H-3041.1

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**HOUSE BILL 2524**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Representatives Pike, Blake, Manweller, Vick, Shea, and Eslick

AN ACT Relating to soil samples in classifying agricultural and forestland; and amending RCW 36.70A.050.

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

**Sec.**  RCW 36.70A.050 and 1990 1st ex.s. c 17 s 5 are each amended to read as follows:

(1) Subject to the definitions provided in RCW 36.70A.030, the department shall adopt guidelines, under chapter 34.05 RCW, no later than September 1, 1990, to guide the classification of: (a) Agricultural lands; (b) forestlands; (c) mineral resource lands; and (d) critical areas. The department shall consult with the department of agriculture regarding guidelines for agricultural lands, the department of natural resources regarding forestlands and mineral resource lands, and the department of ecology regarding critical areas.

(2) In carrying out its duties under this section, the department shall consult with interested parties, including but not limited to: (a) Representatives of cities; (b) representatives of counties; (c) representatives of developers; (d) representatives of builders; (e) representatives of owners of agricultural lands, forestlands, and mining lands; (f) representatives of local economic development officials; (g) representatives of environmental organizations; (h) representatives of special districts; (i) representatives of the governor's office and federal and state agencies; and (j) representatives of Indian tribes. In addition to the consultation required under this subsection, the department shall conduct public hearings in the various regions of the state. The department shall consider the public input obtained at such public hearings when adopting the guidelines.

(3) The guidelines under subsection (1) of this section shall be minimum guidelines that apply to all jurisdictions, but also shall allow for regional differences that exist in Washington state. The intent of these guidelines is to assist counties and cities in designating the classification of agricultural lands, forestlands, mineral resource lands, and critical areas under RCW 36.70A.170.

(4) The guidelines established by the department under this section regarding classification of forestlands shall not be inconsistent with guidelines adopted by the department of natural resources.

(5) The department in consultation with the department of agriculture shall adopt guidelines no later than January 1, 2019, establishing a procedure for a person to remove a local jurisdiction's designation of agricultural lands or forestlands as defined in RCW 36.70A.030 in circumstances where soil surveys conducted in accordance with standards promulgated by the United States department of agriculture indicate that the composition of the soil is not suitable to support activities or crops in accordance with the local jurisdiction's designation.

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