

WASHINGTON STATE BOARD OF HEALTH

KEEPING OF ANIMALS RULEMAKING SUMMARY AND TIMELINE

DECEMBER, 2018

Background

Among other powers and duties, [RCW 43.20.050](#) authorizes the State Board of Health (Board) to adopt rules and standards to prevent, control, and abate health hazards and nuisance related to the disposal of human and animal excreta and animal remains. The Board's Keeping of Animals rule, [WAC 246-203-130](#), addresses the handling of animal excrement to protect health and sanitation and to prevent and abate nuisance.

Poorly managed livestock manure and other domestic animal waste presents many human health and environmental health risks. The waste can affect neighboring properties, pollute valuable surface and groundwater resources, and can cause or contribute to many other effects particularly in areas with large feeding operations and large numbers of farm animals.

Purpose

The Keeping of Animals rule is a longstanding and outdated Board rule, codified as Washington Administrative Code in 1960. The rule language dates to the 1920s and 30s. Obviously much has happened with animal keeping practices, animal waste management practices, and the state's regulatory structure in the intervening decades. In 2009, the Board received a petition from the Washington Association of Conservation Districts to amend the rule. In the process of considering the petition, the Board learned other people and organizations were interested in work on the rule.

The Board filed a CR-101, Preproposal Statement of Inquiry (WSR 09-17-132), to initiate rulemaking and explore ways to clarify the rule's scope and intent, update requirements for managing animal waste, and ensure proper fit in the current regulatory structure. In the ensuing years, limited resources and other circumstances delayed work on the rule. This overview helps inform people on work that is now underway to modernize the Board's rule by 2019. The overview and timeline will be updated periodically throughout the rulemaking process.

Recent Issues and Activities

In 2018, Board staff produced a background report 1) describing the state regulatory structure and environmental health concerns with livestock manure and other domestic animal waste, and 2) outlining Board policy direction to modernize the rule to fill a unique role in the state regulatory structure for animal waste management. In fall 2018, Board staff completed plans and other initial material for the rulemaking project. Public notice, stakeholder outreach, research, and rule writing are now underway.

Next Steps

At the Board's direction, staff are drafting rule language and taking input from stakeholders. The rulemaking process will also include public review of the draft rule prior to filing the proposed rule. To track progress or to join the project's interested parties' list, visit the [Board's rulemaking web page](#). Board staff will directly notify interested parties and will issue other notices at key milestones in the project via the Board's email distribution list and other means.

Contact Information

For more information about this rule, or to be added to our email distribution list to receive rule updates and opportunities for public comment, please email [Stuart Glasoe](#), Policy Advisor, or call 360-236-4111.

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**Washington State Board of Health
Keeping of Animals Rule**

ESTIMATED RULEMAKING TIMELINE		
Rule Activity	Anticipated Completion Date	Completion Date
File CR-101, Preproposal Statement of Inquiry	Fall 2018	August 2009
Rulemaking plan	Fall 2018	October 2018
Background report and policy recommendations	Fall 2018	December 2018
Public notice, stakeholder outreach	Fall 2018	December 2018
Initial draft rule	February 2018	April 2019
Stakeholder meeting	March 2019	April 2019
Revise draft, second stakeholder review	April 2019	June 2019
Public-review draft	May 2019	
Revise public-review draft, address comments	June 2019	
Complete rule analyses	August 2019	
File CR-102, Proposed Rule	August 2019	
Briefing to Washington State Board of Health	August 2019	
Public comment	Aug-Sep 2019	
Washington State Board of Health public hearing	October 2019	
Summary of rulemaking, response to comments	Oct-Nov 2019	
File CR-103, Adopted Rule	November 2019	
Rule effective	December 2019	

To request this document in an alternate format please contact Kelie Kahler, Washington State Board of Health Communication Manager, at 360-236-4102 or by email at kelie.kahler@sboh.wa.gov TTY users can dial 711.

