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**SENATE BILL 6088**

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**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** Senators Braun, Boehnke, Dozier, Saldaña, Warnick, and J. Wilson

Read first time 01/13/26. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to protecting the public from water quality  
2 impacts of publicly owned or operated game farms; adding a new  
3 section to chapter 77.12 RCW; adding a new section to chapter 90.48  
4 RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1)(a) The legislature finds that  
7 protecting public health and the safety of drinking water supplies is  
8 a fundamental responsibility of the state. In 2024 and 2025,  
9 groundwater monitoring conducted by Lewis county, the city of  
10 Centralia, and the department of fish and wildlife identified nitrate  
11 concentrations in multiple private drinking water wells in the Fords  
12 Prairie area that exceeded the federal maximum contaminant level for  
13 nitrates. Subsequent investigations, including the Bob Oke game farm  
14 groundwater investigation completed in November 2025, determined that  
15 multiple sources contribute nitrates to the aquifer, and confirmed  
16 that manure generated by pheasants at the Bob Oke game farm is a  
17 contributing source of nitrate loading to groundwater.

18 (b) The legislature further finds that, although the department  
19 of ecology administers a concentrated animal feeding operation permit  
20 program to prevent manure and nutrient pollution from animal feeding  
21 operations, the current rule-based thresholds do not expressly

1 include state-operated game farms or other facilities raising  
2 pheasants or similar game birds. As a result, these facilities are  
3 not required to obtain concentrated animal feeding operation permits,  
4 even when the number of birds, site characteristics, or manure  
5 management practices present risks to groundwater quality that are  
6 comparable to operations currently regulated under the concentrated  
7 animal feeding operation program.

8 (c) It is the intent of the legislature to ensure that all  
9 publicly operated game farms engage in manure and nutrient management  
10 practices sufficient to protect groundwater and drinking water  
11 supplies, and to align public operations with the same environmental  
12 protections expected of private agricultural producers.

13 (2) The legislature, therefore, intends to:

14 (a) Require publicly owned facilities, including each game farm  
15 operated by the department of fish and wildlife, to obtain a general  
16 permit for concentrated animal feeding operations as it applies to  
17 large concentrated animal feeding operations or an individual permit  
18 from the department of ecology where the number of animals at such  
19 facilities exceed the thresholds for concentrated animal feeding  
20 operation permit coverage applicable to privately owned or operated  
21 facilities;

22 (b) Direct the department of ecology to include, in its next  
23 update its concentrated animal feeding operation permit, to  
24 explicitly include pheasants and similar game birds within the scope  
25 of concentrated animal feeding operations;

26 (c) Ensure that manure management, groundwater monitoring, and  
27 nutrient pollution prevention measures at publicly owned facilities  
28 meet standards that safeguard public health, maintain compliance with  
29 federal and state water quality laws, and prevent further nitrate  
30 loading to aquifers serving residential drinking water wells; and

31 (d) Affirm that state agencies and local governments must model  
32 best practices for environmental stewardship and the protection of  
33 public drinking water.

34 (3) The legislature further intends that these actions will  
35 reduce nitrate contributions from public facilities, prevent future  
36 impacts to private wells, promote transparency and accountability in  
37 manure management practices, and ensure that publicly owned  
38 facilities are regulated under the same water quality protection  
39 framework as comparable privately owned concentrated animal feeding  
40 operations across Washington.

1        NEW SECTION.    **Sec. 2.**    A new section is added to chapter 77.12  
2    RCW to read as follows:

3        (1) The department, in operating any publicly owned facility at  
4    which wildlife or other animals are held, confined, propagated,  
5    hatched, fed, or otherwise raised in numbers and circumstances that  
6    would otherwise qualify the facility as a concentrated animal feeding  
7    operation under chapter 90.48 RCW, must either:

8        (a) Follow the requirements under the concentrated animal feeding  
9    operation general permit issued under chapter 90.48 RCW that are  
10   applicable to the owner or operator of any commercial or industrial  
11   operation; or

12        (b) Obtain an individual discharge permit from the department of  
13   ecology under chapter 90.48 RCW.

14        (2) At a minimum, a permit issued to the department under  
15   subsection (1)(b) of this section, or the concentrated animal feeding  
16   operation general permit applicable to the department under  
17   subsection (1)(a) of this section, must include:

18        (a) A requirement that the permit holder prepare, maintain, and  
19   implement:

20        (i) A manure pollution prevention plan that:

21        (A) Includes, at minimum, production area runoff controls, land  
22   application limits, and protocols for management of dead animals; and

23        (B) Ensures that sources of pollution related to the operation of  
24   the facility do not cause or contribute to a violation of water  
25   quality standards established by the department under this chapter;  
26   or

27        (ii) Alternative measures required by the department of ecology  
28   under an updated concentrated animal feeding operation general permit  
29   that achieve equal or better outcomes to the approach specified in  
30   (a)(i) of this subsection;

31        (b) A prohibition on discharges that cause or contribute to  
32   violations of water quality standards established by the department  
33   of ecology under chapter 90.48 RCW;

34        (c) Protocols and procedures for the use of the enforcement  
35   authority of the department of ecology under chapter 90.48 RCW for  
36   violations of permit requirements; and

37        (d) The following logistical and compliance requirements, or else  
38   alternative measures required by the department under an updated  
39   concentrated animal feeding operation general permit that achieve  
40   equal or better outcomes:

- 1 (i) Monitoring requirements, including operations and maintenance  
2 monitoring and manure, litter, and wastewater monitoring;  
3 (ii) Recordkeeping requirements; and  
4 (iii) Reporting requirements.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 90.48  
6 RCW to read as follows:

7 (1) Upon determining that a publicly owned or publicly operated  
8 facility at which animals are held, confined, propagated, hatched,  
9 fed, or otherwise raised in numbers and circumstances that would  
10 qualify the facility as a concentrated animal feeding operation under  
11 this chapter, the department must:

12 (a) Begin applying and enforcing the requirements of the  
13 concentrated animal feeding operation general permit issued under  
14 this chapter with respect to the facility; or

15 (b) Issue, upon application, an individual permit under this  
16 chapter to the facility.

17 (2) At a minimum, a permit issued to a publicly owned facility  
18 under subsection (1)(b) of this section, or the concentrated animal  
19 feeding operation general permit applicable to publicly owned  
20 facilities under subsection (1)(a) of this section, must include:

21 (a) A requirement that the permit holder prepare, maintain, and  
22 implement:

23 (i) A manure pollution prevention plan that:

24 (A) Includes, at minimum, production area runoff controls, land  
25 application limits, and protocols for management of dead animals; and

26 (B) Ensures that sources of pollution related to the operation of  
27 the facility do not cause or contribute to a violation of water  
28 quality standards established by the department under this chapter;  
29 or

30 (ii) Alternative measures required by the department under an  
31 updated concentrated animal feeding operation general permit that  
32 achieve equal or better outcomes to the approach specified in (a)(i)  
33 of this subsection;

34 (b) A prohibition on discharges that cause or contribute to  
35 violations of water quality standards established by the department  
36 under this chapter;

37 (c) Protocols and procedures for the use of the enforcement  
38 authority of the department under this chapter for violations of  
39 permit requirements; and

1 (d) The following logistical and compliance requirements, or else  
2 alternative measures required by the department under an updated  
3 concentrated animal feeding operation general permit that achieve  
4 equal or better outcomes:

5 (i) Monitoring requirements, including operations and maintenance  
6 monitoring and manure, litter, and wastewater monitoring;

7 (ii) Recordkeeping requirements; and

8 (iii) Reporting requirements.

9 (3) For purposes of determining whether a publicly owned facility  
10 has the number of animals that would qualify the facility as a  
11 concentrated animal feeding operation under this chapter, the  
12 department must treat a facility with more than 5,000 game birds  
13 present at any point in time as a large concentrated animal feeding  
14 operation subject to the most protective standards for water quality  
15 that apply to any category of concentrated animal feeding operation.

16 (4) The powers and duties of the department, including the power  
17 and duty to enforce permit requirements, the enforcement provisions  
18 under this chapter, and any and all other remedies available apply to  
19 publicly owned facilities specified in this section in the same  
20 manner as they apply to privately owned facilities that qualify for  
21 concentrated animal feeding operation general permit coverage.

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