

McNagny, Elizabeth (AGR)

From: Mena, Nora (AGR)
Sent: Monday, April 09, 2007 11:40 AM
To: Buendel, Jerry (AGR)
Subject: FW: Range Rule Comments - ATTY CLIENT COMM

Hi, Jerry, here are Kristen's comments. Nora

Nora Mena
Program Manager
Livestock Nutrient Management Program
WA Department of Agriculture
(360) 902-2894

"Sometimes you just have to take the leap,
and build your wings on the way down..."
Kobi Yamada

From: Mitchell, Kristen (ATG)
Sent: Monday, April 09, 2007 9:53 AM
To: Mena, Nora (AGR)
Subject: Range Rule Comments - ATTY CLIENT COMM

Nora -

Here are the comments I made to the CR-102. [REDACTED]

[REDACTED] Let me know if you have other questions, etc. about what I've done.



AAG COMMENTS
R102 LNMP range

Thanks,
Kristen
Kristen K. Mitchell
Assistant Attorney General
Agriculture & Health Division
PO Box 40109
Olympia, WA 98504-0109
Phone: (360) 664-4964
Fax: (360) 586-3564

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PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington Department of Agriculture

- Preproposal Statement of Inquiry was filed as WSR 06-06-033; or
 Expedited Rule Making--Proposed notice was filed as WSR _____; or
 Proposal is exempt under RCW 34.05.310(4).

- Original Notice
 Supplemental Notice to WSR _____
 Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject) Public Disclosure of livestock information in ranges.
 RCW 42.17.31923 directs the Department of Agriculture _____

Hearing location(s):

Submit written comments to:

Name: Nora Mena
 Address: PO Box 42560
 Olympia, WA, 98504-2560
 e-mail: nmena@agr.wa.gov
 fax: (360 725 5490) _____ by (date) _____
 XXXX

Date: _____ Time: _____

Assistance for persons with disabilities: Contact _____ by _____

Date of intended adoption: _____

(Note: This is NOT the effective date)

TTY () _____ or () _____

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The proposed rule sets out _____ operations, and requested through the public disclosure process, include numeric information for: _____ nutrients generated; (3) number of acres covered by the plan or used for land application of livestock nutrients; (4) _____ and (5) crop yields. _____ RCW 42.17.31923 directs the Department of Agriculture _____ to provide the ranges for information related to _____ livestock operations. The statute _____ that the affected information is to be disclosed only _____ and that the ranges will provide meaningful information to the public while ensuring confidentiality of business information. The information covered by this rule _____ found in nutrient management plans, inspection reports, dairy livestock nutrient management program registration forms and other documents. Local Conservation Districts, several programs with the department of Agriculture, the department of Ecology and some County agencies _____

_____ When numeric information for any of the five categories is present in a requested document, the specific number will be redacted and _____

Work with stakeholders indicates that the proposed ranges provide adequate confidentiality to the operators and will still give information that will be meaningful to the requestor.

Statutory authority for adoption: RCW 42.17.31923 and chapter 34.05 RCW

Statute being implemented: 42.17.31923

Is rule necessary because of a:

- Federal Law? Yes No
 Federal Court Decision? Yes No
 State Court Decision? Yes No
 If yes, CITATION: _____

CODE REVISER USE ONLY

DATE

NAME (type or print)

Jerry Buendel

SIGNATURE

TITLE
Assistant Director, Food Safety and Consumer Services Division

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

[REDACTED]

Name of proponent: (person or organization) Department of Agriculture
 Private
 Public
 Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Nora Mens, (Jeff Canaan)	Olympia	(360) 902-2894
Implementation... Laurie Crose, Julie CARLson	Olympia	(360) 902-1982
Enforcement..... Dannie McQueen??	Olympia	()

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Formatted: French (France)

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:
Address:

phone () _____
fax () _____
e-mail _____

No. Explain why no statement was prepared.
[REDACTED]

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:
Name:
Address:

phone () _____
fax () _____
e-mail _____

No: Please explain: _____ the Washington State
Department of Agriculture is not a listed agency in RCW 34.05.328(5)(a)(i).