

HOUSE BILL REPORT

HB 1627

As Reported by House Committee On:
Agriculture & Natural Resources
Appropriations

Title: An act relating to farmland preservation.

Brief Description: Creating the office of farmland preservation.

Sponsors: Representatives Linville, Quall, Pearson, Strow, Morrell, Bailey, Conway, Haigh, Rolfes, Springer and Simpson.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 2/8/07, 2/26/07 [DP];

Appropriations: 3/3/07 [DPS].

Brief Summary of Substitute Bill

- Creates the Office of Farmland Preservation in the State Conservation Commission and establishes a Farmland Preservation Task Force

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass. Signed by 10 members: Representatives B. Sullivan, Chair; Blake, Vice Chair; Dickerson, Eickmeyer, Grant, Kagi, Lantz, McCoy, Strow and VanDeWege.

Minority Report: Do not pass. Signed by 5 members: Representatives Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Hailey, Newhouse and Orcutt.

Staff: Meg Van Schoorl (786-7105).

Background:

State Conservation Commission

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The State Conservation Commission (Commission) established in Chapter 89.08 RCW is charged with a number of powers and duties related to the conservation of renewable natural resources, including:

- assisting Conservation District (District) supervisors to carry out powers and programs, keeping them informed about other Districts' activities and experiences and facilitating interchange and cooperation;
- securing the cooperation and assistance of public and private agencies with Districts, and reviewing agreements between Districts and other entities;
- recommending legislative funding for the Commission and Districts, administering associated legal provisions, and advising Districts on conformance with laws and regulations;
- distributing funds, property, and services to Districts received from any source, subject to applicable conditions; and
- coordinating planning, programs, and activities with other agencies involved with conservation of renewable natural resources.

Agricultural Conservation Easements Program (Chapter 89.08.530 and .540 RCW)

In 2002, the Legislature created the Agricultural Conservation Easements Program (Program) to "facilitate the use of federal funds, ease the burdens of local governments launching similar programs at the local level, and help local governments fight the conversion of agricultural lands they have not otherwise protected through their planning processes." The Commission is required to manage the Program, and is authorized to receive and expend public and private gifts, grants, or endowments for the benefit of the Program. An Agricultural Conservation Easements Account (Account) was created in the State Treasury to receive such gifts, grants and endowments, and expenditures from the Account may only be made to purchase easements under the Program. The Commission must report to the Legislature on an ongoing basis regarding potential funding sources and recommendations for changes to existing funding.

Summary of Bill:

An Office of Farmland Preservation is created within the State Conservation Commission, with staff support by the Commission. The Farmland Preservation Task Force (Task Force) is also established, staffed by the Commission, and directed to meet at least twice yearly. Members are entitled to travel cost reimbursement. The Task Force terminates on January 1, 2011, and has the following membership provisions:

# REPRESENTING	APPOINTING	OTHER
	AUTHORITY	REQUIREMENTS
VOTING MEMBERS		

6	Farmers, one from each of six regions delineated by the Commission	Governor, from nominees by recognized agricultural organizations	At least two representatives must be under age 45
1	State Conservation Commission	Commission Chair	
1	Department of Agriculture	Department Director	
1	Counties in eastern Washington	Washington State Association of Counties	
1	Counties in western Washington	Washington State Association of Counties	
2	Senate - one from each major political caucus	Senate President	
2	House - one from each major political caucus	House Speaker	
1	Governor's office	Governor	
1	Conservation Districts	State Association of Conservation Districts	

NON-VOTING MEMBERS (PARTICIPATION TO BE REQUESTED)

1	Federal Natural Resources Conservation Service	State Conservationist	Knowledge of federal agricultural land retention programs and funding sources
1	Department of Community, Trade and Economic Development	Department Director	Technical expertise

The Office of Farmland Preservation is authorized to:

- advise and assist the Commission in implementing the Agricultural Conservation Easements Program;
- develop recommendations for the funding level of the Agricultural Conservation Easements Account, with guidance from the Farmland Preservation Task Force;
- provide an analysis of major factors that have led to past declines in amount and use of agricultural lands and that will likely affect their future retention and viability;

- develop model programs and tools to retain agricultural land for agricultural production, with guidance from the Farmland Preservation Task Force;
- provide technical assistance, a grant process and an eligibility certification process for localities developing programs and tools to retain agricultural land for agricultural production; and
- begin to develop a program to assist in transition of farmland and related businesses from one generation to the next, and provide analysis and recommendations for continued program development and implementation.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony:

(In support) We strongly support this bill because we need to slow the conversion of farmland to development. Five percent of the state's farm land and 33 percent of the state's farms are located in Western Washington where there is extreme pressure for development. Preservation of working agricultural lands is also a food security issue. What we are doing now by allowing prime agricultural farmland to be divided into hundreds of pieces is more "in perpetuity" than any easement could be. The land base is eroding out from under independent producers sprinkled across the state who are trying to compete in the global economy. Seventy-five percent of agricultural lands have higher value than the value of production. Agriculture is a generational business. Succession planning should be done in every county that has agricultural production, and there should be incentives provided for farmers to stay in business. Those counties that plan under the Growth Management Act are required to identify and protect agricultural lands of long-term significance, but only a handful of counties have implemented a program to protect this land base of nearly 36,000 farms that generate \$5.3 billion in farmgate value. From 1997 to 2002, we lost over 4,000 farms and 461,000 acres of farmland. The Commission, a non-regulatory agency with incentive-based programs, is the perfect place for this office.

(Concerns) This bill creates another agency and artificially locks up affordable, buildable land. We do not agree with granting conservation easements in perpetuity.

(Opposed) None.

Persons Testifying: (In support) Representative Linville, prime sponsor; Kaleen Cottingham, Futurewise; Carolyn Kelly, Skagit Conservation District; Ellen Bynum, Friends of Skagit County and Western Washington Agriculture Association; Don Stuart, American Farmland Trust; and Stu Trefry, Washington Conservation Commission.

(Concerns) Andrew Cook, Building Industry Association of Washington.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 26 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Bailey, Assistant Ranking Minority Member; Cody, Conway, Darneille, Ericks, Fromhold, Grant, Haigh, Hunt, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, McDonald, McIntire, Morrell, Pettigrew, Priest, Schual-Berke, Seaquist, P. Sullivan and Walsh.

Minority Report: Do not pass. Signed by 8 members: Representatives Alexander, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Anderson, Buri, Chandler, Dunn, Hinkle and Kretz.

Staff: Alex MacBain (786-7288).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Agriculture & Natural Resources:

The Appropriations Committee added a null and void clause to the bill.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony:

(In support) This bill is long overdue. The conversion of agricultural land is an important issue in the State of Washington not only because of the loss of the land itself, but also to understand the economic factors that make farming economically viable. A centralized office would be helpful in terms of looking at the data, information, and tools to better understand the causes of the farmland conversion.

(Opposed) None.

Persons Testifying: Kaleen Cottingham, Futurewise.

Persons Signed In To Testify But Not Testifying: None.