

SENATE BILL REPORT

SB 6012

As Reported By Senate Committee On:
Environment, Energy & Water, February 27, 2001

Title: An act relating to customary agricultural practices in the urban growth area.

Brief Description: Allowing customary agricultural related burning in an urban growth area.

Sponsors: Senators Honeyford, Rasmussen, Hochstatter, Hale and Carlson.

Brief History:

Committee Activity: Environment, Energy & Water: 2/27/01 [DPS].

SENATE COMMITTEE ON ENVIRONMENT, ENERGY & WATER

Majority Report: That Substitute Senate Bill No. 6012 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chair; Regala, Vice Chair; Hale, Honeyford, Jacobsen, McDonald and Morton.

Staff: Richard Rodger (786-7461)

Background: Outdoor burning is the burning of any material in an open fire or in an outdoor container without providing for the control of combustion or the control of emissions from the combustion.

Outdoor burning is 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, except for certain cities having a population of less than 5,000 people which are exempt until December 31, 2006. Outdoor burning may be allowed for managing storm or flood-related debris.

Agricultural burning is the burning of vegetative debris from an agricultural operation as necessary for disease or pest control, crop propagation or rotation, and may include the burning of fields, prunings, weeds, irrigation and drainage ditches, fence rows or other essential pathways. A permit for agricultural burning may be issued when it is reasonably necessary to carry out the enterprise. Burning is "reasonably necessary" when it meets the criteria of the best management practices and no practical alternative is reasonably available. Agricultural burning permits are issued by the local air authority, the Department of Ecology, or by delegated conservation districts, counties, fire districts or fire protection agencies. Permits may be issued in non-attainment and urban growth areas.

Summary of Substitute Bill: Outdoor burning that is normal, necessary, and customary to ongoing agricultural activities is allowed within the urban growth area if the burning is not conducted during air quality episodes or when there has been an impaired air quality-

determination, and the agricultural activities preceded the designation as an urban growth area.

Substitute Bill Compared to Original Bill: Clarifying amendments were made.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: None.

Testimony Against: The law is too restrictive in regards to allowing the Department of Transportation to burn tumbleweed along the department's fence lines.

Testified: Dave Bowers, Department of Transportation.