

EXECUTIVE ORDER 85-06

SUPERSEDING [EO 84-07](#) ESTABLISHMENT OF BOUNDARIES, ENTRY AND OCCUPANCY RULES, AND THE ADMINISTRATION OF A RESTRICTED ZONE SURROUNDING MOUNT ST. HELENS

The potential for major eruptions, earthquakes, ashfall, and flash flooding associated with Mount St. Helens continues to exist, threatening more destruction of life, health, and property. These volcanic and flash flood hazards necessitate the establishment of restricted areas surrounding Mount St. Helens that can be implemented by order of the Governor as the level of hazard increases or decreases.

NOW, THEREFORE, I, BOOTH GARDNER, Governor of the state of Washington, by virtue of the power vested in me under the provisions of chapter 43.06 RCW and chapter 38.52 RCW, in order to help preserve and maintain the life, health, and property of persons within the area described in the Proclamation of a State of Emergency dated April 3, 1980, do take the following action:

I. Declaration of Mount St. Helens Hazard Zone 1 as a Restricted Zone

Based on currently available scientific evidence and opinions, effective August 1, 1985, the area identified herein as Mount St. Helens Hazard Zone 1 is declared a Restricted Zone. Entry into or occupancy of the area designated as Mount St. Helens Hazard Zone 1 by any person is prohibited except as provided in Section II of this Order.

II. Limited Exceptions to Prohibition of Entry or Occupancy

The following categories of persons, under the conditions specified below, are subject to limited exceptions to the prohibition against entry or occupancy in the Restricted Zone:

- (A) U.S. Geological Survey personnel who are performing official duties related to scientific evaluation and hazard assessments that require their presence in the Restricted Zone;
- (B) U.S. Forest Service personnel who are performing official duties that require entry into the Restricted Zone;
- (C) U.S. Army Corps of Engineers personnel who are performing official duties that require their presence in the Restricted Zone;
- (D) Search and rescue personnel registered or identified pursuant to RCW 38.52.010(5) on official search and rescue missions within the Restricted Zone. The sheriffs of Cowlitz and Skamania Counties or their designees shall have the authority to approve entry and/or occupation by search and rescue personnel;

(E) Federal, state, county, and local law-enforcement and firefighting personnel whose jurisdictions are within the Restricted Zone and who are on official business within the Restricted Zone;

(F) Federal, state, county, or local administrative personnel on official business within the Restricted Zone;

(G) Individuals with a legitimate business reason for being within the Restricted Zone, as determined by the Director, Department of Emergency Services, or his designee(s).

During especially dangerous episodes of volcanic activity, these exceptions may be further limited by the Director, Department of Emergency Management, or his designee(s).

Those persons excepted above shall abide by such administrative rules for entry and occupancy as may have been developed by the Department of Emergency Management in cooperation with the U.S. Forest Service. Such rules for entry and occupancy shall be included in the Washington Administrative Code.

III. Administration

Pursuant to RCW 38.52.050(3)(f), I hereby delegate to the Director, Department of Emergency Management, or his designee(s), the administrative authority vested in me by chapter 38.52 RCW. I further direct the Director, Department of Emergency Management, to execute an interagency agreement with the U.S. Forest Service, setting tip procedures and rules of entry and occupancy to administer the Restricted Zone.

This agreement will include the provision of a Waiver of Liability Agreement which each individual, prior to entry and/or occupancy of the Restricted Zone, shall sign releasing the Federal Government, the state of Washington and all its political subdivisions, their officers, agents and employees from all liability for damages or losses due to natural volcanic or flash flood causes incurred while that individual is within the Mount St. Helens Restricted Zone or as a result of entering or occupying that zone.

The Department of Licensing will prepare and maintain a plan to implement a permit process at such time of increased volcanic hazard when it is necessary to expand the Restricted Zone to areas outside of U.S. Forest Service lands and the National Volcanic Monument.

All persons are advised of potential criminal penalties for violation of this Order, pursuant to RCW 43.06.220 and RCW 38.52.150.

IV. Description of Mount St. Helens Hazard Zones

The following zones are established for the purpose of identifying boundaries within which restrictions by this Order are, or by subsequent orders may be, implemented as volcanic and/or flash flood hazards around Mount St. Helens increase or decrease.

MOUNT ST HELENS HAZARD ZONE 1

Mount St. Helens Hazard Zone 1 is described as follows:

The area enclosed within the following boundary starting at the southeast corner of the southwest 1/4 corner of Section 31, T10N, R6E; then west along south section line of Section 31 to the shoreline of Spirit Lake in Section 6, T9N, R6E; then westerly along the north shoreline of Spirit Lake to intersection with section line between Section 2 and 3, T9N, R5E; then 750 feet westerly along the shoreline to the intersection with a stream flowing from the west; then westerly along stream to a saddle located in northwest 1/4 of Section 10, T9N, R5E; then southerly along ridgeline to ridgetop in southwest 1/4 of Section 10, T9N, R5E; then westerly along ridgeline to ridgetop in northwest 1/4 of Section 9, T9N, R5E; then westerly along the ridgeline to ridgetop in northwest 1/4 of Section 8, T9N, R5E; then westerly along the ridge to the section line between sections 7 and 8, T9N, R4E; then westerly along western edge of Project Road to intersection with Coldwater Creek bridge in southwest 1/4 of Section 2, T9N, R4E; then down western edge of Coldwater Creek to its intersection with the North Fork Toutle River in southeast 1/4 of Section 3, T9N, R4E; then downstream on north edge of river to intersection with Castle Creek in the southeast 1/4 of Section 3, T9N, R4E then southeasterly along Castle Creek to the northwest corner of Section 31, T9N, R5E; then east along section line to intersection with Studebaker Creek in northeast 1/4 of Section 31, T9N, R5E; then southerly along Studebaker Creek to the 4800 foot contour line in Section 32, T9N, R5E; then southerly along the 4800 foot contour line to its intersection with Ape Canyon in Section 11, T8N, R5E; then easterly along Ape Canyon to its intersection with Forest Service trail #216 in Section 12, T8N, R5E; then northerly along the western edge of trail #216 to its intersection with Forest Service Road #99 in Section 26, T9N, R5E; then northerly along the western edge of Road #99 to a ridgeline located in the southwest 1/4 of Section 7, T9N, R6E; then northeasterly along ridgeline to the south 1/4 corner of Section 31, T10N, R6E, Willamette Meridian, Skamania County, state of Washington.

MOUNT ST. HELENS HAZARD ZONE 2

Mount St. Helens Hazard Zone 2 is described as follows:

Beginning at the southeast corner of the southwest 1/4 of the southeast 1/4 of Section 31, T10N, R6E; thence west along the south line of section 31 to the shoreline of Spirit Lake in Section 6, T9N, R6E, thence westerly along the north shoreline of Spirit Lake to the intersection with the east section line of Section 3, T9N, R5E; thence 750 feet westerly along the shoreline to the intersection with a stream flowing from the west; thence westerly along said stream course to a saddle located in the northwest 1/4 of Section 10, T9N, R5E; thence southerly along the ridgeline to the ridgetop in the southwest 1/4 of Section 10, T9N, R5E; thence westerly along the ridgeline to the ridgetop in the southwest 1/4 of Section 9, T9N, R5E; thence westerly along the ridgeline to the ridgetop in the northwest 1/4 of Section 8, T9N, R5E; thence westerly to the ridgetop in the southwest 1/4 of Section 7, T9N, R5E; thence westerly along said ridgetop to the Cowlitz-Skamania County line; thence north to the South high water line of Coldwater Lake, thence southwest along the south high water line of Coldwater Lake to the outlet constructed by the U.S. Army Corps of Engineers, thence across the outlet to the north high water line of Coldwater Lake, thence northeast along the high water line of Coldwater Lake to south line of section 36

T10N, R4E, thence west along section lines to the east side of Weyerhaeuser 3540 Road, thence northwest along the east side of the Weyerhaeuser 3540 Road to its intersection with the Weyerhaeuser 3545 Road, thence across the Weyerhaeuser 3540 Road to the south side of said 3540 Road thence westerly along said Weyerhaeuser 3540 Road to Elk Rock in Section 32, T10N, R4E; thence along the west side of Weyerhaeuser 3540 Road to the south side of Weyerhaeuser 3346 Road; thence northwesterly along the south side of Weyerhaeuser 3346 Road in said Section 31 to its intersection with the Weyerhaeuser 3381 Road; thence westerly along the south side of said 3381 Road to its intersection with the Weyerhaeuser 3208 Road in Section 25, T10N, R3E; thence westerly along the south side of said Weyerhaeuser 3208 Road to its intersection with the Weyerhaeuser 3200 Road in Section 26, T10N, R3E; thence westerly along the south side of said Weyerhaeuser 3200 Road to its intersection with the Weyerhaeuser 3100 Road in Section 27, T10N, R3E; thence northerly along the west side of said Weyerhaeuser 3100 Road to its intersection with the north line of section 27; T10N, R1F; thence westerly along the north line of sections 27 and 28 T10N R3E to the intersection with Hoffstadt Creek; thence westerly along the north bank of Hoffstadt Creek to the north highwater line of the impoundment of the Corps of Engineers' debris retaining structure (commonly known as the N-1 debris dam); thence westerly along the north high-water line to its intersection with the N-1 debris dam located in the north half of Section 29, T10N, R3E; thence southwestwardly along the west fill base of the northerly segment of the N-1 debris dam to its intersection with the natural high ground; thence southwestwardly to the north end of the west fill base of the southerly segment (main structure); thence southerly along said fill base to its intersection with the base of the high ground; thence westerly along the base of the hill to its intersection with the Weyerhaeuser 3001 Road; thence southerly and easterly along the east edge of the Weyerhaeuser 3001 Road to the intersection of Weyerhaeuser Roads 3001 and 3000 in the south half of Section 32, T10N, R3E; thence south and east along the north edge of Weyerhaeuser Road 3000 continuing to the point where Weyerhaeuser Road 3000 intersects with the north section line of Section 35, T9N, R4E; thence east along the north section lines of Section 35 and 36, T9N, R4E and Section 31, T9N, R5E to the intersection with Studebaker Creek on the north line of said Section 31, T9N, R5F; thence southerly along the westerly side of Studebaker Creek to the 4800 foot contour line of Mt. St. Helens in Section 32, T9N, R5E; thence southerly and easterly and then northerly along the 4800 foot contour line to its intersection with Smith Creek in Section 35, T9N, R5F; thence easterly along north side of Smith Creek to its intersection with an easterly flowing stream in Section 25, T9N, R5E; thence northwesterly along the stream to intersection with Forest Service Road 99 in Section 26, T9N, R5E; thence northerly along the west side of Road 99 to a ridgeline located in the southwest 1/4 of Section 7, T9N, R6F; thence northeasterly along ridgeline to the southeast corner of the southwest 1/4 of the southeast 1/4 of Section 31, T10N, R6E, Willamette Meridian, Skamania County, state of Washington and the point of beginning.

MOUNT ST. HELENS HAZARD ZONE 3

The Mount St. Helens Hazard Zone 3 is described as follows:

Beginning on the southerly side of the Weyerhaeuser 2500 Road where it intersects the Gifford Pinchot National Forest Boundary on the east line of Section 36, T10N, R4E (Cowlitz-Skamania County lines); thence west along the southerly side of Weyerhaeuser Road 2500 to its intersection with north line of Section 14, T10N, R2E; thence westerly along the north line of

Section 14 to the northwest corner; thence northwesterly to the northwest corner of Section 10, T10N, R2E; thence west along section lines to the northwest corner of Section 8 T10N, R2E; thence south along section lines to north edge of Weyerhaeuser 2410 Road (Section 17, T10N, R2E); thence southeasterly along the north edge of Weyerhaeuser 2410 Road to the intersection with the east edge of the Weyerhaeuser 2400 Road (Section 15, T10N, R2F) ; thence southerly along the east edge of the Weyerhaeuser 2400 Road to where it becomes the Weyerhaeuser 4200 Road (Section 4, T9N, R2E); thence southwest along the east edge of the 4200 Road to its intersection with the northeast edge of the Weyerhaeuser 4600 Road (Section 7, T9N, R2E); thence southerly along the northeast edge of the Weyerhaeuser 4600 Road to the Weyerhaeuser 4640 Road; thence across the Weyerhaeuser 4600 Road to the east edge of the Weyerhaeuser 4640 Road (Section 16, T9N, R2E); thence southerly along the east edge of Weyerhaeuser 4640 Road to its intersection with the north edge of the Weyerhaeuser 4100 Road (Section 17, T9N, R2E); thence easterly along the north edge of the 4100 Road to a point opposite the east edge of the Weyerhaeuser 5500 Road (Section 29, T9N, R3F); thence south and east along the east edge of the Weyerhaeuser 5500 Road to its intersection with the south line of Section 14, T8N, R3E; thence east along section lines to the southeast corner of Section 13, T8N, R3E; thence south along section lines to the intersection with FDR 8117060 (Section 30, T8N, R.4E); thence easterly along the northerly side of FDR 8117060 to its intersection with FDR 8117; thence across FDR 8117 to its easterly side; thence southerly along the easterly side of said FDR 8117 to its intersection with FDR 81 (Section 32, T8N, ME); thence easterly along the northern edge of FDR 81 to its intersection with FDR 83 in Section 5, T7N, R5F; thence easterly along the northern edge of FDR 83 to its intersection with the south line of Section 9, T8N, R6E; then easterly along section lines to the southeast corner of Section 10, T8N, R6F; thence northerly along section lines to the northeast corner of Section 3, T8N, R6E; thence west to the southwest corner of Section 34, T9N, R6E; thence northerly along section lines to the southeast corner of Section 16, T10N, R6E; thence west along section lines to the intersection with the southern edge of the Green River with the south section line of Section 13, T10N, R5F; thence westerly along the southern edge of the Green River to its intersection with the Forest Service Boundary on the east section line of Section 1, T10N, R4E (Cowlitz-Skamania County line); thence north along section lines to its intersection with the southern side of Weyerhaeuser 2500 Road and the point of beginning.

MOUNT ST. HELENS HAZARD ZONE 4

The Mount St. Helens Hazard Zone 4 is described as follows:

Beginning at the southwest corner of Section 31, Township 11 North, Range 2 East, just north of Kid Valley, Cowlitz County; thence east to the northwest corner of Section 5, T10N, R2E; thence south along section lines to the southwest corner of Section 8, T10N, R2E; thence west to the northwest corner of Section 18, T10N, R2E; thence south along the west boundary of R2E to T7N, R2E, Kalama River Road (Weyerhaeuser 6000 Line); thence easterly along said road to a point opposite the mouth of Arnold Creek; thence southeasterly along Arnold Creek to its intersection with the south line of Section 32, T7N, R2E; thence east along the south boundary of T7N to the south one-fourth corner of Section 33, T7N, R4F; thence north to the north one-fourth corner of said Section 33; thence east to the southeast corner of Section 28, T7N, R4E; thence north to the east one-fourth corner of said Section 28; thence east to the east one-fourth corner of

Section 27, T7N, R4E; thence north to the northeast corner of said Section 27; thence east along section lines to the Skamania/Cowlitz County line; thence south along the Skamania-Cowlitz County line to the high-water line of the north shore of the Lewis River; thence northwesterly along said high-water line to the high-water line of Yale Reservoir; thence westerly along said high-water line to Cougar Creek; thence south to the southerly high-water line of Yale Reservoir; thence northeasterly along said high-water line to the south high-water line of the Lewis River; thence easterly along the high-water line of the Lewis River to Swift Reservoir Dam; then easterly along the south highwater line of Swift Reservoir to the center of Section 35, T7N, R6F; thence northeasterly through the southwest corner of Section 25, T7N, R6E to Forest Service Development Road (FDR) N90; thence northeasterly along the north edge of said FDR N90 to its intersection with Quartz Creek in Section 18, T8N, R8E; thence northerly upstream along Quartz Creek to its intersection with Straight Creek; thence northerly along Straight Creek to its intersection with U.S. Forest Service Boundary Trail No. One (1) located in the southwest quarter of Section 17, T9N, R8E; thence southwesterly, northerly and westerly along said U.S. Forest Service Boundary Trail No. One (1) to its intersection with the east line of Section 32, T10N, R7E; thence north along section lines to FDR 119, located in Section 17, T11N, R7E; thence west along the south edge of said FDR 119 to its intersection with FDR 125, located in the west half (W 1/2) of Section 19, T11N, R7E; thence southerly along the south edge of said FDR 125 to its intersection with FDR 115, located in the west half (W-1/2) of Section 24, T11N, R7E; thence northwesterly along the south edge of said FDR 115 to its intersection with the north line of Section 23, T11N, R6E; thence west along the section lines to the northwest corner of Section 19, T11N, R5F, (Wakeawasis Creek area); thence north to the northeast corner of Section 13, T11N, R4E; thence west along section lines to the northwest corner of Section 18, T11N, R3E; thence south, to the northwest corner of Section 19, T11N, R3E; thence west along section lines to the northwest corner of Section 19, T11N, R2E; thence south along section lines to the southwest corner of Section 31, T11N, R2E and the point of beginning.

V. Coordination with the U.S. Forest Service (National Volcanic Monument)

The state of Washington acknowledges the U.S. Forest Service authority under Federal statute to impose its own restrictions within the areas of the Mount St. Helens National Volcanic Monument as established by PL 97-243. The U.S. Forest Service may impose closures of U.S. Forest Service lands within the restricted areas described in Section IV without concurrent closure by the state of Washington.

Prior Orders Superseded

This Executive Order shall supersede all prior Executive Orders pertaining to Mount St. Helens restricted zones.

IN WITNESS WHEREOF, I have hereunto
set my hand and caused the seal of the State
of Washington to be affixed at Olympia
this 31st day of July A.D., Nineteen hundred and eighty-five.

Additional

By:

BOOTH GARDNER
Governor of Washington

BY THE GOVERNOR:

Secretary of State