
HOUSE BILL 2758

State of Washington

57th Legislature

2002 Regular Session

By Representatives Quall, Linville and Hunt

Read first time 01/28/2002. Referred to Committee on Agriculture & Ecology.

1 AN ACT Relating to establishing the agricultural conservation
2 easements program; adding new sections to chapter 43.23 RCW; and
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** Among the rising costs that are increasingly
6 driving Washington farmers out of business is the cost of land. Many
7 of our oldest, well-established farms, often on the fringes of
8 established communities, are under growing pressure to be sold for uses
9 other than agriculture. In the face of these rising land costs, new
10 farmers are finding it increasingly difficult to be able to afford to
11 purchase farmland.

12 At the same time, the conversion of these prime farmlands to
13 development costs our communities open and green space, reduces our
14 access to local quality food, diminishes our cultural and historic
15 roots, often represents a fiscal loss for governments, and frequently
16 results in environmental costs including reduced flood detention, loss
17 of surface water filtration, diminished aquifer recharge, loss of
18 habitat and connective wildlife migration corridors, and loss of
19 opportunities to protect riparian lands.

1 These concerns, among others, are leading the federal government
2 and local jurisdictions around our state to provide funding for local
3 programs to purchase agricultural conservation easements that help keep
4 farmers in farming and farmland in agriculture. It is the intent of
5 the legislature to create a Washington purchase of agricultural
6 conservation easements program that will facilitate the use of federal
7 funds, ease the burdens of local governments launching similar programs
8 at the local level, and help local governments fight the conversion of
9 agricultural lands they have not otherwise protected through their
10 planning processes.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.23 RCW
12 to read as follows:

13 (1) The agricultural conservation easements program is created.
14 The director shall manage the program and adopt rules as necessary to
15 implement the legislature's intent.

16 (2) The director shall report to the legislature on an on-going
17 basis regarding potential funding sources for the purchase of
18 agricultural conservation easements under the program and recommend
19 changes to existing funding authorized by the legislature. The
20 director shall consider, at a minimum, the following potential funding
21 sources:

22 (a) Federal funding;

23 (b) State general fund dollars;

24 (c) Management assessment on all new developments outside urban
25 growth boundaries;

26 (d) Taxes on increases in value in real property resulting from
27 changes in zoning, especially rezoning of farmland for rural
28 residential or urban development;

29 (e) Direct penalties for conversion of resource lands from current
30 use assessment; and

31 (f) A very low statewide additional real estate excise tax.

32 (3) All funding for the program shall be deposited into the
33 agricultural conservation easements account created in section 3 of
34 this act. Expenditures from the account shall be made to local
35 governments and private nonprofits on a match or no match required
36 basis at the discretion of the director.

37 (4) Easements purchased with money from the agricultural
38 conservation easements account run with the land.

1 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.23 RCW
2 to read as follows:

3 (1) The agricultural conservation easements account is created in
4 the custody of the state treasurer. All receipts from legislative
5 appropriations, other sources as directed by the legislature, and
6 gifts, grants, or endowments from public or private sources must be
7 deposited into the account. Expenditures from the account may be used
8 only for the purchase of easements under the agricultural conservation
9 easements program. Only the director of agriculture or the director's
10 designee may authorize expenditures from the account. The account is
11 subject to allotment procedures under chapter 43.88 RCW, but an
12 appropriation is not required for expenditures.

13 (2) The director is authorized to receive and expend gifts, grants,
14 or endowments from public or private sources that are made available,
15 in trust or otherwise, for the use and benefit of the agricultural
16 conservation easements program.

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