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**Agriculture & Natural Resources  
Committee**

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**HB 2244**

**Brief Description:** Limiting outdoor burning when a fire safety burn ban is declared.

**Sponsors:** Representative Delvin.

**Brief Summary of Bill**

- Prohibits incidental agriculture burning if the burning occurs during a period in which a fire safety burn ban has been declared.

**Hearing Date:** 1/15/2004

**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 where outdoor burning is not prohibited [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:

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

Most outdoor burning is prohibited in any area where the federal or state ambient air quality limits are exceeded for the pollutants associated with burning, or within the urban growth boundary of any city with a population of greater than 5,000 residents or that is located within or contiguous to any area that has been identified as having a history of poor air quality [RCW 70.94.743(1)]. One exception to this rule is for agricultural burning that normal, necessary, and customary to ongoing agricultural activities [RCW 70.94.743(1)(d)].

**Summary of Bill:**

Incidental agriculture burning is prohibited if the burning occurs during a period in which a fire safety burn ban has been declared. This prohibition does not apply to agricultural burning that occurs in areas of the state where outdoor burning is generally prohibited, but some agricultural burning may be allowed.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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