

SENATE BILL REPORT

SB 5169

As of February 2, 2015

Title: An act relating to restricting the conversion of agricultural land to other uses under the growth management act.

Brief Description: Restricting the conversion of agricultural land to other uses under the growth management act.

Sponsors: Senators Warnick, Honeyford, Hatfield and Schoesler.

Brief History:

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

SENATE COMMITTEE ON AGRICULTURE, WATER & RURAL ECONOMIC DEVELOPMENT

Staff: Diane Smith (786-7410)

Background: The Growth Management Act (GMA) is the comprehensive land use planning framework for county and city governments in Washington. Enacted in 1990 and 1991, GMA establishes numerous requirements for local governments obligated by mandate or choice to fully plan under GMA and a reduced number of directives for all other counties and cities.

The requirement to maintain and enhance natural resource industries is one of GMA's 13 planning goals. These are non-prioritized goals that must be used exclusively for guiding the development and adoption of comprehensive plans and development regulations at the local planning level. Agricultural industries are included among natural resource-based industries.

GMA planning counties must adopt development regulations that assure the conservation of designated agricultural lands. Development regulations must assure that the use of land adjacent to agricultural lands does not interfere with the continued, accustomed use in accordance with best management practices of these agricultural lands.

Summary of Bill: Designated agricultural land must neither be converted to wetland or fish habitat nor subject to tidal inundation.

Appropriation: None.

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.

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: The current salmon recovery concepts claiming the problem is the loss of habitat have no basis at all in science. Government buys agriculturally designated land and stops agricultural activity on the land years in advance. The Shoreline Management Act trumps GMA on shorelines. How much is enough? We must protect agricultural land from fragmentation so that it can continue to be viable. Ownership means control.

CON: This bill prevents working with farmers to protect property rights of the tribes to the salmon in the rivers. Salmon are food too. Voluntary stewardship does and can continue to facilitate win-win solutions to restoring habitat and continuing agricultural uses of agricultural land. These are two site-dependent uses that require finesse and locally crafted, individualized solutions. Estuaries are like a sponge that absorbs excess water, preventing the flooding that the farmers want prevented, and providing the proper conditions for fish.

OTHER: If this bill passes, flooding will not be controlled.

Persons Testifying: PRO: Evan Sheffels, Farm Bureau; Suzanne Phillips, National Sustainable Agriculture Coalition.

CON: Laura Merrill, WA State Assn. of Counties; Bryce Yadon, Futurewise; Shawn Yanity, Stillaguamish Tribe; Ron Shultz, Conservation Commission; Tom Clingman, Dept. of Ecology; Dawn Vyvyan, Yakama Nation; Steve Robinson, Quinault and Lummi Nations.

OTHER: Megan White, WA State Dept. of Transportation; Jack Field, WA Cattlemen's Assn.; Jennifer Joly, Pierce County Government Relations.