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HOUSE BILL 2047

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State of Washington                      65th Legislature                      2017 Regular Session

By Representatives Steele, Chapman, Condotta, and Johnson

1            AN ACT Relating to outdoor burning; and amending RCW 70.94.6514.

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

3            **Sec. 1.** RCW 70.94.6514 and 2009 c 118 s 103 are each amended to  
4 read as follows:

5            (1) Consistent with the policy of the state to reduce outdoor  
6 burning to the greatest extent practical, outdoor burning shall not  
7 be allowed in:

8            (a) Any area of the state where federal or state ambient air  
9 quality standards are exceeded for pollutants emitted by outdoor  
10 burning; or

11            (b) Any urban growth area as defined by RCW 36.70A.030 with a  
12 population greater than ten thousand, or any city of the state having  
13 a 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  
17 production of organic refuse are reasonably available.

18            (2) Notwithstanding any other provision of this section, outdoor  
19 burning may be allowed for the exclusive purpose of managing storm or  
20 flood-related debris. The decision to allow burning shall be made by  
21 the entity with permitting jurisdiction as determined under RCW

1 70.94.6534 or 70.94.6518. If outdoor burning is allowed in areas  
2 subject to subsection (1)(a) or (b) of this section, a permit shall  
3 be required, and a fee may be collected to cover the expenses of  
4 administering and enforcing the permit. All conditions and  
5 restrictions pursuant to RCW 70.94.6526(1) and 70.94.6512 apply to  
6 outdoor burning allowed under this section.

7 (3)(a) Outdoor burning that is normal, necessary, and customary  
8 to ongoing agricultural activities, that is consistent with  
9 agricultural burning authorized under RCW 70.94.6528 and 70.94.6532,  
10 is allowed within the urban growth area in accordance with RCW  
11 70.94.6528(8)(a).

12 (b) Outdoor burning of cultivated orchard trees shall be allowed  
13 as an ongoing agricultural activity under this section in accordance  
14 with RCW 70.94.6528(8)(b).

15 (4) This section shall not apply to silvicultural burning used to  
16 improve or maintain fire dependent ecosystems for rare plants or  
17 animals within state, federal, and private natural area preserves,  
18 natural resource conservation areas, parks, and other wildlife areas.

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