**5947-S2 AMH RDAN H5045.3 - NOT FOR FLOOR USE**

**2SSB 5947** - H COMM AMD

By Committee on Rural Development, Agriculture, & Natural Resources

**NOT ADOPTED 03/04/2020**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  The legislature finds that Washington's working agricultural lands are essential to the economic and social well-being of our rural communities and to the state's overall environment and economy. The legislature further finds that different challenges and opportunities exist to expand the use of precision agriculture for different crops in the state by assisting farmers, ranchers, and aquaculturists to purchase equipment and receive technical assistance to reduce their operations' carbon footprint while ensuring that crops and soils receive exactly what they need for optimum health and productivity. Moreover, the legislature finds that opportunities exist to enhance soil health through carbon farming and regenerative agriculture by increasing soil organic carbon levels while ensuring appropriate carbon to nitrogen ratios, and to store carbon in standing trees, seaweed, and other vegetation. Therefore, it is the intent of the legislature to provide cost-sharing competitive grant opportunities to enable farmers and ranchers to adopt practices that increase appropriate quantities of carbon stored in and above their soil and to initiate or expand the use of precision agriculture on their farms. This act seeks to leverage and enhance existing state and federal cost-sharing programs for farm, ranch, and aquaculture operations.

NEW SECTION. **Sec.**  The definitions in this section apply throughout this section and sections 3 through 8 of this act unless the context clearly requires otherwise.

(1) "Carbon dioxide equivalent emission" means a metric measure used to compare the emission impacts from various greenhouse gases based on their relative radiative forcing effect over a specified period of time compared to carbon dioxide emissions.

(2) "Carbon dioxide equivalent impact" means a metric measure of the cumulative radiative forcing impacts of both carbon dioxide equivalent emissions and the radiative forcing benefits of carbon storage.

(3) "Commission" means the Washington state conservation commission created in this chapter.

(4) "Conservation district" means one or a group of Washington state's conservation districts created in this chapter.

NEW SECTION. **Sec.**  (1) The commission shall develop a sustainable farms and fields grant program in consultation with the department of agriculture, Washington State University, and the United States department of agriculture natural resources conservation service.

(2) As funding allows, the commission shall distribute funds, as appropriate, to conservation districts and other public entities to help implement the projects approved by the commission.

(3) No more than fifteen percent of the funds may be used by the commission to develop, or to consult or contract with private or public entities, such as universities or conservation districts, to develop:

(a) An educational public awareness campaign and outreach about the sustainable farm and field program; or

(b) The grant program, including the production of analytical tools, measurement estimation and verification methods, cost-benefit measurements, and public reporting methods.

(4) No more than five percent of the funds may be used by the commission to cover the administrative costs of the program.

(5) No more than twenty percent of the funds may be awarded to any single grant applicant.

(6) Allowable uses of grant funds include:

(a) Annual payments to enrolled participants for successfully delivered carbon storage or reduction;

(b) Up-front payments for contracted carbon storage;

(c) Down payments on equipment;

(d) Purchases of equipment;

(e) Purchase of seed, seedlings, spores, animal feed, and amendments;

(f) Services to landowners, such as the development of site-specific conservation plans to increase soil organic levels or to increase usage of precision agricultural practices, or design and implementation of best management practices to reduce livestock emissions; and

(g) Other equipment purchases or financial assistance deemed appropriate by the commission to fulfill the intent of sections 2 through 8 of this act.

(7) Grant applications are eligible for costs associated with technical assistance.

(8) Conservation districts and other public entities may apply for a single grant from the commission that serves multiple farmers.

(9) Grant applicants may apply to share equipment purchased with grant funds. Applicants for equipment purchase grants issued under this grant program may be farm, ranch, or aquaculture operations coordinating as individual businesses or as formal cooperative ventures serving farm, ranch, or aquaculture operations. Conservation districts, separately or jointly, may also apply for grant funds to operate an equipment sharing program.

(10) No contract for carbon storage or changes to management practices may exceed twenty-five years. Grant contracts that include up-front payments for future benefits must be conditioned to include penalties for default due to negligence on the part of the recipient.

(11) The commission shall attempt to achieve a geographically fair distribution of funds across a broad group of crop types, soil management practices, and farm sizes.

(12) Any applications involving state lands leased from the department of natural resources must include the department's approval.

NEW SECTION. **Sec.**  (1) When prioritizing grant recipients, the commission, in consultation with the department of agriculture, Washington State University, and the United States department of agriculture natural resources conservation service, shall seek to maximize the benefits of the grant program by leveraging other state, nonstate, public, and private sources of money. The primary metrics used to rank grant applications must be made public by the commission.

(2) The grant program must prioritize or weight projects based on consideration of the individual project's ability to:

(a) Increase the quantity of organic carbon in topsoil through practices including, but not limited to, cover cropping, no-till and minimum tillage conservation practices, crop rotations, manure application, biochar application, compost application, and changes in grazing management;

(b) Increase the quantity of organic carbon in aquatic soils;

(c) Intentionally integrate trees, shrubs, seaweed, or other vegetation into management of agricultural and aquacultural lands;

(d) Reduce or avoid carbon dioxide equivalent emissions in or from soils;

(e) Reduce nitrous oxide and methane emissions through changes to livestock or soil management; and

(f) Increase usage of precision agricultural practices.

(3) The commission shall develop and approve a prioritization metric to guide the distribution of funds appropriated by the legislature for this purpose, with the goal of producing cost-effective carbon dioxide equivalent impact benefits.

(4) Applicants that create riparian buffers along waterways, or otherwise benefit fish habitat, must receive an enhanced prioritization compared to other grant applications that perform similarly under the prioritization metrics developed by the commission.

(5) The commission shall downgrade a specific grant proposal within its prioritization metric if the proposal is expected to cause significant environmental damage to fish and wildlife habitat.

NEW SECTION. **Sec.**  (1) The commission shall determine methods for measuring, estimating, and verifying outcomes under the sustainable farms and fields grant program in consultation with Washington State University, the department of agriculture, and the United States department of agriculture natural resources conservation service.

(2) The commission may require that a grant recipient allow the commission, or contractors hired by the commission, including the Washington State University extension program, access to the grant recipient's property, with reasonable notice, to monitor the results of the project or projects funded by the grant program on the grant recipient's property.

NEW SECTION. **Sec.**  (1) By October 15, 2021, and every two years thereafter, the commission shall report to the legislature and the governor on the performance of the sustainable farms and fields grant program.

(2) The commission shall update at least annually a public list of projects and pertinent information including a summary of state and federal funds, private funds spent, landowner and other private cost-share matching expenditures, the total number of projects, and an estimate of carbon sequestered or carbon emissions reduced.

(3) By July 1, 2024, the commission, in consultation with Washington State University and the University of Washington, must evaluate and update the most appropriate carbon equivalency metric to apply to the sustainable farms and fields grant program. Until this equivalency is updated by the commission, or unless the commission identifies a better metric, the commission must initially use a one hundred year storage equivalency that can be linearly annualized to recognize the storage of carbon on an annual basis based on the storage of 3.67 tons of biogenic carbon for one hundred years being assigned a value equal to avoiding one ton of carbon dioxide equivalent emissions.

(4) The grant recipient and other private cost-sharing participants may at their own discretion allow their business or other name to be listed on the public report produced by the commission. All grant recipients must allow anonymized information about the full funding of their project to be made available for public reporting purposes.

NEW SECTION. **Sec.**  The sustainable farms and fields account is created in the state treasury. All receipts of money directed to the account must be deposited in the account. Expenditures from the account may be used only for purposes relating to the sustainable farms and fields grant program established in section 3 of this act. Moneys in the account may be spent only after appropriation.

NEW SECTION. **Sec.**  Money from other state grant programs, other jurisdictions grant programs, private, and other moneys are encouraged to provide cost-share with funds as part of a single grant proposal as a means to enhance a grant proposal under the prioritization metric in section 4 of this act.

NEW SECTION. **Sec.**  Sections 2 through 8 of this act are each added to chapter 89.08 RCW.

NEW SECTION. **Sec.**  (1) This act does not take effect unless the specific funding identified in this section is adopted by the legislature in a supplemental capital budget in chapter . . ., Laws of 2020 (House Bill No. 2324/Senate Bill No. 6248) by March 13, 2020, that appropriates the following sums to the following programs:

(a) The sum of four hundred thousand dollars to the state conservation commission for the water irrigation efficiencies program;

(b) The sum of four hundred thousand dollars to the state conservation commission for the natural resources investments program; and

(c) The sum of four hundred thousand dollars to the state conservation commission for the shellfish growing area improvement program.

(2) By June 1, 2020, the office of financial management must notify the chief clerk of the house of representatives, the secretary of the senate, and the office of the code reviser whether or not the specific funding identified in subsection (1) of this section was provided in a supplemental capital budget in chapter . . ., Laws of 2020 (House Bill No. 2324/Senate Bill No. 6248)."

Correct the title.

EFFECT: Directs the Washington State Conservation Commission (Commission) to develop a Sustainable Farms and Fields Grant Program (Program) in consultation with the Washington State Department of Agriculture (WSDA), Washington State University (WSU), and the Natural Resources Conservation Service (NRCS) within the U.S. Department of Agriculture.

Directs the Commission to develop and approve a prioritization metric to guide the distribution of funds appropriated by the Legislature for this purpose, with the goal of producing cost-effective carbon dioxide equivalent impact benefits.

Establishes the following allowable uses of grant funds from the Program:

Annual payments to enrolled participants for successfully delivered carbon storage or reduction;

Up-front payments for contracted carbon storage;

Down payments on equipment;

Purchases of equipment;

Purchase of seed, seedlings, spores, animal feed, and amendments;

Services to landowners, such as the development of site-specific conservation plans to increase soil organic levels or to increase usage of precision agricultural practices, or design and implementation of best management practices to reduce livestock emissions; and

Other equipment purchases or financial assistance deemed appropriate by the Commission.

Establishes funding limits for certain categories of expenses eligible to be funded.

Directs the Commission to determine methods for measuring, estimating, and verifying outcomes under the Program in consultation with WSU, the WSDA, and the NRCS.

Requires all grant recipients to allow anonymized information about the full funding of their project to be made available for public reporting purposes.

Directs the Commission to report to the Legislature by October 15, 2021, and every two years thereafter on the performance of the Program.

Requires the Commission to maintain a public list of projects funded under the Program.

Directs the Commission to consult with WSU and the University of Washington to adopt an appropriate carbon equivalency metric for the Program; until that time, the Commission is directed to use an equivalency that recognizes the storage of 3.67 tons of biogenic carbon for 100 years being assigned a value equal to avoiding one ton of carbon dioxide equivalent emissions.

Creates the Sustainable Farms and Fields Account in the State Treasury.

Provides that the act does not take effect unless the Legislature adopts a supplemental capital budget by March 13, 2020, that appropriates the following sums to the State Conservation Commission for the following programs: $400,000 for the water irrigation efficiencies program; $400,000 for the natural resources investments program; and $400,000 for the shellfish growing area improvement program.