

# HOUSE BILL REPORT

## SSB 5407

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As Passed Legislature

**Title:** An act relating to agricultural burning permits.

**Brief Description:** Regarding county administration of agricultural burning permits.

**Sponsors:** Senate Committee on Ecology & Parks (originally sponsored by Senators Loveland, Barr and M. Rasmussen).

**Brief History:**

Reported by House Committee on:  
Environmental Affairs, March 25, 1993, DPA;  
Passed House - Amended, April 6, 1993, 97-0;  
House Receded;  
Passed Legislature, April 24, 1993; 96-0.

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### HOUSE COMMITTEE ON ENVIRONMENTAL AFFAIRS

**Majority Report:** Do pass as amended. Signed by 14 members: Representatives Rust, Chair; Flemming, Vice Chair; Horn, Ranking Minority Member; Van Luven, Assistant Ranking Minority Member; Bray; Edmondson; Foreman; Hansen; Holm; L. Johnson; J. Kohl; Linville; Roland; and Sheahan.

**Staff:** Rick Anderson (786-7114).

**Background:** Under current law, a permit is required for agricultural burning. The permit system is administered by the Department of Ecology (DOE) or by local air pollution control authorities where such authorities exist. Ecology may also delegate permitting authority to a county, conservation district, or fire protection district in areas where no local air pollution control authority exists. Permits may be issued on a seasonal or individual fire basis. Applicants must demonstrate that the setting of fires is reasonably necessary, and that steps will be taken to minimize air pollution.

The 1991 Clean Air Washington Act established an agricultural burning practices and research task force. The duties of the task force are three-fold. The task force sets the permit fee, identifies best management practices, and identifies research needs. The 1991 act limits the final permit fee to \$2.50 per acre.

Under an interim policy, the task force has recommended a one-time temporary permit fee of \$20. The permit is valid until January 1995 when final fee rules are expected to be adopted. Permit fees cover the costs of administering the permits and to fund research and development. To obtain an interim permit in counties managed by DOE, an applicant must send in a pre-approved form. In a county running its own program, the process is similar but burning may be allowed only on certain days.

**Summary of Bill:** The Department of Ecology and local air authorities are required to provide convenient methods for issuance and oversight of agricultural burn permits. Convenient methods for obtaining an agricultural burn permit may include telephone, facsimile transmission and issuance from local city or county offices.

Local air authorities are authorized to delegate permitting authority to a county, conservation, district, and fire protection district. Local permitting authorities are authorized to retain a portion of the permit fee to cover the administrative costs of issuing and enforcing the permit.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Local air authorities should be allowed to delegate permitting authority to counties and other local government entities. Local air authorities and other delegated permitting authorities should be allowed to receive a portion of the permit fee to cover administrative costs.

**Testimony Against:** None.

**Witnesses:** Senator Loveland, prime sponsor (pro); Joe Williams, Department of Ecology (pro); and Paul Parker, Association of Washington Counties (pro).