

EXECUTIVE ORDER 82-04
AMENDING [EO 82-03](#)

**ESTABLISHMENT OF BOUNDARIES, ENTRY, AND OCCUPANCY RULES, AND
THE ADMINISTRATION OF A RESTRICTIVE ZONE SURROUNDING MT. ST.
HELENS**

WHEREAS, the potential for major eruptions, earthquakes, and ashfall from Mt. St. Helens continues to exist throughout large portions of the state, threatening to cause more destruction of life, health, and property; and

WHEREAS, most of the land within the eastern portion of the present Mt. St. Helens restricted zones is administered by the U.S. Forest Service; and

WHEREAS, it is the intent of this order to have each jurisdiction's rules and procedures complement others in order to maximize the public safety; and

WHEREAS, in the opinion of scientific experts, allowing the public to enter specific hazardous areas surrounding Mt. St. Helens would unnecessarily imperil lives and property;

NOW, THEREFORE, I, John Spellman, 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, do order that no person or persons shall enter and/or occupy at any time the areas described herein and designated herewith as the Restricted Zone, with the exception of:

- (1) 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;
- (2) U.S. Forest Service personnel in performance of their official duties that require entry into the Restricted Zone;
- (3) U.S. Army Corps of Engineers personnel in performance of their official duties that require their presence in the Restricted Zone;
- (4) 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;
- (5) Federal, state, county or local law enforcement and firefighting personnel whose jurisdiction is within the Restricted Zone and who are on official business within the Restricted Zone;
- (6) Federal, state, county or local administrative personnel on official business within the Restricted Zone, specifically:

(a) The Director of the Washington State Department of Emergency Services (DES), or his designee(s), shall have the authority to approve entry and/or occupation by state, county, and local administrative personnel on official business; and

(b) Federal administrative personnel other than U.S. Forest Service and the U.S. Geological Survey shall be required to obtain and possess permits;

(7) As approved by the Director of DES, or his designee(s), individual(s) who own and/or control real property, or personal property being used as a residence, and whose official permanent residence is within the Restricted Zone;

(8) As approved by the Director of DES, or his designee(s), individual(s) with a legitimate business reason for being within the Restricted Zone

Pursuant to RCW 38.52.050(3)(f), I hereby delegate to the Director of the Department of Emergency Services or his designee(s) the administrative authority vested in me by chapter 38-52 RCW.

Each individual given permission to enter and/or occupy the Restricted Zone shall obtain a special identification permit from the Washington State Department of Licensing prior to entry into that zone. This entry permit must be carried on his or her person at all times.

Prior to entry and/or occupation of the Restricted Zone, each individual shall be required to sign a "Waiver of Rights" form releasing and discharging the state of Washington and all its political subdivisions, and their officers or agents or employees, from all liability for any damages or losses incurred by the individual while within the Restricted Zone or as a result of entering or occupying that one. The "Waiver of Rights" form shall be issued by the Washington State Department of Licensing.

All persons are advised of potential criminal penalties for violation of this Order, pursuant to RCW 43.06.220 and RCW 38-52-150.

RESTRICTED ZONE

The "Restricted Zone" is described as follows:

Beginning at the northwest corner of Section 6, Township 8 North, Range 5 East; thence southeasterly to the northeast corner of Section 19, T8N, R5E; thence southeasterly to the northwest corner of Section 28, T8N, R5E; thence east to the southwest corner of Section 24, T8N, R5E; thence north to the southeast corner of Section 14, T8N, R5E; thence northeasterly to the northeast corner of Section 12, T8N, R5E; thence northwesterly to the northwest corner of Section 35, T9N, R5E; thence northeasterly along the divide separating the Lewis and Green River drainage from the Toutle River drainage to Norway Pass located in the north half (N-1/2) of Section 31, T10N, R6E; thence northerly to Bear Pass in Section 30, T1CN, R6E; thence westerly to the headwaters of Coldwater Creek (Section 25, T10N, ME); thence westerly along the south side of Coldwater Creek to the point where it crosses the Forest Service boundary

(Section 31, T10N, R5E); thence north along the west boundary of the R5E line to the northeast corner of Section 36, TUN, R4E; thence west to the northeast corner of Section 33, T10N, R4E; thence northwesterly to the headwaters of the south fork of Hoffstadt Creek located in the south half (S-1/2) of Section 28, T10N, R4E; thence westerly along the north bank of this fork to its intersection with Hoffstadt Creek (Section 24, T10N, R3E); thence continuing westerly along the north bank of Hoffstadt Creek to the north high-water 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 (N-1/2) of Section 29, T10N, R3E; thence south-westerly along the fill base of the northerly segment of the N-1 debris dam to the point of intersection with the natural high ground; thence southwesterly 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 (S-1/2) 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 the Weyerhaeuser 3090 Road in Section 26, T9N, R4E; thence southeasterly along the north edge of the Weyerhaeuser 3090 Road to its end in the east half (E-1/2) of Section 35, T9N, R4E; thence east to the east line of said Section 35; thence south along the section line to the southwest corner of Section 36, T9N, R4E; thence east to the northwest corner of Section 6, T8N, R5E and the point of beginning.

This Executive Order shall supersede all prior Executive Orders pertaining to Mt. St. Helens restrictive 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 26th day of March A.D., Nineteen hundred and eighty-two.

Additional

By:

JOHN SPELLMAN
Governor of Washington

BY THE GOVERNOR:

Secretary of State