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**SENATE BILL 5484**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** Senators Shewmake, Hasegawa, Nguyen, Nobles, Saldaña, Valdez, and C. Wilson

AN ACT Relating to supporting Washington's food production system by providing technical assistance in support of improved voluntary environmental stewardship; amending RCW 89.08.610, 89.08.615, and 89.08.630; adding a new section to chapter 89.08 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that Washington's farmers and food processors are vital to the local and global food chain. The legislature also recognizes the seriousness of climate change and is committed to improving Washington's resilience to the impacts of climate change on all business sectors, including agriculture. Moreover, the agricultural community can play a key role in combating climate change by increasing energy efficiency, utilizing more green energy resources, increasing carbon sequestration, and reducing greenhouse gas emissions. Washington has a tradition of voluntarily engaging farmers with technical assistance to achieve objectives of the state. Therefore, it is the intent of the legislature to establish a program that provides additional technical assistance to farmers and food processors to help increase energy efficiency, further reduce greenhouse gas emissions, and increase carbon sequestration, all while reducing long-term operating costs and creating new market opportunities.

**Sec.**  RCW 89.08.610 and 2020 c 351 s 2 are each amended to read as follows:

The definitions in this section apply throughout this section and RCW 89.08.615 through 89.08.635 unless the context clearly requires otherwise.

(1) "Advisors" means sustainable farms and fields advisors.

(2) "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)~~)) (3) "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)~~)) (4) "Climate-smart practices" means those best management practices that increase carbon sequestration and reduce greenhouse gas emissions.

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

((~~(4)~~)) (6) "Conservation district" means one or a group of Washington state's conservation districts created in this chapter.

(7) "Cooperating areas" means a group of conservation districts that will share access to the services of an advisor.

(8) "Sustainable farms and fields plan" means a site-specific suite of recommendations that can help a farm or food processing facility increase energy efficiency, utilize more green energy, sequester carbon, and reduce greenhouse gas emissions.

NEW SECTION. **Sec.**  A new section is added to chapter 89.08 RCW to read as follows:

(1) The commission shall develop a network of sustainable farms and fields advisors whereby groups of conservation districts will hire, host, and share the services of sustainable farms and fields advisors. These advisors will provide consultations and develop sustainable farms and fields plans for interested farmers and food processors to help them reduce their carbon footprint by increasing energy efficiency, utilizing more green energy, sequestering carbon, and reducing greenhouse gas emissions. The advisors will also inform conservation districts, farmers, and food processors about local, state, and federal funding opportunities, such as the sustainable farms and fields grant program, to implement practices that help achieve these goals to reduce the carbon footprint.

(2) A new position is established within the commission that is responsible for coordinating the advisors, disseminating current information about energy efficiency and climate-smart practices and funding opportunities, applying for grants, writing progress reports, and other duties as needed.

**Sec.**  RCW 89.08.615 and 2022 c 180 s 501 are each amended to read as follows:

(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 15 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 20 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 emissions reduction;

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

(c) ((~~Down payments on equipment;~~

~~(d) Purchases~~)) Cost-share purchases of equipment;

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

((~~(f)~~)) (e) 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~~)) including, but not limited to, the development of site-specific sustainable farms and fields plans and climate-smart practices, providing financial assistance to implement best management practices that increase carbon sequestration in soil organic matter levels and standing vegetation, reduce livestock and soil greenhouse gas emissions, reduce fossil fuel usage and greenhouse gas emissions through increased usage of precision agricultural practices, and increase energy efficiency and utilization of green energy;

((~~(g)~~)) (f) The purchase of compost spreading equipment, or financial assistance to farmers to purchase compost spreading equipment, for the annual use for at least three years of volumes of compost determined by the commission to be significant from materials composted at a site that is not owned or operated by the farmer;

((~~(h)~~)) (g) Scientific studies to evaluate and quantify the greenhouse gas emissions avoided as a result of using crop residues as a biofuel feedstock or to identify management practices that increase the greenhouse gas emissions avoided as a result of using crop residues as a biofuel feedstock;

((~~(i)~~)) (h) Efforts to support the farm use of anaerobic digester digestate, including scientific studies, education and outreach to farmers, and the purchase or lease of digestate spreading equipment; and

((~~(j)~~)) (i) Other equipment purchases or financial assistance deemed appropriate by the commission to fulfill the intent of RCW 89.08.610 through 89.08.635.

(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 and other public entities, 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 25 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~~)) commodities, climate-smart and energy efficiency practices, and farm sizes.

(12) Any applications involving state lands leased from the department of natural resources or the department of fish and wildlife must include ((~~the~~)) that department's approval.

**Sec.**  RCW 89.08.630 and 2020 c 351 s 6 are each amended to read as follows:

(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 and the sustainable farms and fields advisors.

(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~~)) 100 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.

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