

Updating the SEPA Checklist and the Preservation of working farm, ranch and forest lands

Issue:

Each year you have to drive a little farther out to find it. Slowed by traffic, through tangled intersections, past rows of houses that seem to have sprouted from the field, finally, you begin to see working farmland and forestland. These working farms and forests are part of the environment that needs consideration when actions that trigger environmental review can have an impact on them. Without consideration of these impacts, we will continue to convert our farmlands and working forests to roads, houses and mall. Land use development patterns done without consideration of working lands has put our farmland and forestland at serious risk, especially our most fertile, productive and valuable farmland and forestland located on the fringes of development that extends outside of urban areas and in newly urbanized areas. Additionally, in recent years it has been well established that the health of Puget Sound is at risk and that a key strategy in improving the health of Puget Sound is through the protection of farmland and a reduction in the conversion of forestland to non-forest uses.¹

- ***Puget Sound region has lost 60% of its farmland since 1950.² Between 1990 and 2008, it is estimated that 250,000 acres of forest land in north and south Puget Sound timbersheds has been converted.³***
- ***Between 1997 and 2007 Washington lost over 5,000 farms totaling 460,000 acres. Most of the farms lost were 1 to 50 acres.⁴ It is estimated that about 972,000 acres of private forestland in western Washington is threatened with conversion.⁵***
- ***Since the passage of the Growth Management Act (GMA) from 2001 to 2006 approximately 4,300 acres farm land has been converted to impervious surfaces in Puget Sound.⁶***

¹ Shared Strategy for Puget Sound (pp 411-419); Puget Sound Partnership Action Agenda, Section A.3.(p.51), A.4.1 (p 41) and Table 4.2 (p 97).

² Losing Ground: Farmland Protection in the Puget Sound Regions. (pp 6.). American Farmland Trust. 2012.

³ Retention of High-Valued Forest Lands at Risk of Conversion to Non-Forest Uses in Washington State, Final Report, Prepared for the Washington State Legislature and Washington DNR by the College of Forest Resources, University of Washington, March 25, 2009, p.16.

⁴ Josh Giuntoli, Washington State Office of Farmland Preservation. February 2013.

⁵ Retention of High-Valued Forest Lands at Risk of Conversion to Non-Forest Uses in Washington State, Final Report, Prepared for the Washington State Legislature and Washington DNR by the College of Forest Resources, University of Washington, March 25, 2009.

⁶ NMFS, Puget Sound Chinook Salmon Recovery Plan – 2011 Implementation Status Assessment Final Report, 2006, page 6.

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Well-planned land use development must include attention to economic vitality, ecological diversity, food security needs, and sustainable forestry principles to limit paving over our best farmland and forestland. We must protect our most valuable natural resource uses for future generations. In most cases where urban growth and related development activity occurs, alternative actions would have avoided or minimized the loss of these prime working lands in our agricultural and forestland areas.

Parity with other environmental considerations:

“Given the social, economic and environmental values these working lands provide, it is a priority for the state to focus attention, provide options and explore ways we can grow while preserving our working agricultural and forest economies”

- Governor Christine Gregoire, “The Next Washington” -

The Agricultural Interest Representative on the SEPA Advisory Committee promotes full parity being established between preservation of working farm, ranch and forestlands and the protection of critical areas. Until parity exists, these lands will continue to be converted to non-agricultural and non-forestry uses that will irrevocably impair the state’s ability to produce food, fiber and wood products as well as supporting the vibrant resources these lands offer.

Although the SEPA Rules are only a single part of the overall working policy framework that needs to be developed at the statewide level in order to effectively protect our prime farm, ranch, and forest lands, updating the SEPA Rules to assure that impacts on these lands are properly considered will improve each lead agency’s ability to include these resource lands as a part of the evaluation of all environmental considerations in the SEPA process. This will assist decision-makers who may better evaluate the environmental consequences of their decisions on working farms and forests.

- The SEPA Rules have not been updated since the passage of the Growth Management Act to address the GMA requirement to identify and protect agricultural and forest lands of long term significance.
- Bringing SEPA Rules into alignment with the mandates of the GMA will help bring parity between the protection of our critical areas and our working lands and help meet the legislative directive to identify and take into consideration impacts to agricultural and forestry resources.

Why amend the SEPA Rules now, and specifically the SEPA Checklist?

SEPA can be one of the most powerful legal tools for protecting agricultural and forestland resources. Among other things, SEPA requires all state and local governments within the state to:

- Utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and decision making which may have an impact on agricultural and forestry uses; and
- Ensure that agricultural and forestlands, amenities and values will be given appropriate consideration in the decision making along with other environmental considerations.

SEPA should be used to ensure that agricultural and forestry values will be considered during decision making by state and local agencies. By amending SEPA Rules to insure the consideration of impacts to agricultural and forest resource lands, the state will be fulfilling the legislative intent codified under **RCW 43.21C.011** and SSB 6406 and will acknowledge the strategic importance of agricultural lands in protecting our environment and providing domestic food and fiber and declares its continuing responsibility to:

- Fullfill the responsibilities of each generation as trustee of agriculture in Washington for succeeding generations;
- Assure for all people of Washington a safe, healthy and productive and economically viable agricultural industry;
- Attain the widest range of beneficial uses of our agricultural lands without degradation, risk to health or safety, or other undesirable and unintended consequences;
- Preserve important historic, cultural and natural aspects or our agricultural lands
- Maintain, wherever possible, an environment which supports the diversity and variety of our agricultural lands.

Additionally, the forest resource lands of our state are similarly a strategically important part of our environment that provide habitat for wildlife, clean air and water, and raw materials to support a robust statewide timber industry.

Our proposal is to amend the SEPA Checklist with the following questions, which are provided also in the attached, edited Checklist:

B(1)(c) Revised the second sentence to read: If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal will result in removing any of these soils. (Instead of referring to prime farmland, which is a subjective term in current times).

B(3)(c) Add a question between (1) and (2) that reads: Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? Is so, describe. (This part of the Checklist needs to be updated to reflect a better understanding of drainage patterns that are similarly considered as other information in this section of the Checklist).

B(3)(d) Revise this sentence to read: Proposed measures to reduce or control surface, ground, runoff water impacts and impacts related to the alteration of drainage patterns, if any.

B(4) Add a line to check for whether the type of vegetation on the site includes orchards or vineyards or other permanent crops.

B(8)(a) Add a secondary question: Will the proposal affect land uses on adjacent properties? If so, describe.

B(8)(b) Revise this question to read: Has the site been used as working farmlands or working forest land? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any

B(8) Add another question before current (c) as follows: Will the proposal affect surrounding working farm or forest land normal business operations, such as; oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

B(8)(f) Revise to add another question: ? Are there any agricultural or forest lands of long-term commercial significance on or adjacent to the site?

B(8) Add another question at the end of the section as follows: Proposed measures to ensure the proposal is compatible with ongoing use of nearby and adjacent agricultural and forest lands of long-term commercial significance in the area, if any.

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B(9)(a) and (b), add “farmworker” housing to these questions as follows: (a) Approximately how many units would be provided, if any? Indicate whether high, middle, low-income, or farmworker housing AND (b) Approximately how many units, if any, would be eliminated? Indicate whether high, middle, low-income, or farmworker housing.

B(14) – add another question between (d) and (e): Will the proposal interfere with or affect movement of agricultural and forest products on roads or streets in the area? If so, generally describe.