. April Leytem's rulemaking comments, submitted June 16, 2020.