

SENATE BILL REPORT

SHB 2758

As Reported By Senate Committee On:
Agriculture & International Trade, February 27, 2002

Title: An act relating to establishing the agricultural conservation easements program.

Brief Description: Establishing the agricultural conservation easements program.

Sponsors: House Committee on Agriculture & Ecology (originally sponsored by Representatives Quall, Linville and Hunt).

Brief History:

Committee Activity: Agriculture & International Trade: 2/27/02 [DP].

SENATE COMMITTEE ON AGRICULTURE & INTERNATIONAL TRADE

Majority Report: Do pass.

Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Parlette, Sheahan, Snyder, Spanel and Swecker.

Staff: Bob Lee (786-7404)

Background: The Washington State Conservation Commission is a state agency that supports 48 locally governed conservation districts to promote cooperation of landowners and resource users in developing, adopting, and implementing conservation practices. The commission manages technical and financial assistance programs relating to issues such as salmon recovery, streamside buffers, and water quality.

Local governments and certain public and private entities are authorized to acquire the title to or other interests in land for the purposes of protecting, improving, restoring, maintaining or conserving certain open space, farm or agricultural, and timber land for public use or enjoyment. The entities authorized to make these acquisitions include counties, cities, towns, metropolitan park districts, metropolitan municipal corporations, nonprofit historic preservation corporations, and nonprofit nature conservancy corporations or associations. These entities are specifically authorized to acquire development rights in certain open space, farm or agricultural, and timber land for conservation purposes. The statutes authorizing these acquisitions include some general provisions on future uses of property acquired for these purposes.

To fund acquisitions, counties may impose a property tax levy against the assessed valuation of all taxable property in the county. The property tax levy amount may be no greater than \$0.0625 per \$1,000 of assessed valuation. The levy revenues may be placed in a "conservation futures fund," which may only be used to acquire rights and interests in real property.

Summary of Bill: The agricultural conservation easements program is established in the state Conservation Commission. The commission must report to the Legislature on the potential funding sources for purchase of agricultural conservation easements and recommend changes to existing funding authorized by the Legislature.

All program funding must be deposited into the agricultural conservation easements account, which is created in the state treasury. Account deposits include legislative appropriations, other sources directed by the Legislature, and gifts, grants, or endowments from public or private sources. Local governments and private nonprofits may be funded from the account on a "match" or "no match" basis. Any easements purchased with account funds run with the land.

The commission is required to manage the program and adopt rules as needed to implement legislative intent.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Conservation easements provide a way for agricultural land to remain in agricultural use and protect it from urbanization. This incentive based concept is an alternative to the regulatory approach. Congress is considering as part of the federal farm bill, providing significant funds for this type of program.

Testimony Against: None.

Testified: PRO: Pat McGregor, Washington Association of Conservation Districts; Don Stuart, American Farmland Trust; Mike Ryherd, Washington Wildlife and Recreation Coalition; Hertha Lund, Washington State Farm Bureau; Steve Stuart, 1000 Friends of Washington; Steve Meyer, Conservation Commission.