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**Fisheries, Ecology & Parks  
Committee**

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**SSB 6155**

**Brief Description:** Preventing the spread of horticultural pests and diseases.

**Sponsors:** Senate Committee on Agriculture (originally sponsored by Senators Parlette, Hewitt and Mulliken).

**Brief Summary of Substitute Bill**

- Allows the burning of removed cultivated orchard trees in areas of the state where outdoor burning is not generally prohibited if the legislative authority of the county determines that burning will help prevent or control the spread of horticultural pests or diseases.

**Hearing Date:** 2/19/04

**Staff:** Jason Callahan (786-7117).

**Background:**

Local air pollution agencies, fire districts, and the state departments of Ecology, Natural Resources, and Agriculture all share the responsibility to establish a program to allow limited residential and land clearing burning in areas of the state that are not included in the urban growth area of a city with greater than 5,000 residents [RCW 70.94.745(1)]. This program may not allow burning in areas of the state where suitable alternatives to burning are available and reasonably economical [RCW 70.94.745(6)], except that agriculture burning must always be allowed without having to apply for a permit or pay a fee. Agriculture burning must be limited to:

- Burning that is incidental to commercial agriculture;
- Burning that does not occur during a period of impaired air quality;
- Burning that is limited to orchard prunings, organic debris along fence lines or ditches, or organic debris that is blown by the wind; and
- Burning that only occurs after notification has been provided to the local fire department [RCW 70.94.745(7)].

**Summary of Bill:**

Cultivated orchard trees may be burned without having to pay a fee or get a permit if the legislative authority of the county determines that burning will help prevent or control the spread of horticultural pests or diseases. The burning would be allowed regardless if there was intent to

replant trees; however, the permission to burn the orchard trees would only apply to those areas of the state outside of an urban growth area or where general outdoor burning is not prohibited.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.