

FINAL BILL REPORT

SB 6082

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Synopsis as Enacted

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

Sponsors: Senators Haugen, Swecker, Hatfield, King, Ericksen, Honeyford, Shin and Parlette.

Senate Committee on Agriculture, Water & Rural Economic Development
House Committee on Environment

Background: The State Environmental Policy Act (SEPA) was enacted in 1971. One of the stated purposes of the act includes a state policy which will encourage productive and enjoyable harmony between man and his environment. In SEPA's preamble, the Legislature recognizes that man depends on his biological and physical surroundings for food, shelter, and other needs.

SEPA requires that the lead agency make a threshold determination based on a list of questions, and based on the responses to the questions an environmental impact statement (EIS) may be required. EIS evaluates whether a particular major action has a probable significant adverse environmental impact.

Under SEPA, specific questions must be evaluated by governmental agencies before making decisions. Among the questions to be evaluated are the impact on: air, water, earth, plants, animals, energy requirements, the effect on potential solar energy production, noise, recreation, aesthetics, glare, and numerous other factors. The environmental checklist does not include questions relating to impacts on agricultural lands, nor the ability of agricultural landowners to continue farming.

The Growth Management Act (GMA) was enacted in 1990. Local governments that plan under the GMA are to designate and protect agricultural lands of long term commercial significance. All goals are to be considered by local governments when developing regulations and there is no prioritization among the planning goals. GMA contains 13 goals including the goals of:

- maintaining and enhancing the natural resource-based industries: agriculture, timber and fisheries;
- conserving productive agricultural lands and discouraging incompatible uses; and
- protection of the environment and designation and protection of critical areas.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

In 2007 the Office of Farmland Preservation (OFP) and the Farmland Preservation Task Force were created. These entities are charged with monitoring the retention and conversion of agricultural lands. OFP is also charged with analyzing major factors that have led to past declines in the amount and use of agricultural lands and that will likely affect retention and economic viability of these lands in the future, including pressures to convert land to non-agricultural use.

Summary: The Department of Ecology is required to conduct rulemaking by December 31, 2013, to review and consider whether the current environmental checklist ensures consideration of potential impacts to agricultural lands of long-term commercial significance. The review and update must ensure that the checklist is adequate to allow consideration of impacts on adjacent agricultural properties, drainage patterns, agricultural soils, and normal agricultural operations.

Votes on Final Passage:

Senate	48	0	
House	63	34	(House amended)
Senate	35	12	(Senate concurred)

Effective: June 7, 2012