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## Environment Committee

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### HB 2245

**Brief Description:** Regarding the preservation and conservation of agricultural resource lands.

**Sponsors:** Representatives Bailey, Haler and Blake.

**Brief Summary of Bill**

- Requires the Department of Ecology to add seven questions related to the potential impact of a proposal on agricultural lands to the State Environmental Policy Act environmental checklist contained in the Washington Administrative Code by January 1, 2013.

**Hearing Date:** 1/23/12

**Staff:** Anna Jackson (786-7194).

**Background:**

The State Environmental Policy Act (SEPA) requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. One agency is usually identified as the lead agency for a specific proposal, and the lead agency is responsible for identifying and evaluating the potential adverse environmental impacts of a proposal. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment.

The Department of Ecology (Ecology) has created an environmental checklist in the Washington Administrative Code to assist project applicants and the lead agency in identifying impacts from a proposal, as well as to assist the lead agency in deciding whether an EIS is required for the proposal. The checklist includes questions about existing conditions, as well as impacts of the proposal on identified environmental elements, including earth, air, water, plants, animals, energy and natural resources, and environmental health. The checklist also includes questions about the applicant's proposed mitigation for any adverse environmental impacts. It does not include an analysis of the identified impacts or the requirements of other applicable regulations.

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The checklist questions apply to all parts of a proposal, even if the applicant plans to do them over a period of time or on different parcels of land.

Currently, the environmental checklist contains two questions related to agricultural lands, one about previous use of the site and the other about soil type.

**Summary of Bill:**

By January 1, 2013, Ecology is required to add seven questions to the environmental checklist outlined in section 197-11-960 of the Washington Administrative Code related to the potential impacts of a proposal on agricultural lands:

- (1) Is there any agricultural land directly affected by the proposal, or near the vicinity of a project site? If yes, describe.
- (2) Describe how much agricultural land will be converted to a nonagricultural use as a result of this proposal.
- (3) Would this proposal affect the ability of adjacent agricultural landowners to continue farming?
- (4) Would this proposal affect existing agricultural drainage patterns within vicinity? If yes, generally describe.
- (5) Would this proposal affect or interfere with normal agricultural operations such as oversize equipment access, pesticide applications, and tilling and harvesting? If yes, generally describe.
- (6) Will this proposal result in placing or removing agricultural soils from the site? If yes, generally describe.
- (7) Describe proposed measures to preserve or enhance agricultural resource lands, if any.

**Appropriation:** None.

**Fiscal Note:** Requested on January 13, 2012.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.