

SENATE BILL REPORT

SB 5013

As of January 27, 2015

Title: An act relating to the use of designated agricultural lands.

Brief Description: Regarding the use of designated agricultural lands.

Sponsors: Senator Honeyford.

Brief History:

Committee Activity: Agriculture, Water & Rural Economic Development: 1/27/15.

SENATE COMMITTEE ON AGRICULTURE, WATER & RURAL ECONOMIC DEVELOPMENT

Staff: Bonnie Kim (786-7316)

Background: The Growth Management Act requires local governments in densely populated areas to manage growth by identifying and protecting critical areas and natural resource lands, designating urban growth areas, preparing comprehensive plans, and implementing those plans through capital investments and development regulations.

Designation as agricultural land of long-term commercial significance limits development density and restricts or prohibits nonfarm uses. However, accessory uses that support, promote, or sustain agricultural operations and production may be allowed. For example facilities to store, distribute, and market regional agricultural products are allowed within a designated area. Limited nonagricultural accessory uses may also be allowed.

State agencies must comply with the local comprehensive plans and development regulations. Specific provisions govern locating essential public facilities, including airports, correctional facilities, mental health facilities, and public transportation facilities.

Summary of Bill: Designation as agricultural land of long-term commercial significance does not prohibit the following:

- uses compatible with future agricultural uses; or
- the exchange or sale of state forest land or state trust land for use at the highest and best value available for uses allowed by the applicable development regulations.

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.

Land designation does not constrain the acquisition or use of lands necessary for construction, operation, or maintenance of highway facilities. However, mitigation projects may not be sited on designated lands.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This bill is intended to protect disappearing agricultural lands used for non-farm uses. Habitat shortage is not the cause of salmon population decreases; only 2 percent of fish are returning to spawn. Reclamation projects on farm land will make commercial farming difficult in Snohomish County. Private landowners must pay taxes on land they cannot control. WA Farm Bureau supports the bill's objective to protect agricultural land while ensuring property owners remain in control of their land.

CON: This bill would prohibit the Department of Transportation (DOT) from siting mitigation on agricultural land even if DOT uses agricultural lands when there is no other alternative. Preventing mitigation on agricultural lands could prevent long-term development and damage the environment. Agricultural lands in estuaries are in competition with salmon habitat restoration activities. It is essential to balance the dual interests between agricultural needs and sustaining habitat along rivers and estuaries. This bill will thwart locally customized solutions needed to meet the objectives of the Growth Management Act and the Shoreline Management Act. Puget Sound Partnership has lost over 70 percent of its historical tidal estuary habitat to development. This bill minimizes the importance of the fish and environment tribes depend on.

OTHER: Pierce County has concerns because this bill may interrupt plans for set backs requiring conversion of agricultural lands.

Persons Testifying: PRO: Senator Honeyford, prime sponsor; John Misich, Ed Moats, SnoCo Farm Bureau; Evan Sheffels, Farm Bureau; Carol Roussa, citizen.

CON: Megan White, DOT; Bryce Yadon, Futurewise; Shawn Yanity, Stillaguamish Tribe; Tom Clingman, Dept. of Ecology; Todd Hass, Puget Sound Partnership; Steve Robinson, Quinault and Lummi Nations.

OTHER: Jennifer Joly, Pierce County Government Relations.