



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)  
(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

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DATE: November 19, 2025

TIME: 8:20 AM

WSR 25-23-112

**Agency:** Department of Ecology AO # 25-10

**Subject of possible rule making:** Chapter 173-316 WAC Food Center Grant Programs

Ecology is conducting rulemaking to establish new grant programs under the Washington Center for Sustainable Food Management (Food Center). The rule will establish participant and project eligibility, additional grant eligibility, and reporting criteria. Ecology will also establish specific criteria to ensure grant recipients will help implement Use Food Well Washington Plan recommendations such as funding staff and infrastructure to improve the donated food supply cold chain.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 70A.207.040 Grant programs—Diversion of organic materials, RCW 70A.207.050 Grant programs—Eligible recipients

**Reasons why rules on this subject may be needed and what they might accomplish:** In 2024 the State Legislature passed HB 2301, which requires Ecology to develop and administer new grant programs through the Center for Sustainable Food Management (Food Center). These grant programs will support activities that reduce emissions from landfills and waste-to-energy facilities through organic material diversion and food waste prevention, rescue, and recovery.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** Ecology is coordinating with several state agencies to ensure alignment with existing programs and regulations. The Washington State Department of Agriculture (WSDA) regulates food safety and administers hunger relief and food infrastructure programs, helping ensure safe handling and storage of donated food. The Office of Superintendent of Public Instruction (OSPI) oversees school nutrition programs and food distribution, ensuring donated food initiatives align with school food service rules. The Washington State Department of Commerce supports infrastructure development and has evaluated food waste systems, providing input on funding priorities. The Washington State Department of Health (DOH) regulates food safety and public health standards, particularly for donated and perishable foods. The Washington State Department of Social and Health Services (DSHS) manages nutrition assistance programs and helps ensure that food recovery efforts reach vulnerable populations. Ecology is also considering guidance from federal agencies such as the US Department of Agriculture (USDA), Food Drug Administration (FDA), and Environmental Protection Agency (EPA) to align with national food safety, donation, and waste reduction standards.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Ecology will follow the standard process for the adoption of rules under the Administrative Procedure Act (Chapter 34.05 RCW).

**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

Name: Chris Fredley	(If necessary) Name:
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Fax: N/A	Fax:
TTY: For Washington Relay Service or TTY call 711 or 877-833-6341.	TTY:
Email: <a href="mailto:FCGrantRules@ecy.wa.gov">FCGrantRules@ecy.wa.gov</a>	Email:

Web site: <https://ecology.wa.gov/regulations-permits/laws-rules-rulemaking/rulemaking/wac-173-316>

Web site:

Other: [Subscribe to receive email updates](#) on this rulemaking:

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Additional comments: Interested parties can stay informed about the rulemaking and public involvement opportunities as described above. Ecology will extend an offer for government-to-government consultation with tribal governments during each phase of rule development.

Ecology will conduct an Environmental Justice Assessment in accordance with RCW 70A.02.060 as a part of this rulemaking.

**Date:** 11/5/2025

**Signature:**

**Name:** Peter Lyon



**Title:** Solid Waste Management Program Manager