

FINAL BILL REPORT

SHB 2115

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Synopsis as Enacted

Brief Description: Creating the heritage barn preservation program.

Sponsors: By House Committee on Capital Budget (originally sponsored by Representatives Newhouse, Lantz, B. Sullivan, Hailey, Grant, VanDeWege, Warnick, Kelley, Pedersen, Appleton, Quall, Seaquist, Hunt, Simpson, McDermott and Ormsby).

House Committee on State Government & Tribal Affairs

House Committee on Capital Budget

Senate Committee on Agriculture & Rural Economic Development

Senate Committee on Ways & Means

Background:

Numerous states have public or private barn preservation programs, including Connecticut, Illinois, Indiana, Iowa, Kansas, Maine, Michigan, Minnesota, Montana, Nebraska, New Hampshire, New York, Ohio, North Dakota, South Dakota, Wisconsin, and Wyoming. Barn preservation programs seek both to preserve the historical character of historic barns and to preserve such barns' usefulness by assisting in adapting them to new farming uses. Many barn preservation techniques have proven to be a cost-effective alternative to demolishing an old barn to construct a new one.

Summary:

The Washington State Heritage Barn Preservation Program (Program) is created in the Department of Archeology and Historic Preservation (Department) to determine the types, qualities, conditions, and needs of Washington's heritage barns and to provide those barns with recognition and opportunities for support. The Director of the Department (Director) will establish a Washington State Heritage Barn Preservation Advisory Board (Advisory Board), representing the geographic diversity of the state, to fulfill the policy goals of the Program. The Program expires December 31, 2010.

The Advisory Board will consist of at least 11 members: a chairperson; two members who are heritage barn owners and who have been nominated by recognized agricultural organizations; a representative of a statewide historic preservation organization; a representative of a county heritage commission; two elected county officials; a representative of a private foundation with an interest in the preservation of barns; a representative of a land trust with easement experience; and at least one at-large member with appropriate expertise in barn architecture, architectural history, construction, engineering, or other related fields. The Director may also invite representatives of federal agencies.

The Advisory Board is charged with conducting a thematic study of Washington's historic barns and advising the Director on criteria for designation of heritage barns, criteria for determining eligibility for grants funds, and criteria for awarding grants for barn rehabilitation. The Advisory Board must also examine relevant regulatory issues, including building and land use codes, that impose constraints on the ability to use heritage barns for contemporary, economically productive purposes. The Department will produce a final report to the Legislature on the accomplishments of the program with final recommendations by December 1, 2010.

The Department, in consultation with the Advisory Board, will establish a Heritage Barn Recognitions Program. To apply for recognition as a Heritage Barn, the barn owner must provide photographs of the barn, photographs of the farm and surrounding landscape, a brief history of the farm, and the construction date of the barn. The Governor's Advisory Council on Historic Places will make Heritage Barn Recognition decisions three times per year.

Heritage Barns will be eligible for Heritage Barn Preservation Fund Awards (Awards). Awards will be made for the purposes of stabilizing endangered heritage barns including, repairs to the foundation, sills, windows, walls, structural framework, the repair and replacement of roofs, and preservation of the historic character of the barn. Eligible applicants for Awards may be the barn owner, or a nonprofit organization, or local government. To apply for an Award, the applicant must submit an application to the Department. The Department will determine the form of the application. Applications must show at least 50 percent matching funds for the cost of the proposed project. Matching funds may include in-kind labor or other funding sources.

When making Awards, the Advisory Board must take the following into consideration:

- the relative historical significance of the barn;
- the urgency of the project and need for repair;
- the extent to which the project will preserve the barn's historical character and extend the useful life of the barn;
- visibility of the barn from a state designated scenic byway or other publicly traveled roadway;
- provisions for long-term preservation;
- readiness of the applicant to undertake the project; and
- the overall geographic distribution of Awards.

In awarding funds, special consideration must be given to barns that are:

- still in agricultural use;
- listed on the National Register of Historic Places; or
- outstanding examples of their type or era.

Award recipients enter into a contract with the Department. The terms of the contract must include a historic preservation easement for between five and 15 years. The duration of the easement is dependant on the amount of the Award. The contract must also specify the public benefit and minimum maintenance requirements. All Award recipients must maintain their Heritage Barn for a minimum of 10 years and allow for reasonable public access, in particular

allowing nonprofit organizations and school groups access at least one day per year. If the Award recipient, the heritage barn owner, or a subsequent owner violates the terms of the contract then the amount must be repaid to the Preservation Fund within one year.

All project work must comply with the United States Department of the Interior's standards for the rehabilitation of historic properties, with case-by-case exceptions for metal roofs. The Preservation Fund must be acknowledged on any materials produced for the project and in any publicity. A sign acknowledging the Preservation Fund must be posted at the heritage barn for the duration of the preservation agreement. Projects must be initiated within one year of funding and completed within two years, unless the Department authorizes an extension. Any extensions must be in writing.

The Heritage Barn Preservation Fund (Preservation Fund) is created as an account in the State Treasury. All receipts from any appropriations or private sources must be deposited in the Preservation Fund. Monies in the Preservation Fund may only be spent after an appropriation. Any expenditures may be used only to provide assistance to owners of heritage barns in the state for the stabilization and restoration of those barns.

A "heritage barn" is any large agricultural outbuilding used to house animals, crops, or farm equipment that is over 50 years old and has been determined by the Department to:

- be eligible for listing on the Washington Heritage Register or the National Register of Historic Places; or
- have been listed on a local historic register and approved by the Advisory Council on Historic Preservation.

A "heritage barn" may also be a milk house, shed, silo, or other outbuilding historically associated with the working life of the farm or ranch, if these outbuildings are on the same property as a heritage barn.

Votes on Final Passage:

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| House | 97 | 0 | |
| Senate | 46 | 2 | (Senate amended) |
| House | 97 | 0 | (House concurred) |

Effective: July 22, 2007