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**HOUSE BILL 2499**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Representative Dye

Read first time 02/12/24. Referred to Committee on Environment & Energy.

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

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

4 NEW SECTION. **Sec. 1.** The definitions in this section apply  
5 throughout this chapter unless the context clearly requires  
6 otherwise.

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

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

17 (3) "Solar canopy" means an elevated structure, or multiple  
18 structures, containing a solar energy system, as defined in RCW  
19 82.16.110, with a nameplate capacity of at least one megawatt of  
20 alternating current. "Solar canopy" includes the solar energy system,

1 power lines, and any equipment required to connect the solar canopy  
2 to the electrical grid.

3 NEW SECTION. **Sec. 2.** (1) In order to preserve soil health, any  
4 developer, owner, or operator siting a utility-scale solar canopy  
5 facility on highly erodible land where a landowner has maintained a  
6 conservation plan approved by the United States department of  
7 agriculture's natural resources conservation service must remain in  
8 compliance with the conservation plan throughout the life of the  
9 facility.

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

15 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act constitute a  
16 new chapter in Title 70A RCW.

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