

## **Recommended Amendments to Proposed Rule: WAC 246-203-130, Keeping of Animals**

### **Exempt diffuse sources:**

WAC 246-203-130(3) Unless a standard is superseded by a more stringent standard in federal, state, or municipal law, a person must meet the following standards in order to help prevent, control, and abate nuisance and health hazards related to the disposal of domestic animal waste. Except for ~~free-range grazing~~ open-range grazing, livestock trails, trail riding, and other diffuse sources of domestic animal waste, a person must: [...]

### **Non-livestock waste disposal:**

WAC 246-203-130(3)(c) Handle domestic animal waste from nonlivestock as follows so that the waste is not stockpiled:

- (i) Hold the waste in a watertight container if stored for more than one day prior to proper disposal; and
- (ii) Bag and dispose of the waste as solid waste, unless waste is composted by a regulated compost facility per WAC 173-350-220; and [...]

### **Odor/pest control of stockpiles:**

WAC 246-203-130(3)(d) Handle domestic animal waste from livestock that is collected and stockpiled for later use or disposal as follows:

- (i) ~~Store the waste to control odors and attraction of flies, rodents, and other vectors~~ Apply control measures as reasonable to minimize and reduce odors and attraction of flies and rodents; [...]

### **Enforcement:**

WAC 246-203-130(4) The local health officer may investigate and enforce this section. Enforcement actions may include any proceeding within the local health officer's statutory authority. Before taking enforcement action the local health officer must attempt to communicate with the person who may be in violation of this section ~~in order~~ to explore the facts and, if the local health officer determines that a violation has occurred, seek voluntary compliance by education and allow the person reasonable time to correct the violation.

### **Supporting Rule Analyses:**

The proposed standard in WAC 246-203-130(3)(d)(i) mirrors but does not incorporate by reference an existing standard in chapter 173-350 WAC. As a result, the Board incorrectly exempted the proposed standard from the rule analyses. The final Significant Analysis and

SBEIS documents will be edited to correct the mistake and to incorporate a description and analysis of the proposed standard. As needed, staff will make additional corresponding edits to the final documents to accurately incorporate this information and Board action.