

1 **SHB 2305 - H AMD 0291 Failed 2-18-02**

2 By Representative Dunshee

3 Strike everything after the enacting clause and insert the  
4 following:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 90.58  
6 RCW to read as follows:

7 (1) The guidelines adopted by the department and master programs  
8 developed or amended by local governments according to RCW 90.58.080  
9 shall not require modification of or limit agricultural activities  
10 occurring on agricultural lands. In jurisdictions where agricultural  
11 activities occur, master programs developed or amended after the  
12 effective date of this act shall include provisions addressing new  
13 agricultural activities on land not meeting the definition of  
14 agricultural land, conversion of agricultural lands to other uses, and  
15 development not meeting the definition of agricultural activities.  
16 Nothing in this section limits or changes the terms of the current  
17 exception to the definition of substantial development in RCW  
18 90.58.030(3)(e)(iv). This section applies only to this chapter and  
19 does not limit any other authority a city or county may have.

20 (2) For the purposes of this section:

21 (a) "Agricultural activities" means agricultural uses and  
22 practices including, but not limited to: Producing, breeding, or  
23 increasing agricultural products; rotating and changing agricultural  
24 crops; allowing land used for agricultural activities to lie fallow in  
25 which it is plowed and tilled but left unseeded; allowing land used for  
26 agricultural activities to lie dormant as a result of adverse  
27 agricultural market conditions; allowing land used for agricultural  
28 activities to lie dormant because the land is enrolled in a local,  
29 state, or federal conservation program, or the land is subject to a  
30 conservation easement; conducting agricultural operations; maintaining,  
31 repairing, and replacing agricultural equipment; maintaining,  
32 repairing, and replacing agricultural facilities, provided that the  
33 replacement facility is no closer to the shoreline than the original  
34 facility; and maintaining agricultural lands under production or  
35 cultivation;

36 (b) "Agricultural products" includes but is not limited to  
37 horticultural, viticultural, floricultural, vegetable, fruit, berry,

1 grain, hops, hay, straw, turf, sod, seed, and apiary products; feed or  
2 forage for livestock; Christmas trees; hybrid cottonwood and similar  
3 hardwood trees grown as crops and harvested within twenty years of  
4 planting; and livestock including both the animals themselves and  
5 animal products including but not limited to meat, upland finfish,  
6 poultry and poultry products, and dairy products;

7 (c) "Agricultural equipment" and "agricultural facilities"  
8 includes, but is not limited to: (i) The following used in  
9 agricultural operations: Equipment; machinery; constructed shelters,  
10 buildings, and ponds; fences; upland finfish rearing facilities; water  
11 diversion, withdrawal, conveyance, and use equipment and facilities  
12 including but not limited to pumps, pipes, tapes, canals, ditches, and  
13 drains; (ii) corridors and facilities for transporting personnel,  
14 livestock, and equipment to, from, and within agricultural lands; (iii)  
15 farm residences and associated equipment, lands, and facilities; and  
16 (iv) roadside stands and on-farm markets for marketing fruit or  
17 vegetables; and

18 (d) "Agricultural land" means those specific land areas on which  
19 agriculture activities are conducted.

20 (3) The department and local governments shall assure that local  
21 shoreline master programs use definitions consistent with the  
22 definitions in this section.

23 NEW SECTION. **Sec. 2.** The provisions of this act do not become  
24 effective until the adopted guidelines for local government shoreline  
25 master programs become effective.-

**EFFECT:** Provides that the exemption for agricultural activities  
only applies to shoreline master programs and does not affect any  
other authority a city or county may have.