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**HOUSE BILL 2499**

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**State of Washington 68th Legislature 2024 Regular Session**

**By** Representative Dye

AN ACT Relating to preserving the productive potential of agricultural land; and adding a new chapter to Title 70A RCW.

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

NEW SECTION. **Sec.**  The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Conservation plan" means a plan submitted by an agricultural producer and approved by the United States department of agriculture's natural resources conservation service to substantially reduce soil loss when farming on land identified as highly erodible land.

(2) "Highly erodible land" means land that either can erode at excessive rates because of its soil properties, is designated by field and based on the proportion of the total field acreage that contains highly erodible soils, or both, as determined by the United States department of agriculture.

(3) "Solar canopy" means an elevated structure, or multiple structures, containing a solar energy system, as defined in RCW 82.16.110, with a nameplate capacity of at least one megawatt of alternating current. "Solar canopy" includes the solar energy system, power lines, and any equipment required to connect the solar canopy to the electrical grid.

NEW SECTION. **Sec.**  (1) In order to preserve soil health, any developer, owner, or operator siting a utility-scale solar canopy facility on highly erodible land where a landowner has maintained a conservation plan approved by the United States department of agriculture's natural resources conservation service must remain in compliance with the conservation plan throughout the life of the facility.

(2) A developer, owner, or operator of a utility-scale solar canopy facility who does not remain in compliance with a conservation plan throughout the life of the facility is not eligible for any tax preferences, deferrals, or incentives under either Title 82 or 84 RCW.

NEW SECTION. **Sec.**  Sections 1 and 2 of this act constitute a new chapter in Title 70A RCW.

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