



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: State Board of Health

Subject of possible rule making: WAC 246-203-130, Keeping of animals

Statutes authorizing the agency to adopt rules on this subject: RCW 43.20.050(2)

Reasons why rules on this subject may be needed and what they might accomplish: Revision of this rule needs to be considered to improve clarity, update requirements according to current best animal management practices, and assure there is no conflict with newer and more specific statutory authorities and rules of other state and federal agencies regarding the keeping of animals and the management of manure from those animals. This would include consideration of the proposal for rule revision from the Washington State Association of Conservation Districts received by State Board of Health on June 25, 2009. It may also include consideration of revisions to help assure more consistent interpretation of the rule, while allowing local flexibility.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
The Department of Ecology has more recent and specific statutory authority and rules for water quality protection under chapter 90.48 RCW than this rule. The Department of Agriculture has more recent and specific statutory authority and rules regarding dairy nutrient (manure) management under RCW 90.48.260 and chapter 90.64 RCW than this rule. The United States Environmental Protection agency has more recent and specific federal statutory authority and rules regarding protecting water quality and regulating concentrated animal feeding operations (CAFO) than this rule. The State Board of Health will form a workgroup, request comments, and invite these agencies to participate in this revision.

Process for developing new rule (check all that apply):
 Negotiated rule making
 Pilot rule making
 Agency study
 Other (describe) Collaborative Rulemaking

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:
(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)
Ned Therien, Health Policy Analyst, State Board of Health, PO Box 47990, Olympia, WA 98504-7990.
E-mail: ned.therien@doh.wa.gov; Phone: 360-236-4103; FAX: 360-236-4088.

Rulemaking will be collaborative, with an initial stakeholder meeting to be held in November or December 2009. Interested parties may contact Ned Therien to be placed on a contact list regarding this rule and to receive an invitation to participate in the initial stakeholder meeting.

DATE 08/19/09
NAME (TYPE OR PRINT) Craig McLaughlin
SIGNATURE
TITLE Executive Director

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