
SUBSTITUTE SENATE BILL 5101

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Agriculture & Rural Economic Development
(originally sponsored by Senators Haugen and Rasmussen)

Read first time 03/03/99.

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) State agencies are responsible for the implementation of the
2 state's policies regarding the protection of resource lands under the
3 growth management act, including agricultural lands; and

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

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

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

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

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

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

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

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

36 (c) "Farmland," other than prime or unique farmland, that is of
37 state-wide or local importance for the production of food, feed, fiber,
38 forage, or oilseed crops, as determined by the appropriate state agency

1 or unit of local government, and that should be considered as farmland
2 for the purposes of this chapter.

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

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

13 NEW SECTION. **Sec. 3.** State agencies shall use the assistance and
14 information of the natural resources conservation service of the United
15 States department of agriculture to identify and take into account the
16 adverse effects of the agency's programs on the preservation of
17 farmland; to consider alternative actions, as appropriate, that could
18 lessen such adverse effects; and to assure that the agency's programs,
19 to the extent practicable, are compatible with state and local
20 government programs and policies to protect farmland.

21 NEW SECTION. **Sec. 4.** (1) Each state agency shall review current
22 provisions of law, administrative rules, and applicable policies and
23 procedures to determine whether any provision will prevent it from
24 taking appropriate action to comply fully with this chapter.

25 (2) Each state agency shall, as appropriate, develop proposals for
26 action to bring its programs, authorities, and administrative
27 activities into conformity with the purpose and policy of this chapter.

28 NEW SECTION. **Sec. 5.** This chapter does not authorize any unit of
29 state government in any way to regulate the use of private or nonstate
30 land, nor does it in any way affect the property rights of owners of
31 such land.

32 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act constitute
33 a new chapter in Title 89 RCW.

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