
SENATE BILL 5101

State of Washington

56th Legislature

1999 Regular Session

By Senators Haugen and Rasmussen

Read first time 01/13/1999. Referred to Committee on Agriculture & Rural Economic Development.

1 AN ACT Relating to avoiding farmland conversion; and adding a new
2 chapter to Title 89 RCW.

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

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

5 (a) The state's farmland is a unique natural resource and provides
6 food and fiber for people around the world, in addition to providing
7 the essential component for the state's third largest economic sector;

8 (b) Each year, a large amount of Washington's farmland is
9 irrevocably converted from actual or potential agricultural use to
10 nonagricultural use;

11 (c) Continued decrease in Washington's farmland base may threaten
12 the ability of our state to produce food and fiber in sufficient
13 quantities to meet domestic needs and the demands of our export
14 markets;

15 (d) The extensive use of farmland for nonagricultural purposes
16 undermines the economic base of many rural areas;

17 (e) State actions, in many cases, result in or facilitate the
18 conversion of farmland to nonagricultural uses although alternative
19 actions might be available that would avoid or reduce the conversion;

1 (f) The department is the state agency primarily responsible for
2 the implementation of the state's policies regarding the protection of
3 resource lands under the growth management act, including agricultural
4 lands; and

5 (g) The department and other state agencies should take steps to
6 assure that the actions of state government do not cause Washington
7 farmland to be irreversibly converted to nonagricultural uses in cases
8 in which other state interests do not override the importance of the
9 protection of farmland nor otherwise outweigh the benefits of
10 maintaining farmland resources.

11 (2) It is the purpose of this chapter to minimize the extent to
12 which state programs contribute to the unnecessary and irreversible
13 conversion of farmland to nonagricultural uses, and to assure that
14 state programs are administered in a manner that, to the extent
15 practicable, will be compatible with local government, and private
16 programs and policies to protect farmland.

17 NEW SECTION. **Sec. 2.** The definitions in this section apply
18 throughout this chapter, unless the context clearly requires otherwise.

19 (1) "Farmland" includes all land defined as follows:

20 (a)(i) "Prime farmland" means land that has the best combination of
21 physical and chemical characteristics for producing food, feed, fiber,
22 forage, oilseed, and other agricultural crops with minimum inputs of
23 fuel, fertilizer, pesticides, and labor, and without intolerable soil
24 erosion, as determined by the director.

25 (ii) "Prime farmland" includes land that possesses the
26 characteristics under (a)(i) of this subsection, but is being used
27 currently to produce livestock and timber.

28 (iii) "Prime farmland" does not include land already in or
29 committed to urban development or water storage;

30 (b) "Unique farmland" means land other than prime farmland that is
31 used for production of specific high-value food and fiber crops, as
32 determined by the director. It has the special combination of soil
33 quality, location, growing season, and moisture supply needed to
34 economically produce sustained high quality or high yields of specific
35 crops when treated and managed according to acceptable farming methods.
36 Examples of these crops include citrus, tree nuts, olives, cranberries,
37 fruits, and vegetables; and

1 (c) "Farmland" means land, other than prime or unique farmland,
2 that is of state-wide or local importance for the production of food,
3 feed, fiber, forage, or oilseed crops, as determined by the appropriate
4 state agency or unit of local government, and that the director
5 determines should be considered as farmland for the purposes of this
6 chapter.

7 (2) "Local government" means the governing body of a county or
8 city.

9 (3) "State program" means those activities or responsibilities of
10 a department, agency, independent commission, or other unit of state
11 government that involve (a) approving, undertaking, financing, or
12 assisting construction or improvement projects; or (b) acquiring,
13 managing, or disposing of state lands and facilities. "State program"
14 does not include construction or improvement projects that on the
15 effective date of this section are beyond the planning stage and are in
16 either the active design or construction stage.

17 (4) "Department" means the department of community, trade, and
18 economic development.

19 (5) "Director" means the director of the department of community,
20 trade, and economic development.

21 NEW SECTION. **Sec. 3.** (1) The department, in cooperation with
22 other state agencies having expertise on farmland programs, shall
23 develop criteria for identifying the effects of state programs on the
24 conversion of farmland to nonagricultural uses.

25 (2) State agencies shall use the criteria to identify and take into
26 account the adverse effects of state programs on the preservation of
27 farmland; to consider alternative actions, as appropriate, that could
28 lessen such adverse effects; and to assure that state programs, to the
29 extent practicable, are compatible with state and local government
30 programs and policies to protect farmland.

31 NEW SECTION. **Sec. 4.** (1) Each state agency, with the assistance
32 of the department, shall review current provisions of law,
33 administrative rules, and applicable policies and procedures to
34 determine whether any provision will prevent it from taking appropriate
35 action to comply fully with this chapter.

36 (2) Each state agency, with the assistance of the department,
37 shall, as appropriate, develop proposals for action to bring its

1 programs, authorities, and administrative activities into conformity
2 with the purpose and policy of this chapter.

3 NEW SECTION. **Sec. 5.** (1) The director is authorized to provide
4 technical assistance to units of local government, nonprofit
5 organizations, and farmland owners, that desire to develop programs or
6 policies to limit the conversion of productive farmland to
7 nonagricultural uses.

8 (2) The director, in cooperation with the state conservation
9 commission, is authorized to design and implement educational programs
10 and materials emphasizing the importance of productive farmland to
11 Washington's well-being and distribute educational materials.

12 NEW SECTION. **Sec. 6.** Annually, beginning January 1, 2000, the
13 director shall report to the appropriate standing committees of the
14 senate and the house of representatives on the progress made in
15 implementing this chapter. The report shall include information on:

16 (1) The effects, if any, of state programs, authorities, and
17 administrative activities with respect to the protection of Washington
18 farmland; and

19 (2) The results of the reviews of existing policies and procedures
20 required under section 3 of this act.

21 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act constitute
22 a new chapter in Title 89 RCW.

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