

Agricultural Burning in Spokane County

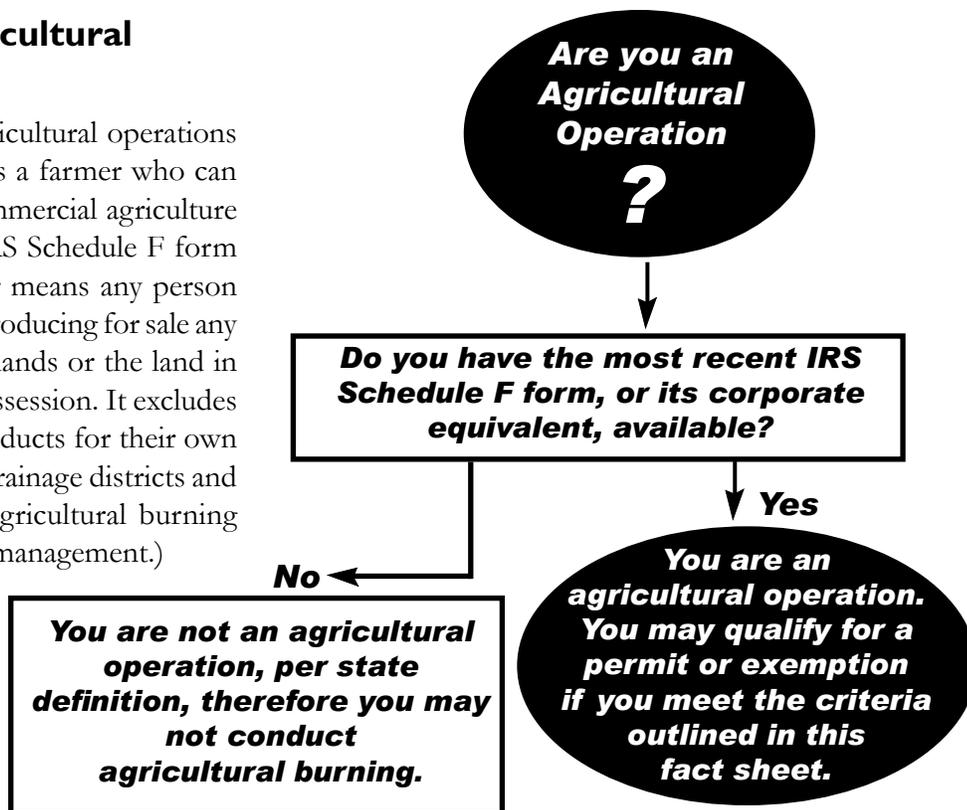


A Message from the Spokane Regional Clean Air Agency

The Spokane Regional Clean Air Agency (Spokane Clean Air) administers the agricultural burning program throughout Spokane County. Spokane County Fire Districts 2, 11, and 12 are authorized to administer a limited agricultural spot burning program within their jurisdictions. Please read this fact sheet for details.

You must qualify as an agricultural operation

Agricultural burning is limited to agricultural operations only. An agricultural operation means a farmer who can substantiate that the operation is commercial agriculture by showing the most recent year's IRS Schedule F form or its corporate equivalent. A farmer means any person engaged in the business of growing/producing for sale any agricultural product upon their own lands or the land in which they have a present right of possession. It excludes persons growing/producing such products for their own consumption. It includes irrigation/drainage districts and weed control boards with specific agricultural burning needs (e.g. burning for water system management.)



Agricultural burning is never allowed if...

- ✗ the material contains "prohibited materials" (anything other than natural vegetation from agricultural operations);
- ✗ the material was generated elsewhere, then transported to the area for burning; or
- ✗ the smoke is likely to cause an impact or nuisance, as determined by Spokane Clean Air or another permitting agency.

Types of agricultural burning

There are three types of agricultural burning covered in this fact sheet: Incidental, Spot, and General Agricultural Burning. Each has different permits, fees, qualifications, and requirements.

I. Incidental Agricultural Burning

According to RCW 70A.15.5070(7) (formerly RCW 70.94.6524(7)) and WAC 173-430-020(5), **incidental burning is defined as:**

- **Orchard prunings from fruit/nut bearing trees only (Christmas trees, raspberries, blueberries, grapes, etc., do not qualify.)** An orchard must be devoted to the cultivation of fruit or nut trees. This doesn't include orchard tear-outs or tree-grafting for new crop variety. Burning tear-out of trees requires a general agricultural burning permit, described on the next page.
- **Organic debris blown by the wind, including tumbleweeds.**
- **Organic debris along fencelines.** Only fence-lines bordering commercial agricultural fields are considered



Burning along fence lines may be conducted under certain conditions.

incidental for burning purposes.

- **Organic debris along/in irrigation/drainage ditches.** An irrigation/drainage ditch is a waterway which predictably carries water (not necessarily continuously) and is unworkable by equipment used to cultivate the adjacent (surrounding) commercial agricultural field (i.e. the waterway has not been planted in a crop.) Placing field residue in/along a waterway/ditch and burning it for disposal purposes is a violation of state and local outdoor burning regulations. If the waterway/ditch is within a county right-of-way, the farmer is not in control of the fenceline/draw/ditch

According to RCW 70A.15.5070(7), **incidental burning is allowed without permits or fees provided it meets all of the following:**

- The burning is incidental to commercial agricultural activities (i.e., land on which agricultural burning is to occur must itself be part of an agricultural operation).
- The operator notifies the local fire district where the burning is to be conducted, prior to burning.
- The burning does not occur during impaired air quality. Call 477-4727 ext. #109, after 9 a.m. business days, for the daily agricultural "burn" decision for Spokane Co.

2. Agricultural Spot Burning

The **spot burn permit** gives the farmer an opportunity to burn unforeseen and unpredictable small areas where burning is reasonably necessary and no practical alternatives to burning exists. The spot burn permit is most commonly used to burn small weed patches, spots of heavy residue, equipment plugs and harrow dumps. Spots are located within a field, not the field itself. Windrows are not considered spots. The spot burn permit is valid for the calendar year in which it's issued and is good for burning a cumulative total of no more than 10 acres of small spots during the year.

- **Small weed patches** are weeds in a harvestable crop that are so dense that the farmer does not harvest that portion of the field and the weedy patch is left standing or swathed only. Burning, in conjunction

with other non-burning management practices, is necessary to effectively kill the vegetation and seeds in order to place the patch of ground back into agricultural production.

- **Equipment plugs** are masses of natural vegetation that have plugged mechanical equipment during tilling or plowing, and have been removed from the equipment and placed into distinct, random piles/spots on the field.
- **Spots of heavy residue** are small spots of heavy crop residue within a harvestable crop that are so dense that burning, in conjunction with other non-burning practices are necessary to effectively manage the heavy residue in order to place the patch of ground back into agricultural production.

Permits, fees and other requirements for Agricultural Spot Burning:

- A Spot Burning application must be completed and submitted to Spokane Clean Air. If the applicant lives within one of the Fire Districts listed below, the application must be submitted to the appropriate fire district.

FD #2, P.O. Box 193, Fairfield, WA 99012, (509) 283-2562
FD #11: P.O. Box 65, Rockford, WA 99030, (509) 291-5211
FD #12: P.O. Box 4, Waverly, WA 99039, (509) 283-4372

- A written permit must be obtained from the permitting authority before any spot burning may occur. A Spot Burning Permit is valid for burning only within the permitting authority's jurisdiction from which it was obtained. The permit is valid for the calendar year in which it was issued. A cumulative total of no more than 10 acres can be burned in any calendar year.

- A non-refundable \$37.50 fee must accompany all Spokane County Spot Burning applications. The submittal of the fee does not guarantee approval by the permitting authority.



Equipment plugs, pictured above, may be burned under a written permit.

3. General Agricultural Burning

A farmer who wishes to conduct any other agricultural burning not covered under Incidental or Spot Burning, must apply for a General Agricultural Burning Permit.

Permits, fees and other requirements for General Agricultural Burning

- All General Agricultural Burning applications must be completed and submitted to Spokane Clean Air.
- A filing fee must accompany each Spokane County General Agricultural Burning Permit application. Fees are set by the Agricultural Burning Practices Research Task Force per Chapter 173-430 WAC. The fee is \$3.75 per acre with a minimum non-refundable filing fee of \$37.50. The field acreage is based on the entire area from which the residue was generated. For orchard tear-out, the minimum fee is \$80 for the first 80 tons, then \$1.00 for each additional ton.

- For General Agricultural Burning Permit review, we refer to Spokane Clean Air Regulation I, Article VI, Section 6.11, and the Best Management Practice guidelines, developed by the Agricultural Burning Practices and Research Task Force, which address burning criteria, options, and alternatives. In addition, we consider whether such burning is a customary practice in Spokane County and whether it is necessary in order to successfully carry out the farming enterprise.
- Spring permits are issued for January - June, and fall permits are issued for July - December.

If you have any questions, please contact:
Spokane Regional Clean Air Agency, 477-4727.



October 2020