
SUBSTITUTE SENATE BILL 5108

State of Washington

60th Legislature

2007 Regular Session

By Senate Committee on Agriculture & Rural Economic Development
(originally sponsored by Senators Haugen, Rasmussen, Jacobsen, Shin,
Spanel, Swecker, Brandland, Hatfield and Parlette)

READ FIRST TIME 02/12/07.

1 AN ACT Relating to farmland preservation; adding a new chapter to
2 Title 89 RCW; and providing an expiration date.

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

4 NEW SECTION. **Sec. 1.** FINDINGS AND PURPOSE. The legislature finds
5 that maintaining the capacity to provide adequate food and fiber
6 resources is essential to the long-term sustainability of the state's
7 citizens and economy. The nation's population has reached three
8 hundred million and will continue to increase for the foreseeable
9 future. Further, the world population is now over six billion and is
10 projected to reach nine billion by the year 2050.

11 In Washington state, the population is growing by over one million
12 people every decade with much of this growth occurring in western
13 Washington. This growth is increasing the competition for land not
14 only for housing, but also associated retail, commercial, industrial,
15 and leisure industries.

16 The legislature finds that many once-productive agricultural areas
17 in western Washington have been overtaken and irreversibly converted to
18 nonagricultural uses. Other agricultural areas in the state have
19 diminished to the point that they are dangerously close to losing the

1 land mass necessary to be economically viable. Further, only a limited
2 number of areas in western Washington still retain a sufficient
3 agricultural land base and the necessary agricultural infrastructure to
4 continue to be economically viable both in the short term and the long
5 term.

6 The legislature recognizes that because this significant decline
7 has largely occurred in less than a half century, it is imperative that
8 mechanisms be established at the state level to focus attention, take
9 the action needed to retain agricultural land, and ensure the
10 opportunity for future generations to farm these lands.

11 The legislature finds that history shows that previous advanced
12 civilizations in the world were founded on highly productive
13 agricultural lands and food production systems but when the land or its
14 productivity was lost, the civilizations declined. In contrast, other
15 civilizations have existed for millennia because they maintained their
16 agricultural land base, its productivity, and economic conditions
17 sufficient to maintain stewardship of their land.

18 The legislature finds that there is a finite quantity of high
19 quality agricultural land and that often this agricultural land is
20 mistakenly viewed as an expendable resource. The legislature finds
21 that the retention of agricultural land is desirable, not only to
22 produce food, livestock, and other agricultural products, but also to
23 maintain our state economy and preferable environmental conditions.
24 For these reasons, and because it is essential that agricultural
25 production be sufficient to meet the needs of our growing population,
26 commitment to the retention of agricultural land should be reflected at
27 the state policy level by the creation of an office of farmland
28 preservation to support the retention of farmland and the viability of
29 farming for future generations.

30 NEW SECTION. **Sec. 2.** OFFICE OF FARMLAND PRESERVATION--POWERS AND
31 DUTIES. (1) The office of farmland preservation is created and shall
32 be located within the state conservation commission.

33 (2) Staff support for the office shall be provided by the state
34 conservation commission.

35 (3) The office of farmland preservation may:

36 (a) Provide advice and assist the state conservation commission in
37 implementing the provisions of RCW 89.08.530 and 89.08.540;

1 (b) Develop recommendations for the funding level of the
2 agricultural conservation easements account established in RCW
3 89.08.540 with the guidance of the farmland preservation task force
4 established under section 3 of this act;

5 (c) With input from the task force created in section 3 of this
6 act, provide an analysis of the major factors that have led to past
7 declines in the amount and use of agricultural lands in Washington and
8 of the factors that will likely affect retention and viability of these
9 lands into the future including, but not limited to, pressures to
10 convert land to nonagricultural uses, loss of processing plants and
11 markets, loss of competitive advantage, urban sprawl, and conversion to
12 recreational or other uses;

13 (d) Develop model programs and tools to retain agricultural land
14 for agricultural production, with the guidance from the farmland
15 preservation task force created under section 3 of this act;

16 (e) Provide technical assistance to localities as they develop and
17 implement programs, mechanisms, and tools to encourage the retention of
18 agricultural lands;

19 (f) Develop a grant process and an eligibility certification
20 process for localities to receive grants for local programs and tools
21 to retain agricultural lands for agricultural production;

22 (g) Provide analysis and recommendations as to the continued
23 development and implementation of the farm transition program
24 including, but not limited to, recommending:

25 (i) Assistance in the preparation of business plans for the
26 transition of business interests;

27 (ii) Assistance in the facilitation of transfers of existing
28 properties and agricultural operations to interested buyers; and

29 (iii) Research assistance on agricultural, financial, marketing,
30 and other related transition matters;

31 (h) Begin the development of a farm transition program to assist in
32 the transition of farmland and related businesses from one generation
33 to the next, aligning the farm transition program closely with the
34 farmland preservation effort to assure complementary functions; and

35 (i) Serve as a clearinghouse for incentive programs that would
36 consolidate and disseminate information relating to conservation
37 programs that are accessible to landowners and assist owners of

1 agricultural lands to secure financial assistance to implement
2 conservation easements and other projects.

3 NEW SECTION. **Sec. 3.** FARMLAND PRESERVATION TASK FORCE. (1) The
4 farmland preservation task force is established with the following
5 voting members:

6 (a) Six farmer representatives, one from each of six regions
7 delineated by the state conservation commission at least one of whom is
8 a commercial livestock producer, of which at least two representatives
9 shall be under the age of forty-five, appointed by the governor from
10 persons nominated by recognized agricultural organizations;

11 (b) A representative of the state conservation commission,
12 appointed by the chair of the state conservation commission;

13 (c) A representative of the department of agriculture, appointed by
14 the director;

15 (d) A representative of counties in eastern Washington, appointed
16 by the Washington state association of counties;

17 (e) A representative of counties in western Washington, appointed
18 by the Washington state association of counties;

19 (f) Two members of the senate, one from each major political
20 caucus, appointed by the president of the senate;

21 (g) Two members of the house of representatives, one from each
22 major political caucus, appointed by the speaker of the house of
23 representatives;

24 (h) A representative of the office of the governor, appointed by
25 the governor; and

26 (i) A representative of conservation districts, appointed by the
27 state association of conservation districts.

28 (2) The following persons shall be requested to participate as
29 nonvoting members of the farmland preservation task force:

30 (a) A representative of the federal natural resources conservation
31 service with knowledge of federal agricultural land retention programs
32 and funding sources, appointed by the state conservationist; and

33 (b) A person with technical expertise from the department of
34 community, trade, and economic development, appointed by the agency's
35 director.

36 (3) The task force shall meet at least twice a year. The task

1 force shall be staffed by the state conservation commission. The chair
2 of the task force shall be elected for a term of one year by the voting
3 members of the task force.

4 (4) Nonlegislative members of the task force are entitled to be
5 reimbursed for travel expenses in accordance with RCW 43.03.050 and
6 43.03.060 by the state conservation commission. Legislative members of
7 the task force are entitled to be reimbursed for travel expenses in
8 accordance with RCW 44.04.120.

9 (5) This section expires January 1, 2011.

10 NEW SECTION. **Sec. 4.** CAPTIONS NOT LAW. Captions used in this act
11 are not any part of the law.

12 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act constitute
13 a new chapter in Title 89 RCW.

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