

HOUSE BILL REPORT

SSB 6521

As Reported by House Committee On:
Agriculture & Natural Resources

Title: An act relating to retaining productive farmland.

Brief Description: Requiring state agencies to use an agriculture impact statement.

Sponsors: Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Haugen and Honeyford).

Brief History:

Committee Activity:

Agriculture & Natural Resources: 2/19/10, 2/23/10 [DPA].

**Brief Summary of Substitute Bill
(As Amended by House)**

- Requires all state agencies and units of state government to complete an agriculture impact statement before acquiring any interest in real property.
- Requires the Conservation Commission to develop the agriculture impact statement form.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass as amended. Signed by 9 members: Representatives Blake, Chair; Chandler, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Jacks, Kretz, Pearson, Rolfes, Van De Wege and Warnick.

Minority Report: Do not pass. Signed by 4 members: Representatives Ormsby, Vice Chair; Liias, McCoy and Nelson.

Staff: Jason Callahan (786-7117).

Background:

Membership of the State Conservation Commission.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The State Conservation Commission (Conservation Commission) has 10 members: two appointed, three elected, and five ex officio. Two members are appointed by the Governor, one of which must be a landowner or operator of a farm. The two appointed members serve four-year terms. The three elected members serve three-year terms. One of these members is elected each year by the district supervisors at their annual statewide meeting. One of the members must reside in eastern Washington, one in central Washington, and one in western Washington. At least two of the three elected members must be landowners or operators of a farm.

The Director of the Department of Ecology, the Director of the Department of Agriculture, the Commissioner of Public Lands, the President of the Washington Association of Conservation Districts, and the Dean of the College of Agriculture at Washington State University are the ex officio members of the Conservation Commission.

Duties of the Conservation Commission.

The Conservation Commission has several duties: (1) assist the supervisors of districts; (2) keep the supervisors of the districts organized and informed of the activities and experiences of the other districts, and facilitate an interchange of advice and experience between districts; (3) review and advise on agreements by districts; (4) secure cooperation and assistance of federal, state, and local agencies in the work of the districts; (5) administer and distribute allocated funds; (6) facilitate with local governments in the administration of activities dealing with the conservation of renewable natural resources; (7) disseminate information throughout Washington about the activities and programs of the districts; (8) review and comment on state and local plans, programs, and activities; (9) compile information and make studies, summaries, and analyses of district programs; (10) assist districts in obtaining legal services from state and local legal officers; (11) require annual reports from districts; and (12) establish uniform accounting and auditing procedures.

Summary of Amended Bill:

All state agencies and units of state government are required to complete an agriculture impact statement before acquiring any interest in real property. This applies to every acquisition of a property interest other than water rights and the acquisition of rights-of-way by the Washington State Department of Transportation (WSDOT) for physical construction uses. The Conservation Commission may exempt smaller scale acquisitions and activities from the requirement. The form of the agriculture impact statement must be developed by the Conservation Commission in consultation with the affected agencies.

Each year, the Conservation Commission is required to report to the Governor and the Legislature on the status of the agriculture impact statement program, the results of the information submitted over the previous year, and other appropriate factors. As part of the first installment of its annual reporting requirements, the Conservation Commission must include information about how applicable the agriculture impact statement requirements are in terms of agency rulemaking, applicability in regards to federal and local government, whether the agriculture impact statement should extend to water right purchases, and whether existing processes adequately provide for an evaluation of agricultural impacts.

Amended Bill Compared to Substitute Bill:

Exempts the rights-of-ways purchases from the WSDOT from the requirement to complete an agriculture impact statement and provides an expiration date for a one-time reporting requirement.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 24, 2010.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill is a suggestion of the Farmland Preservation Task Force and is a move in the right direction of underscoring the importance of active agriculture land. The state loses 70,000 acres of farmland each year and the state should recognize its role in this problem. It is a good first step.

There is an interest in collecting baseline information about property acquisitions and identifying trends in state land purchases. The Conservation Commission will work with the affected agencies to minimize costs.

(With concerns) The agencies required to comply with the bill will have a financial burden. Staff time, research, and paperwork all cost money, and even at a conservative estimate, one agency alone can expect to have to complete upwards of 50 agriculture impact statements.

(Opposed) None.

Persons Testifying: (In support) Jack Field, Washington Cattlemen's Association; Chris Cheney, Washington Dairy Federation; Ellen Gray, Washington Sustainable Food and Farming Network; Ron Shultz, Washington State Conservation Commission; and Dan Wood, Farm Bureau.

(With concerns) Megan White, Washington State Department of Transportation.

Persons Signed In To Testify But Not Testifying: None.