

# Land Clearing Burning in Spokane County



A Message from the Spokane Regional Clean Air Agency

## What is Land Clearing Burning?

Spokane Regional Clean Air Agency (Spokane Clean Air) Regulation I, Article VI, Section 6.01, defines land clearing burning as the outdoor burning of trees, stumps, shrubbery, or other natural vegetation from land clearing projects (i.e., projects that clear the land surface so it can be developed, used for a different purpose, or left unused).

## Can I Burn My Land Clearing Debris?

There is a limited land clearing burning program in Spokane County. Burning is not allowed in former nonattainment areas, inside Urban Growth Areas, and where burning would likely cause smoke impacts to neighbors. After December 31, 2010, land clearing burning may not occur anywhere in Spokane County. There are two types of land clearing projects that may be eligible for burn permits in Spokane County: 1) Residential Land Clearing and 2) Silvicultural-to-Agricultural Land Clearing. Each is described below.

### 1. Residential Land Clearing

Clearing of less than 1 acre of forested land (e.g., for construction of a home) on a 5 acre or larger parcel in non-commercial ownership.

### 2. Silvicultural-to-Agricultural Land Clearing

Land must be converted from a silvicultural to an agricultural state. An agricultural operation means any person engaged in the business of growing or producing for sale, upon their own lands or the land in which they have a present right of possession, any agricultural product *and* who can substantiate that the operation is commercial agriculture by showing the most recent year's IRS Schedule F form or proof that the land is designated in a classification for agricultural use.

**The material being cleared must be silvicultural in nature.** Silvicultural debris consists of trees, stumps, shrubbery, or other natural vegetation on unimproved land that the State Department of Natural Resources (DNR) protects, pursuant to RCW 70.94.030(20), 70.94.660, and 70.94.690, and pursuant to Chapter 76 RCW.

### Permits and Fees

**A written permit must be obtained from Spokane Clean Air before land clearing burning may occur.**

A Spokane County Outdoor Burning Permit Application must be completed and submitted to Spokane Clean Air. The application must be received between 10 - 180 days prior to the first proposed burn date.

A land clearing burning permit is valid for 30 days and shall expire 29 consecutive days after the first proposed burn date. A non-refundable \$200 fee must accompany the application. **The submittal of the fee does not guarantee approval of the application.** If a permit is issued, it will include specific conditions for burning.

Please review more permit information on the back.



### Please review the following information prior to submitting a permit application.

- ▲ Applications must be complete.
- ▲ Application fees are non-refundable.
- ▲ Applicants must be able to show that the silvicultural vegetation they intend to clear or have cleared is/ was: (1) not from more than 1 acre on a 5 acre or greater parcel of property in noncommercial ownership, or (2) a silvicultural-to-agricultural conversion.
- ▲ Land clearing burning is not allowed inside former nonattainment areas.
- ▲ Land clearing burning is not allowed inside Urban Growth Areas.
- ▲ An on-site inspection may be performed by Spokane Clean Air personnel prior to issuing a permit and may include one or more on-site visits prior to, during, or after burning occurs.

### Permit Requests May be Denied...

Below is a list of common reasons permits are denied:

- ▲ The piles have dirt in them.
- ▲ The piles are larger than 10' in diameter.
- ▲ The material is not cured (green). Ideally, material has cured/seasoned for a year or more.
- ▲ Smoke impacts on neighbors and regional airshed is likely to occur.
- ▲ Material in the pile(s) is greater than 5" diameter, except for stumps. Larger material should be removed for alternative purposes, such as firewood or other wood products (e.g., logs for lumber).
- ▲ Burn piles are within 50 feet of structures.

### Common Permit Conditions...

The following is a list of common permit conditions, not all of them. Each permit will list site-specific requirements.

- ▲ Burning may be restricted to specified hours during the day.
- ▲ Burning material other than natural vegetation is prohibited.
- ▲ Burning may be prohibited during unfavorable wind directions.
- ▲ Persons intending to burn under a valid permit must contact Spokane Clean Air prior to burning.
- ▲ A responsible person must attend the fire at all times and be adequately equipped to extinguish it.
- ▲ The fire must be extinguished if it creates a nuisance.
- ▲ Burning materials from other properties is prohibited.

Failure to comply with applicable regulations and permit conditions may result in enforcement action.

For more information on land clearing burning, or any other air quality-related topic, please contact us.



Effective until December 31, 2010