

**RESOLUTION NO. 1154**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE PUGET SOUND CLEAN AIR AGENCY**

**AMENDING: Regulation I – Section 8.13**

**Relating to Outdoor Burning**

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**WHEREAS**, RCW 70.94.745(6) provides that burning shall be prohibited in an area when an alternate technology or method of disposing of the organic refuse is available, reasonably economical, and less harmful to the environment than burning, and

**WHEREAS**, to implement RCW 70.94.745(6), the Department of Ecology adopted WAC 173-425-040, and

**WHEREAS**, the Board of Directors of the Puget Sound Clean Air Agency (Board) has determined, in accordance with WAC 173-425-040(5), that available, reasonably economical, and less harmful alternatives to land-clearing burning exist in Kitsap County, and

**WHEREAS**, the Board desires to prohibit land-clearing burning in Kitsap County beginning September 1, 2009, and

**WHEREAS**, as required by RCW 43.21H.020, in enacting these regulations, the Board has considered economic values as well as environmental, social, health, and safety issues, and

**WHEREAS**, an environmental assessment and a threshold determination have been made and a Determination of Non-Significance has been issued dated March 9, 2009, and

**WHEREAS**, the Board established April 23, 2009 as the date of public hearing on the proposed amendments to Regulation I and published notice of the time, place, and subject matter of the hearing in a newspaper of general circulation within the geographic area of the Agency and in the State Register, pursuant to RCW 70.94.141, and

**WHEREAS**, the Board held a public hearing on April 23, 2009, and provided an opportunity for written and oral public comments regarding the proposed changes, and has heard and considered the written and oral staff report, and

**WHEREAS**, the Board deems it in the interest of the public health, safety, and welfare of the inhabitants of King, Pierce, Snohomish, and Kitsap Counties that a section of Regulation I pertaining to outdoor burning be amended, now, therefore;

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE PUGET  
SOUND CLEAN AIR AGENCY:**

**Section 1:** Section 8.13 of Regulation I be and the same is hereby amended to read as follows:

**SECTION 8.13 LAND CLEARING BURNING PROHIBITED**

- (a) As authorized by WAC 173-425-040(5), land clearing burning is prohibited in King, Pierce, and Snohomish Counties.
- (b) As authorized by WAC 173-425-040(5), land clearing burning is prohibited in Kitsap County after August 31, 2009.

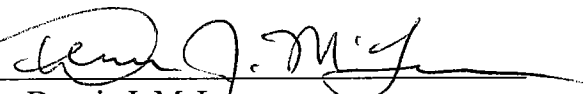
**Section 2:** All cross-references to the above regulations shall be amended accordingly.

**PASSED AND APPROVED** by the Board of Directors at a regular meeting of the Board this 23<sup>rd</sup> day of April 2009.

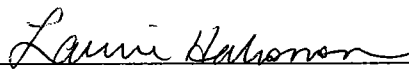
PUGET SOUND CLEAN AIR AGENCY

By   
Paul Roberts  
Chair, Board of Directors

Attest:

By   
Dennis J. McLerran  
Executive Director

Approved as to form:

By   
Laurie S. Halvorson  
Agency Counsel