

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. In some areas of Spokane County, agricultural spot burning has been delegated to local fire districts, per their request. This is the case for Spokane County Fire Districts 2, 11, and 12. If you reside in one of these districts and after reading this fact sheet you've determined that you qualify as an agricultural operation, please contact the district directly. Contact information is on the last page of this fact sheet.

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.)



Are you an
Agricultural
Operation

?

Do you have the most recent IRS
Schedule F form, or its corporate
equivalent, available?

No

Yes

You are not an agricultural
operation, per state
definition, therefore you may
not conduct
agricultural burning.

You are an
agricultural operation.
You may qualify for a
permit or exemption
if you meet the criteria
outlined in this
fact sheet.

Agricultural burning is never allowed if...

- ✗ the material contains "prohibited materials" (anything other than natural vegetation);
- ✗ the material was generated elsewhere, then transported to the area for burning; or
- ✗ the smoke is going to cause an impact or nuisance, as determined by Spokane Clean Air or other 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 70.94.745(7) and WAC 173-430-020(5), **incidental burning is defined as:**

- **Orchard prunings from fruit/nut bearing trees only (Christmas trees, raspberries, grapes, etc., do not qualify.)** An orchard must be devoted to the cultivation of fruit or nut trees. This does not 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 along fencelines.** Only fence-lines bordering commercial agricultural fields are considered incidental for burning purposes.
- **Organic debris along/in irrigation/drainage ditches.** An irrigation/drainage ditch is a waterway which predictably carries water (not necessarily



Burning along fence rows may be conducted under certain conditions.

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 and cannot burn it.

According to RCW 70.94.745(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 an air pollution episode or impaired air quality. Call the Burning Info Line, 477-4710, for current burn conditions.

2. Agricultural Spot Burning

- **The spot burn permit** is generally for areas that are 1/2 acre or less in size and is limited to small weed patches and equipment plugs and dumps. This burning is considered necessary because non-burning management alternatives are generally not practical. 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 is 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 or 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.

Permits, fees and other requirements for Agricultural Spot Burning:

- A Spokane County Spot Burning Application must be completed and submitted to Spokane Clean Air, unless the applicant lives within one of the following Fire Districts with permitting authority:
FD #2, P.O. Box 193, Fairfield, WA 99012, (509) 283-4271
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 non-refundable \$25 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. Fee submittal does not guarantee application approval. A portion of the fee goes to Ecology for research into burning alternatives and a portion is for program administration. The fee is \$2.25 per acre* with a minimum non-refundable filing fee of \$25. For orchard tear-out, the minimum fee is \$50.

**If piles will be burned, the total field acreage is based on the entire area from which the residue was generated.*

- For General Agricultural Burning Permit review, we refer to 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.

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

