

RCW 70A.15.5120 Burning permits for abating or prevention of forest fire hazards, management of ecosystems, instruction or silvicultural operations—Issuance—Fees. (1) The department of natural resources is responsible for issuing and regulating burning permits required by it relating to the following activities for the protection of life or property and for the public health, safety, and welfare:

- (a) Abating or prevention of a forest fire hazard;
- (b) Reducing the risk of a wildfire under RCW 70A.15.5020(5);
- (c) Instruction of public officials in methods of forest firefighting;
- (d) Any silvicultural operation to improve the forestlands of the state, including but not limited to forest health and resiliency, decreasing forest insect or disease susceptibility, maintaining or restoring native vegetation, or otherwise enhancing resiliency to fire; and
- (e) Silvicultural burning used to improve or maintain fire dependent ecosystems for rare plants or animals within state, federal, and private natural area preserves, natural resource conservation areas, parks, and other wildlife areas.

(2) The department of natural resources shall not retain such authority, but it shall be the responsibility of the appropriate fire protection agency for permitting and regulating outdoor burning on lands where the department of natural resources does not have fire protection responsibility, except for the issuance of permits for reducing the risk of wildfire under RCW 70A.15.5020(5). The department of natural resources may enter into cooperative agreements with local fire protection agencies to issue permits for reducing wildfire risk under RCW 70A.15.5020(5).

(3) Permit fees shall be assessed for wildfire risk reduction, combustion of natural vegetation from silvicultural activities in portable flame cap kilns, and for silvicultural burning under the jurisdiction of the department of natural resources and collected by the department of natural resources as provided for in this section. All fees shall be deposited in the air pollution control account, created in RCW 70A.15.1010. The legislature shall appropriate to the department of natural resources funds from the air pollution control account to enforce and administer the program under this section and RCW 70A.15.5130, 70A.15.5140, and 70A.15.5150. Fees shall be set by rule by the department of natural resources at the level necessary to cover the costs of the program after receiving recommendations on such fees from the public. [2024 c 280 s 4; 2020 c 20 s 1143; 2019 c 305 s 5; 2010 1st sp.s. c 7 s 128; 2009 c 118 s 501; 1991 c 199 s 404; 1971 ex.s. c 232 s 2. Formerly RCW 70.94.6534, 70.94.660.]

Effective date—2010 1st sp.s. c 26; 2010 1st sp.s. c 7: See note following RCW 43.03.027.

Purpose—2009 c 118: See note following RCW 70A.15.5000.

Finding—1991 c 199: See note following RCW 70A.15.1005.

Burning permits, issuance, air pollution a factor: RCW 76.04.205.

Disposal of forest debris: RCW 76.04.650.