

FINAL BILL REPORT

SSB 6155

C 213 L 04

Synopsis as Enacted

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

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

Senate Committee on Agriculture
House Committee on Fisheries, Ecology & Parks

Background: Outdoor burning is generally not allowed in: (1) any area of the state where federal or state ambient air quality standards are exceeded for pollutants emitted by outdoor burning; or (2) urban growth areas, with limited exceptions.

Agricultural burning is the burning of vegetative debris from an agricultural operation as necessary for disease or pest control, crop propagation, or crop rotation, and may include the burning of fields, prunings, weeds, irrigation and drainage ditches, fence rows or other essential pathways. Within urban growth areas outdoor burning that is normal, necessary, and customary to ongoing agricultural activities that preceded urban growth designation is allowed if numerous conditions are met.

Agricultural burning may only be permitted in the absence of air pollution episodes or determinations of air quality impairment. An agricultural burning permit applicant must show that burning is the most reasonable procedure available or is reasonably necessary to carry out the agricultural enterprise.

Ecology has defined in rule that agricultural burning excludes "land clearing burning" of trees, stumps, shrubbery, or other natural vegetation from projects that clear the land surface so it can be developed, used for a different purpose, or left unused. Land clearing burning is generally not allowed within the urban growth boundary.

Summary: The burning of cultivated orchard trees is expressly allowed within urban growth areas as an ongoing agricultural activity, whether or not agricultural crops will be replanted on the land, if a county horticulture pest and disease board, a Washington State University extension agent, or a Washington State Department of Agriculture entomologist determines, in writing, that burning is an appropriate method to prevent or control pests or disease.

Votes on Final Passage:

Senate	49	0	
House	94	2	(House amended)
Senate	48	0	(Senate concurred)

Effective: June 10, 2004