
SENATE BILL 6012

State of Washington

57th Legislature

2001 Regular Session

By Senators Honeyford, Rasmussen, Hochstatter, Hale and Carlson

Read first time 02/16/2001. Referred to Committee on Environment,
Energy & Water.

1 AN ACT Relating to customary agricultural practices in the urban
2 growth area; and amending RCW 70.94.743.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.94.743 and 1998 c 68 s 1 are each amended to read
5 as follows:

6 (1) Consistent with the policy of the state to reduce outdoor
7 burning to the greatest extent practical:

8 (a) Outdoor burning shall not be allowed in any area of the state
9 where federal or state ambient air quality standards are exceeded for
10 pollutants emitted by outdoor burning.

11 (b) Outdoor burning shall not be allowed in any urban growth area
12 as defined by RCW 36.70A.030, or any city of the state having a
13 population greater than ten thousand people if such cities are
14 threatened to exceed state or federal air quality standards, and
15 alternative disposal practices consistent with good solid waste
16 management are reasonably available or practices eliminating production
17 of organic refuse are reasonably available. In no event shall such
18 burning be allowed after December 31, 2000, except that within the
19 urban growth areas for cities having a population of less than five

1 thousand people, that are neither within nor contiguous with any
2 nonattainment or maintenance area designated under the federal clean
3 air act, in no event shall such burning be allowed after December 31,
4 2006.

5 (c) Notwithstanding any other provision of this section, outdoor
6 burning may be allowed for the exclusive purpose of managing storm or
7 flood-related debris. The decision to allow burning shall be made by
8 the entity with permitting jurisdiction as determined under RCW
9 70.94.660 or 70.94.755. If outdoor burning is allowed in areas subject
10 to (a) or (b) of this subsection, a permit shall be required, and a fee
11 may be collected to cover the expenses of administering and enforcing
12 the permit. All conditions and restrictions pursuant to RCW
13 70.94.750(1) and 70.94.775 apply to outdoor burning allowed under this
14 section.

15 (d) Outdoor burning that is normal, necessary, and customary to
16 ongoing agricultural activities is allowed within the urban growth area
17 as defined in (a) of this subsection if the burning is not conducted
18 during air quality episodes and the agricultural activities preceded
19 the designation as an urban growth area.

20 (2) "Outdoor burning" means the combustion of material of any type
21 in an open fire or in an outdoor container without providing for the
22 control of combustion or the control of emissions from the combustion.

23 (3) This section shall not apply to silvicultural burning used to
24 improve or maintain fire dependent ecosystems for rare plants or
25 animals within state, federal, and private natural area preserves,
26 natural resource conservation areas, parks, and other wildlife areas.

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