
SENATE BILL 6551

State of Washington

64th Legislature

2016 Regular Session

By Senators Warnick, Becker, Pearson, Angel, Brown, and Schoesler

Read first time 01/26/16. Referred to Committee on Agriculture,
Water & Rural Economic Development.

1 AN ACT Relating to a notice of violation for discharges from
2 agricultural activity on agricultural land based on information
3 provided to the department of ecology by a third party; and amending
4 RCW 90.48.450.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 90.48.450 and 1981 c 297 s 31 are each amended to
7 read as follows:

8 (1) Prior to issuing a notice of violation related to discharges
9 from agricultural activity on agricultural land, the department shall
10 consider whether an enforcement action would contribute to the
11 conversion of agricultural land to nonagricultural uses. Any
12 enforcement action shall attempt to minimize the possibility of such
13 conversion.

14 (2) As used in this section:

15 (a) "Agricultural activity" means the growing, raising, or
16 production of horticultural or viticultural crops, berries, poultry,
17 livestock, grain, mint, hay and dairy products.

18 (b) "Agricultural land" means at least five acres of land devoted
19 primarily to the commercial production of livestock or agricultural
20 commodities.

1 (3) If the department issues a notice of violation related to
2 discharges from agricultural activity on agricultural land, based on
3 information provided to the department by a third party, the
4 department shall, upon request, provide the name of the third party
5 to the person receiving the notice of violation. A notice of
6 violation related to discharges from agricultural activity on
7 agricultural land is based on information provided to the department
8 by a third party if the department determines to investigate a
9 suspected discharge after receiving a phone call, email, letter,
10 report, complaint, or other information, from a third party who
11 claims that a discharge is or may be occurring, or will soon occur,
12 from agricultural activity on agricultural land. The department may
13 not investigate a suspected discharge from agricultural activity on
14 agricultural land based on information provided by an anonymous third
15 party. This subsection does not create any civil liability on the
16 part of the state or any state agency, officer, employee, or agent.

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