

WSR 15-03-004
EMERGENCY RULES
DEPARTMENT OF AGRICULTURE

[Filed January 7, 2015, 3:17 p.m., effective January 7, 2015, 3:17 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: In the interest of protecting the commercial poultry industry, small poultry farms and poultry fanciers in Washington state from highly pathogenic avian influenza (HPAI), movement restrictions are being placed on poultry and poultry products in a designated quarantine zone.

Statutory Authority for Adoption: RCW 16.36.040.

Other Authority: Chapter 34.05 RCW.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: HPAI has recently been found in domestic poultry within Washington state. HPAI is an extremely infectious and fatal form of avian influenza that affects many species of birds and is of particular concern when it affects poultry. It has been determined that the containment and eradication of HPAI is necessary to protect Washington's poultry industry.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 10, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: January 7, 2015.

Mark Streuli
Deputy Director

Quarantine Zone for Notifiable Avian Influenza

[NEW SECTION]

WAC 16-51-010 Definitions and acronyms "HPAI" means Highly Pathogenic Avian Influenza.

"LPAI" means Low Pathogenic Avian Influenza.

"NAI" means Notifiable Avian Influenza which is defined under chapter 16-70 WAC as HPAI and LPAI H5/H7.

"Poultry" means chickens, turkeys, ratites, waterfowl, pigeons, doves and other domestic fowl. For purposes of this chapter, poultry also means game birds such as pheasants, partridge, chukars, quail, and grouse that are raised in con-

finement. Poultry does not mean free ranging birds defined as wildlife in Title 77 RCW.

"Premises" means any property where poultry are raised, held, or boarded.

"USDA, APHIS" means the United States Department of Agriculture Animal and Plant Health Inspection Service.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

[NEW SECTION]

WAC 16-51-100 Necessity of establishing a quarantine zone for notifiable avian influenza (NAI)—Purpose. This chapter is authorized by RCW 16.36.040. On December 24, 2014, the department received positive diagnosis of Highly Pathogenic Avian Influenza (HPAI) H5 found in domestic poultry within Washington State. HPAI is an extremely infectious and fatal form of avian influenza that affects many species of birds and is of particular concern when it affects poultry. Low Pathogenic Avian Influenza strains H5 and H7 (LPAI H5/H7) are also of concern because of the ability of the influenza virus to mutate to a highly pathogenic strain. HPAI and LPAI H5/H7 are defined as a Notifiable Avian Influenza (NAI).

The establishment of HPAI would be costly to the poultry industry, consumers and taxpayers. Eradication of an HPAI outbreak in the northeastern states in the mid-1980s resulted in the destruction of 17 million birds at a cost of nearly \$65 million. The disease can spread rapidly from flock to flock. In some instances, strains of HPAI can be infectious to people. The USDA, APHIS works to keep NAI from becoming established in the United States. The director of agriculture, pursuant to authorities in chapter 16.36 RCW, has determined that the containment and eradication of NAI is necessary to protect the commercial poultry industry, small poultry farms and poultry fanciers of the state of Washington.

Birds species that are potential hosts for NAI include chickens, turkeys, ratites, waterfowl, pigeons, doves and other domestic fowl as well as game birds including pheasants, partridge, chukars, quail, and grouse. Migratory waterfowl have proved to be the natural reservoir for this disease.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

[NEW SECTION]

WAC 16-51-200 Zone under quarantine for NAI (1) A quarantine zone is created within Benton and Franklin Counties. All premises lying within the boundaries outlined in (1)(a) of this section fall under movement restrictions per WAC 16-51-300. See map below.

(a) Northern Boundary

Extending northwest in Benton County from the intersection of Horne Road and US Reservation (Highway 225), adjacent to the Yakima River, to a line crossing to Baker,

then Locust and across the Columbia River to Birch Road and ending eastward with the intersection at Alder Road.

Eastern Boundary

Extending north from where Locust Grove meets Highway 82.

North on along Highway 82 to Union Loop, west on West 36th Avenue to South Sherman Street.

Moving north on South Sherman Street to a line that intersects with West 20th Avenue.

West on West 20th Avenue, then north on North Columbia Center Boulevard, crossing the Columbia River from Benton to Franklin County and moving north on North Road 68 continuing north on Taylor Flats Road, to the intersection with Alder Road.

Continuing west, then north on Alder Road, to the intersection with Birch Road.

Southern Boundary

Intersection of South Travis Road and Reese Road, extending east to the end of Reese Road.

Continuing east from end of Reese Road to Locust Grove Road, C Williams, then Locust Grove, where Locust Grove meets Highway 82.

Western Boundary

This boundary extends north on Travis Road from the intersection of Travis Road and Reese Roads.

West on Sellards Road at the intersection of Sellards Road and Travis Road.

North on Clodius Road from the intersection of Sellards Road and Clodius Road.

West on Cemetery Road from the intersection of Clodius Road and Cemetery Road, to the intersection between Tyacke Road and Clodius Road.

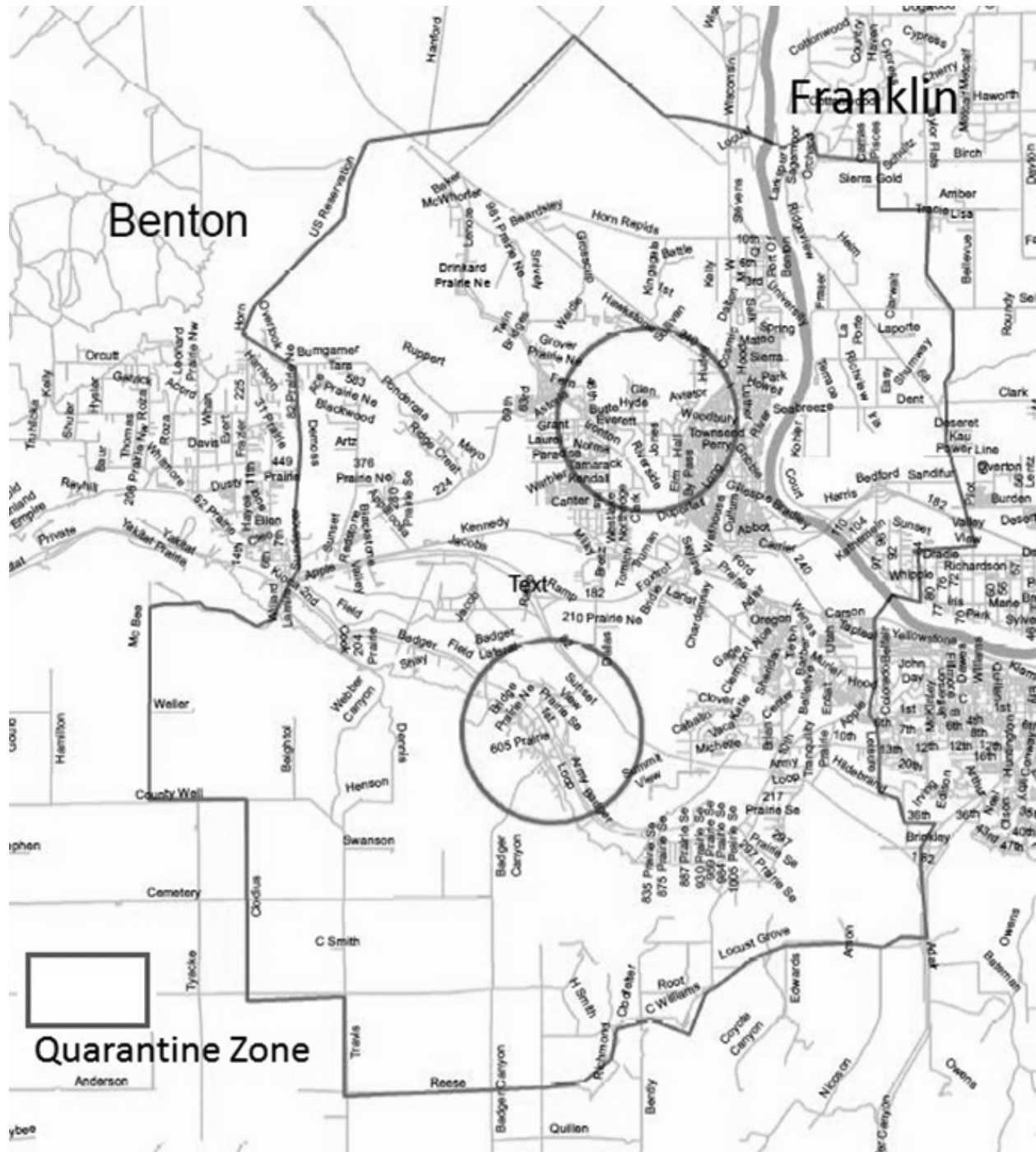
North on Clodius Road to the intersection with County Well Road, then north on North Mc Bee Road.

Continue north and east on North Mc Bee Road and then across the Yakima River to Demos Road.

North on Demos Road to Overlook Drive on the east bank of the Yakima River.

Continue north on Overlook Drive, across the Yakima River onto US Reservation (Highway 225).

Map of Quarantine Zone



(2) A map of the quarantine zone can be obtained through a request to the department at toll-free number (800) 606-3056 or email at ahealth@agr.wa.gov.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

[NEW SECTION]**WAC 16-51-300 Prohibition on moving poultry, eggs, and poultry products, and specified farm products within or from the quarantine zone established for NAI.**

(1) Movement of living or dead poultry, eggs, or poultry products within or from the quarantine zone for NAI is prohibited, unless a permit has been issued by the department pursuant to WAC 16-51-800. Poultry may be moved within property that is one premises under the control of one person so long as that movement does not cross the boundary of a quarantine zone established by this chapter. Dead poultry or other dead birds can be transported to an approved landfill or an incinerator for disposal when secured within two plastic bags in compliance with WAC 16-51-700.

(2) Poultry shows or sales may not be held within the quarantine zone unless permissible per WAC 16-51-200 or by a special permit issued under WAC 16-51-800.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

[NEW SECTION]

WAC 16-51-400 Restrictions on vehicles, poultry equipment, wood crates and poultry products leaving from any premises in the quarantine zone established for NAI. (1) The following articles are declared to be able to carry NAI, and their movement or transportation from any premises in the quarantine zone is prohibited prior to being disinfected:

- (a) vehicles;
- (b) the outer surfaces of diagnostic samples collected in approved containers;
- (c) sampling equipment made of metal, glass, or plastic such totes, scissors, knives, specimen bottles, or specimen vials;
- (d) non-disposable personal protective equipment capable of being disinfected such as rubber boots or shoes, respirators or reusable protective clothing;
- (e) poultry equipment made of metal, plastic polymer, non-natural materials; and,
- (f) water resistant data recording materials.

(2) The following are the required practices for adequate disinfecting the items listed in section (1) above:

- (a) Thoroughly scrub to free the item of visible, dirt, manure, or other organic material.
- (b) Apply disinfectant using brushes, sponges or spray units.
- (c) Use all disinfectants according to the manufacturer's label, state laws and local regulations.

The USDA, APHIS Web site at (http://www.aphis.usda.gov/animal_health/birdbiosecurity/biosecurity/) may be consulted for the latest recommendations concerning poultry biosecurity or the department may be contacted by calling (800) 606-3056 or by email at ahealth@agr.wa.gov.

(3) The following articles are declared capable of carrying NAI, and their movement or transportation from any premise in the quarantine zone is prohibited since they cannot be adequately sanitized:

- (a) disposable sampling equipment including syringes, needles, swabs;

(b) Non-water resistant data recording materials including writing utensils, notepads, clipboards, or paper;

(c) disposable personal protective equipment such as clothing, masks, and boots; and,

(d) all other items that may have come in contact with infected secretions from poultry and are not capable of being disinfected.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

[NEW SECTION]

WAC 16-51-500 Testing of living poultry within the quarantine zone. When requested, poultry or eggs on any premise in the quarantine zone must be presented to the department for testing. Results from the testing will be provided as soon as practical to the owner of the birds.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

[NEW SECTION]

WAC 16-51-600 Destruction of birds testing positive or exposed to birds testing positive for NAI. Poultry that test positive or are exposed to birds that test positive for NAI must be destroyed promptly after a plan for indemnity and flock management has been accepted by the department, the USDA, APHIS and the flock owner. Euthanasia must be humanely handled in accordance with practices recommended by the department. A list of approved euthanasia practices can be obtained through a request to the department by calling (800) 606-3056 or by email at ahealth@agr.wa.gov.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

[NEW SECTION]

WAC 16-51-700 Disposal of dead poultry originating within the quarantine zone. Dead poultry or other dead birds may only be disposed of by one of the following options:

1) Dead poultry or other dead birds can be transported to an approved landfill for disposal when secured within two plastic bags and outer surfaces are disinfected.

2) Dead poultry or other dead birds can be composted on site or as part of a recognized composting operation. On-site composting shall be managed and monitored by the department or other suitable state agency.

3) Dead poultry or other dead birds may be incinerated at an approved facility. Transport requirements are as in (1) above.

4) Dead poultry or other dead birds may be disposed of by other method only by special permit issued under WAC 16-51-800.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

[NEW SECTION]

WAC 16-51-800 Special permits—Quarantine zone.

The department may issue special permits for actions otherwise forbidden under provisions of this chapter. These special permits shall be conditioned to minimize the risk of spreading NAI.

Reviser's note: The bracketed material preceding the section above was supplied by the code reviser's office.

WSR 15-03-011

EMERGENCY RULES

BUILDING CODE COUNCIL

[Filed January 8, 2015, 10:08 a.m., effective January 8, 2015, 10:08 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: This provision is intended to modify the number of plumbing fixtures needed to be installed in Group E occupancies.

This filing is to renew the emergency rule originally filed as WSR 14-11-060 on May 16, 2014, and originally renewed on September 9, 2014, as WSR 14-19-036.

Citation of Existing Rules Affected by this Order: Amending WAC 51-50-2900.

Statutory Authority for Adoption: RCW 19.27.031, 19.27.074.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: An earlier modification of this WAC section created an unintended financial impact on Washington school districts, and required them to install additional plumbing fixtures with no benefit to building occupants. This rule is necessary to reduce the financial burden on school districts.

The state building code council filed a permanent rule-making order as WSR 14-16-033 on July 28, 2014; public hearings occurred on September 12, 2014, and October 10, 2014; with no testimony in opposition.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 0, Amended 1, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: May 9, 2014.

C. Ray Allshouse
Chair

AMENDATORY SECTION (Amending WSR 13-04-067, filed 2/1/13, effective 7/1/13)

WAC 51-50-2900 Chapter 29—Plumbing systems.

SECTION 2901—GENERAL.

2901.1 Scope. The provisions of this chapter and the state plumbing code shall govern the erection, installation, *alteration*, repairs, relocation, replacement, *addition* to, use or maintenance of plumbing equipment and systems. Toilet and bathing rooms shall be constructed in accordance with Section 1210. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the state plumbing code.

2901.2 Health codes. In food preparation, serving and related storage areas, additional fixture requirements may be dictated by health codes.

SECTION 2902—MINIMUM PLUMBING FACILITIES.

2902.1 Minimum number of fixtures. Plumbing fixtures shall be provided for the type of occupancy and in the minimum number shown in Table 2902.1. Types of occupancies not shown in Table 2902.1 shall be determined individually by the *building official* based on the occupancy which most nearly resembles the proposed occupancy. The number of occupants shall be determined by this code. Occupancy classification shall be determined in accordance with Chapter 3. Plumbing fixtures need not be provided for unoccupied buildings or facilities.

2902.1.1 Fixture calculations. To determine the *occupant load* of each sex, the total *occupant load* shall be divided in half. To determine the required number of fixtures, the fixture ratio or ratios for each fixture type shall be applied to the *occupant load* of each sex in accordance with Table 2902.1. Fractional numbers resulting from applying the fixture ratios of Table 2902.1 shall be rounded up to the next whole number. For calculations involving multiple occupancies, such fractional numbers for each occupancy shall first be summed and then rounded up to the next whole number.

EXCEPTION: The total *occupant load* shall not be required to be divided in half where *approved* statistical data indicate a distribution of the sexes of other than 50 percent of each sex.

2902.1.1.1 Private offices. Fixtures only accessible to private offices shall not be counted to determine compliance with this section.

2902.1.1.2 Urinals. Where urinals are provided, one water closet less than the number specified may be provided for each urinal installed, except the number of water closets in such cases shall not be reduced to less than one quarter (25%) of the minimum specified. For men's facilities serving 26 or more persons, not less than one urinal shall be provided.

2902.1.2 Family or assisted-use toilet and bath fixtures. Fixtures located within family or assisted-use toilet and bathing rooms required by Section 1109.2.1 are permitted to be included in the number of required fixtures for either the male or female occupants in assembly and mercantile occupancies.

2902.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

EXCEPTIONS:

1. Separate facilities shall not be required for *dwelling units* and *sleeping units*.
2. Separate facilities shall not be required in structures or tenant spaces with a total *occupant load*, including both employees and customers, of 15 or less.
3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or less.

2902.2.1 Family or assisted-use toilet facilities serving as separate facilities. Where a building or tenant space requires a separate toilet facility for each sex and each toilet facility is required to have only one water closet, two family/assisted-use toilet facilities shall be permitted to serve as the required separate facilities. Family or assisted-use toilet facilities shall not be required to be identified for exclusive use by either sex as required by Section 2902.4.

2902.3 Employee and public toilet facilities. Customers, patrons and visitors shall be provided with public toilet facilities in structures and tenant spaces intended for public utilization. The number of plumbing fixtures located within the required toilet facilities shall be provided in accordance with Section 2902.1 for all users. Employees shall be provided with toilet facilities in all occupancies. Employee toilet facilities shall either be separate or combined employee and public toilet facilities.

EXCEPTION: Public toilet facilities shall not be required in open or enclosed parking garages. Toilet facilities shall not be required in parking garages where there are no parking attendants.

2902.3.1 Access. The route to the public toilet facilities required by Section 2902.3 shall not pass through kitchens, food preparation areas, unpackaged food storage areas, storage rooms or closets. Access to the required facilities shall be from within the building or from the exterior of the building. Access to toilets serving multiple tenants shall be through a common use area and not through an area controlled by a tenant. All routes shall comply with the accessibility requirements of this code. The public shall have access to the required toilet facilities at all times that the building is occupied. For other requirements for plumbing facilities, see Chapter 11.

2902.3.1.1 Food preparation areas. Toilet rooms shall not open directly into a room used for the preparation of food for service to the public or residents of Group R-2 boarding

homes and residential treatment facilities licensed by Washington state.

2902.3.2 Location of toilet facilities in occupancies other than malls. In occupancies other than covered and open mall buildings, the required *public* and employee toilet facilities shall be located in each building not more than one story above or below the space required to be provided with toilet facilities, or conveniently in a building adjacent thereto on the same property, and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m).

EXCEPTION: The location and maximum travel distances to required employee facilities in factory and industrial occupancies are permitted to exceed that required by this section, provided that the location and maximum travel distance are *approved*.

2902.3.3 Location of toilet facilities in malls. In covered and open mall buildings, the required *public* and employee toilet facilities shall be located not more than one story above or below the space required to be provided with toilet facilities, and the path of travel to such facilities shall not exceed a distance of 300 feet (91,440 mm). In mall buildings, the required facilities shall be based on total square footage (m²) within a covered mall building or within the perimeter line of an open mall building, and facilities shall be installed in each individual store or in a central toilet area located in accordance with this section. The maximum travel distance to central toilet facilities in mall buildings shall be measured from the main entrance of any store or tenant space. In mall buildings, where employees' toilet facilities are not provided in the individual store, the maximum travel distance shall be measured from the employees' work area of the store or tenant space.

2902.3.4 Pay facilities. Where pay facilities are installed, such facilities shall be in excess of the required minimum facilities. Required facilities shall be free of charge.

2902.3.5 Door locking. Where a toilet room is provided for the use of multiple occupants, the egress door for the room shall not be lockable from the inside of the room. This section does not apply to family or assisted-use toilet rooms.

2902.4 Signage. Required public facilities shall be designated by a legible sign for each sex. Signs shall be readily visible and located near the entrance to each toilet facility. Signs for accessible toilet facilities shall comply with Section 1110.

2902.4.1 Directional signage. Directional signage indicating the route to the public facilities shall be posted in accordance with Section 3107. Such signage shall be located in a *corridor* or aisle, at the entrance to the facilities for customers and visitors.

2902.5 Drinking fountain location. Drinking fountains shall not be required to be located in individual tenant spaces provided that public drinking fountains are located within a travel distance of 500 feet of the most remote location in the tenant space and not more than one story above or below the tenant space. Where the tenant space is in a covered or open mall, such distance shall not exceed 300 feet. Drinking fountains shall be located on an accessible route. Drinking fountains shall not be located in toilet rooms.

2902.5.1 Drinking fountain number. Occupant loads over 30 shall have one drinking fountain for the first 150 occupants, then one per each additional 500 occupants.

- EXCEPTIONS:
1. Sporting facilities with concessions serving drinks shall have one drinking fountain for each 1000 occupants.
 2. A drinking fountain need not be provided in a drinking or dining establishment.

2902.5.2 Multistory buildings. Drinking fountains shall be provided on each floor having more than 30 occupants in schools, dormitories, auditoriums, theaters, offices and public buildings.

2902.5.3 Penal institutions. Penal institutions shall have one drinking fountain on each cell block floor and one on each exercise floor.

2902.6 Dwelling units. Dwelling units shall be provided with a kitchen sink.

2902.7 Water closet space requirements. The water closet stool in all occupancies shall be located in a clear space not less than 30 inches (762 mm) in width, with a clear space in front of the stool of not less than 24 inches (610 mm).

2902.8 Water. Each required sink, lavatory, bathtub and shower stall shall be equipped with hot and cold running water necessary for its normal operation.

SECTION 2903—RESERVED.

SECTION 2904—RESERVED.

**Table 2902.1
Minimum Number of Required Plumbing Fixtures^a
(See Sections 2902.2 and 2902.3)**

No.	Classification	Occupancy	Description	Water Closets		Lavatories		Bathtubs /Showers	
				Male	Female	Male	Female		
1	Assembly	A-1 ^d	Theaters and other buildings for the performing arts and motion pictures	1 per 125	1 per 65	1 per 200		—	
		A-2 ^d	Nightclubs, bars, taverns, dance halls and buildings for similar purposes	1 per 40	1 per 40	1 per 75		—	
			Restaurants, banquet halls and food courts	1 per 75	1 per 75	1 per 200		—	
		A-3 ^d	Auditoriums without permanent seating, art galleries, exhibition halls, museums, lecture halls, libraries, arcades and gymnasiums	1 per 125	1 per 65	1 per 200		—	
			Passenger terminals and transportation facilities	1 per 500	1 per 500	1 per 750		—	
			Places of worship and other religious services	1 per 150	1 per 75	1 per 200		—	
		A-4	Coliseums, arenas, skating rinks, pools, and tennis courts for indoor sporting events and activities	1 per 75 for first 1,500 and 1 per 120 for remainder exceeding 1,500	1 per 40 for first 1,520 and 1 per 60 for remainder exceeding 1,520	1 per 200	1 per 150		—
		A-5	Stadiums amusement parks, bleachers and grandstands for outdoor sporting events and activities	1 per 75 for first 1,500 and 1 per 120 for remainder exceeding 1,500	1 per 40 for first 1,520 and 1 per 60 for remainder exceeding 1,520	1 per 200	1 per 150		—

No.	Classification	Occupancy	Description	Water Closets		Lavatories		Bathtubs /Showers
				Male	Female	Male	Female	
2	Business	B	Buildings for the transaction of business, professional services, other services involving merchandise, office buildings, banks, light industrial and similar uses	1 per 25 for first 50 and 1 per 50 for the remainder exceeding 50		1 per 40 for first 80 and 1 per 80 for remainder exceeding 80		—
3	Educational	E	Educational facilities	1 per ((50)) <u>35</u>	1 per ((30)) <u>25</u>	1 per ((40)) <u>85</u>	1 per ((60)) <u>50</u>	—
4	Factory and industrial	F-1 and F-2	Structures in which occupants are engaged in work fabricating, assembly or processing of products or materials	1 per 100		1 per 100		Check State (UPC)
5	Institutional	I-1	Residential care	1 per 10		1 per 10		1 per 8
		I-2	Hospitals, ambulatory nursing home care recipient ^b	1 per room ^c		1 per room ^c		1 per 15
			Employees, other than residential care ^b	1 per 25		1 per 35		—
			Visitors other than residential care	1 per 75		1 per 100		—
		I-3	Prisons ^b	1 per cell		1 per cell		1 per 15
			Reformatories, detention centers and correctional centers ^b	1 per 15		1 per 15		1 per 15
			Employees ^b	1 per 25		1 per 35		—
		I-4	Adult day care and child day care	1 per 15		1 per 15		1
6	Mercantile	M	Retail stores, service stations, shops, salesrooms, markets and shopping centers	1 per 500		1 per 750		—
7	Residential	R-1	Hotels, motels, boarding houses (transient)	1 per sleeping unit		1 per sleeping unit		1 per sleeping unit
		R-2	Dormitories, fraternities, sororities and boarding houses (not transient)	1 per 10		1 per 10		1 per 8
			Apartment house	1 per dwelling unit		1 per dwelling unit		1 per dwelling unit
		R-3	One- and two-family dwellings	1 per dwelling unit		1 per 10		1 per dwelling unit
			Congregate living facilities with 16 or fewer persons	1 per 10		1 per 10		1 per 8
		R-4	Congregate living facilities with 16 or fewer persons	1 per 10		1 per 10		1 per 8

No.	Classification	Occupancy	Description	Water Closets		Lavatories		Bathtubs /Showers
				Male	Female	Male	Female	
8	Storage	S-1 S-2	Structures for the storage of goods, warehouses, store-houses and freight depots, low and moderate hazard	1 per 100		1 per 100		Check State (UPC)

- a. The fixtures shown are based on one fixture being the minimum required for the number of persons indicated or any fraction of the number of persons indicated. The number of occupants shall be determined by this code, except with respect to Group E occupancies the provisions of note "e" shall apply.
- b. Toilet facilities for employees shall be separate from facilities for inmates or care recipients.
- c. A single-occupant toilet room with one water closet and one lavatory serving not more than two adjacent patient sleeping units shall be permitted where such room is provided with direct access from each patient sleeping unit and with provisions for privacy.
- d. The occupant load for seasonal outdoor seating and entertainment areas shall be included when determining the minimum number of facilities required.
- e. For Group E occupancies: The number of occupants shall be determined by using a calculation of 100 square feet gross building area per student for the minimum number of plumbing fixtures.

**WSR 15-03-016
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 15-07—Filed January 8, 2015, 1:27 p.m., effective January 12, 2015]

Effective Date of Rule: January 12, 2015.
Purpose: Amend recreational fishing rules.

Citation of Existing Rules Affected by this Order:
Repealing WAC 232-28-62100K; and amending WAC 232-28-621.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Preliminary estimates indicate that the encounters of chinook salmon in Area 7 are projected to exceed the preseason expectations. This regulation reduces the retention of salmon in Area 7 to a daily limit of one in order to minimize encounters of hatchery and wild chinook and ensure compliance with conservation objectives and agreed-to management plans. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

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New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: January 8, 2015.

Philip Anderson
Director

NEW SECTION

WAC 232-28-62100K Puget Sound salmon—Saltwater seasons and daily limits. Notwithstanding the provisions of WAC 232-28-621, effective January 12 through April 30, 2015, in those waters of Catch Record Card Area 7 the daily limit for salmon is one, however anglers must release wild Chinook.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. May 1, 2015:

WAC 232-28-62100K Puget Sound salmon—Saltwater seasons and daily limits.

**WSR 15-03-020
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 15-06—Filed January 8, 2015, 4:09 p.m., effective January 8, 2015, 4:09 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Amends cougar hunting rules described in WAC 232-28-297.

Citation of Existing Rules Affected by this Order: Repealing WAC 232-28-29700N; and amending WAC 232-28-297.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, and 77.12.150.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is

necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: This change closes specific cougar hunt areas that have met or exceeded the area harvest guideline. Immediate action is necessary to protect cougars from overharvest in hunt areas that have met or exceeded the area harvest guideline. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: January 8, 2015.

Philip Anderson
Director

NEW SECTION

WAC 232-28-29700P 2012-2013, 2013-2014, and 2014-2015 Cougar hunting seasons and regulations. Notwithstanding the provisions of WAC 232-28-297, effective January 12, 2015, until further notice:

General cougar seasons in Game Management Units (GMUs) 105, 108, 111, 113, 117, 121, 145, 166, 175, 178, 574, 578 and 667 are closed.

REPEALER

The following section of the Washington Administrative Code is repealed as of January 12, 2015.

WAC 232-28-29700N 2012-2013, 2013-2014, and 2014-2015 Cougar hunting seasons and regulations.

**WSR 15-03-026
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 15-09—Filed January 9, 2015, 2:46 p.m., effective January 9, 2015, 2:46 p.m.]

Effective Date of Rule: Immediately upon filing.
Purpose: Amend commercial fishing rules.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-52-04000U and 220-52-04500B; and amending WAC 220-52-040 and 220-52-045.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Provisions in state/tribal management agreements will be achieved by the opening dates contained herein. The special management areas are listed in accordance with state/tribal management agreements. The stepped opening periods/areas will also provide for fair start provisions. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 2.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: January 9, 2015.

Philip Anderson
Director

NEW SECTION

WAC 220-52-04000W Commercial crab fishery. Lawful and unlawful gear, methods and other unlawful acts. Notwithstanding the provisions of WAC 220-52-040, effective immediately until further notice, it is unlawful for any fisher or wholesale dealer or buyer to land or purchase Dungeness crab taken from Grays Harbor, Willapa Bay, the Columbia River, or Washington coastal or adjacent waters of the Pacific Ocean from any vessel through February 7, 2015, unless:

(1) A valid Washington crab vessel inspection certificate has been issued to the delivering vessel and the vessel inspection certificate numbers are recorded on all shellfish tickets completed for coastal Dungeness crab landings through February 7, 2015.

(2) Vessel hold inspection certificates dated from November 28, 2014 to January 1, 2015 are only valid for the area south of 46°28.00.

NEW SECTION

WAC 220-52-04500C Commercial crab fishery—Seasons and areas—Coastal. Notwithstanding the provisions of WAC 220-52-045, effective immediately until further notice, it is unlawful to fish for Dungeness crab in Washington coastal waters, the Pacific Ocean, Grays Harbor, Willapa Bay, or the Columbia River, except as provided for in this section.

(1) The area from Destruction Island (47°40.50) to the WA/OR border (46°15.00) and Willapa Bay is open.

(2) For the purposes of this section, the waters of Willapa Bay are defined to include the marine waters east of a line connecting 46°44.76 N, 124°05.76 W and 46°38.93 N, 124°04.33 W.

(3) Licenses and vessels designated to those licenses that participate (as defined by WAC 220-52-036) in the coastal commercial Dungeness crab fishery in the waters from Point Arena, California, to Klipsan Beach, Washington, (46°28.00), including Willapa Bay, before January 3, 2015, are prohibited from:

(a) Fishing in the area between Klipsan Beach (46°28.00) and Oysterville (46°33.00) until 8:00 A.M., January 13, 2015.

(b) Fishing in the area between Oysterville (46°33.00) and the U.S./Canada border until 8:00 A.M., February 7, 2015.

(4) It is permissible to set crab gear in the area between Destruction Island (47°40.50) and the U.S./Canada border, beginning at 8:00 a.m. January 12, 2015.

(5) It is permissible to pull crab gear in the area between Destruction Island (47°40.50) and the U.S./Canada border, beginning at 12:01 a.m. January 15, 2015.

(6) The Quinalt primary special management area (PSMA) is closed to fishing for Dungeness crab until further notice. The PSMA includes the area shoreward of a line approximating the 27-fathom depth curve between Raft River (47°28.00) and Copalis River (47°08.00) according to the following coordinates:

(a) Northeast Corner (Raft River): 47°28.00 N. Lat. 124°20.70 W. Lon.

(b) Northwest Corner: 47°28.00 N. Lat. 124°34.00 W. Lon.

(c) Southwest Corner: 47°08.00 N. Lat. 124°25.50 W. Lon.

(d) Southeast Corner (Copalis River): 47°08.00 N. Lat. 124°11.20 W. Lon.

(7) The Quileute special management area (SMA) is closed to fishing for Dungeness crab until further notice. The SMA includes the area shoreward of a line approximating the 30-fathom depth curve between Destruction Island and Cape Johnson according to the following points:

(a) Northeast Corner (Cape Johnson): 47°58.00' N. Lat. 124°40.40' W. Lon.

(b) Northwest Corner: 47°58.00' N. Lat. 124°49.00' W. Lon.

(c) Southwest Corner: 47°40.50' N. Lat. 124°40.00' W. Lon.

(d) Southeast Corner (Destruction Island): 47°40.50' N. Lat. 124°24.43' W. Lon.

(8) The Makah special management area (SMA) is closed to fishing until further notice. The SMA includes the waters between 48°02.15 N. Lat. and 48°19.50 N. Lat. east of a line connecting those points and approximating the 25-fathom line according to the following coordinates:

(a) Northeast Corner (Tatoosh Island)

(b) Northwest Corner: 48°19.50 N. Lat. 124°50.45 W. Lon.

(c) Southwest Corner: 48°02.15 N. Lat. 124°50.45 W. Lon.

(d) Southeast Corner: 48°02.15 N. Lat. 124°41.00 W. Lon.

(9) All other provisions of the permanent rule remain in effect.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 220-52-04000U Commercial crab fishery. Lawful and unlawful gear, methods and other unlawful acts. (14-347)

WAC 220-52-04500B Coastal crab seasons (14-347)

WSR 15-03-039**EMERGENCY RULES****DEPARTMENT OF****FISH AND WILDLIFE**

[Order 15-08—Filed January 12, 2015, 2:58 p.m., effective January 17, 2015, 12:01 p.m.]

Effective Date of Rule: January 17, 2015, 12:01 p.m.

Purpose: Amend recreational fishing rules for razor clams.

Citation of Existing Rules Affected by this Order: Repealing WAC 220-56-36000W; and amending WAC 220-56-360.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Survey results show that adequate razor clams are available for recreational harvest in Razor Clam Areas 1, 3, 4 and 5. Washington department of health has certified clams from these beaches are safe for human consumption. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: January 12, 2015.

Joe Stohr
for Philip Anderson
Director

NEW SECTION

WAC 220-56-36000W Razor clams—Areas and seasons. Notwithstanding the provisions of WAC 220-56-360, it is unlawful to dig for or possess razor clams taken for personal use from any beach in Razor Clam Areas 1, 3, 4, or 5, except as provided for in this section:

(1) Effective 12:01 p.m. January 17, 2015 through 11:59 p.m. January 24, 2015, razor clam digging is permissible in Razor Clam Area 1. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.

(2) Effective 12:01 p.m. January 17, 2015 through 11:59 p.m. January 24, 2015, razor clam digging is permissible in Razor Clam Area 3. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.

(3) Effective 12:01 p.m. January 17, 2015 through 11:59 p.m. January 17, 2015, and January 24, 2015 through 11:59 p.m. January 24, 2015, razor clam digging is permissible in Razor Clam Area 4. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.

(4) Effective 12:01 p.m. January 17, 2015, through 11:59 p.m. January 18, 2015, and January 23, 2015 through 11:59 p.m. January 24, 2015, razor clam digging is permissible in Razor Clam Area 5. Digging is permissible from 12:01 p.m. to 11:59 p.m. each day only.

(5) It is unlawful to dig for razor clams at any time in Long Beach, Twin Harbors Beach or Copalis Beach Clam sanctuaries defined in WAC 220-56-372.

REPEALER

The following section of the Washington Administrative Code is repealed effective 12:01 a.m. January 25, 2015:

WAC 220-56-36000W Razor clams—Areas and seasons.

WSR 15-03-080
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 15-10—Filed January 16, 2015, 4:57 p.m., effective January 19, 2015]

Effective Date of Rule: January 19, 2015.

Purpose: Amend recreational fishing rules.

Citation of Existing Rules Affected by this Order: Amending WAC 220-310-195 and 220-56-105.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, and 77.12.047.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: Wild steelhead returns to the Tucannon River are below management objectives for conservation and for maintaining fisheries and therefore, the fishery for hatchery steelhead must be constrained to provide more protection of naturally produced steelhead in the Tucannon River. The emergency regulations are intended to focus the fishery on removal of stray hatchery steelhead that primarily enter the Tucannon River in late summer and fall to prevent them from spawning, as well as provide a refuge area above Marengo to protect early returning wild steelhead, and close the fishery before March when most of the wild steelhead return to the Tucannon River. There is insufficient time to adopt permanent rules.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 2, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: January 16, 2015.

Philip Anderson
Director

NEW SECTION

WAC 220-56-10500L River mouth definitions. Notwithstanding the provisions of WAC 220-56-105, effective January 19, through February 28, 2015, the Tucannon River is defined as the water lying south of a line of sight from an orange diamond-shaped sign attached to the Hwy 261 guard rail (northwest of the Tucannon River and adjacent to the

rest-area turn off), running southeast across to the eastern, unsubmerged shoreline of the Tucannon River (point of land spit). The large embayment between the eastern shoreline of the Tucannon River and the rock bluff to the east along the south shore of the Snake River is considered part of the Snake River.

NEW SECTION

WAC 220-310-19500J Freshwater exceptions to statewide rules—Tucannon River. Notwithstanding the provisions of WAC 220-310-195,

(1) Effective January 19 through February 28, 2015, in the waters of the Tucannon River, it is unlawful to violate the following provisions:

Steelhead and all other game fish:

(a) All steelhead with a missing adipose fin (hatchery origin) must be retained. It is unlawful to catch and release hatchery steelhead.

(b) Release all fish except anglers may retain up to 15 whitefish and 2 hatchery steelhead.

(c) Barbless hooks are required.

(d) Release all wild steelhead.

(e) The area from Marengo (at Turner Road Bridge) upstream is closed to fishing.

(2) Effective March 1, 2015, until further notice, it is unlawful to fish in the waters of the Tucannon River.

WSR 15-03-084

EMERGENCY RULES

DEPARTMENT OF AGRICULTURE

[Filed January 20, 2015, 5:23 p.m., effective January 20, 2015, 5:23 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: In the interest of protecting the commercial poultry industry, small poultry farms and poultry fanciers in Washington state from highly pathogenic avian influenza (HPAI), movement restrictions are being placed on poultry and poultry products in designated quarantine zones.

Statutory Authority for Adoption: RCW 16.36.040.

Other Authority: Chapter 34.05 RCW.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: HPAI has recently been found in domestic poultry within Washington state. HPAI is an extremely infectious and fatal form of avian influenza that affects many species of birds and is of particular concern when it affects poultry. It has been determined that the containment and eradication of HPAI is necessary to protect Washington's poultry industry.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's Own Initiative: New 10, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted Using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: January 20, 2015.

Mark Streuli
Deputy Director

Clallam County Quarantine Zone for Notifiable Avian Influenza

NEW SECTION

WAC 16-51-900 Definitions and acronyms "HPAI" means Highly Pathogenic Avian Influenza.

"LPAI" means Low Pathogenic Avian Influenza.

"NAI" means Notifiable Avian Influenza which is defined under chapter 16-70 WAC as HPAI and LPAI H5/H7.

"Poultry" means chickens, turkeys, ratites, waterfowl, pigeons, doves and other domestic fowl. For purposes of this chapter, poultry also means game birds such as pheasants, partridge, chukars, quail, and grouse that are raised in confinement. Poultry does not mean free ranging birds defined as wildlife in Title 77 RCW.

"Premises" means any property where poultry are raised, held, or boarded.

"USDA, APHIS" means the United States Department of Agriculture Animal and Plant Health Inspection Service.

NEW SECTION

WAC 16-51-905 Necessity of establishing a quarantine zone for notifiable avian influenza (NAI)—Purpose.

This chapter is authorized by RCW 16.36.040. On December 24, 2014, the department received positive diagnosis of Highly Pathogenic Avian Influenza (HPAI) H5 found in domestic poultry within Washington State. HPAI is an extremely infectious and fatal form of avian influenza that affects many species of birds and is of particular concern when it affects poultry. Low Pathogenic Avian Influenza strains H5 and H7 (LPAI H5/H7) are also of concern because of the ability of the influenza virus to mutate to a highly pathogenic strain. HPAI and LPAI H5/H7 are defined as a Notifiable Avian Influenza (NAI).

The establishment of HPAI would be costly to the poultry industry, consumers and taxpayers. Eradication of an HPAI outbreak in the northeastern states in the mid-1980s resulted in the destruction of 17 million birds at a cost of nearly \$65 million. The disease can spread rapidly from flock to flock. In some instances, strains of HPAI can be infectious to people. The USDA, APHIS works to keep NAI from

becoming established in the United States. The director of agriculture, pursuant to authorities in chapter 16.36 RCW, has determined that the containment and eradication of NAI is necessary to protect the commercial poultry industry, small poultry farms and poultry fanciers of the state of Washington.

Birds species that are potential hosts for NAI include chickens, turkeys, ratites, waterfowl, pigeons, doves and other domestic fowl as well as game birds including pheasants, partridge, chukars, quail, and grouse. Migratory waterfowl have proved to be the natural reservoir for this disease.

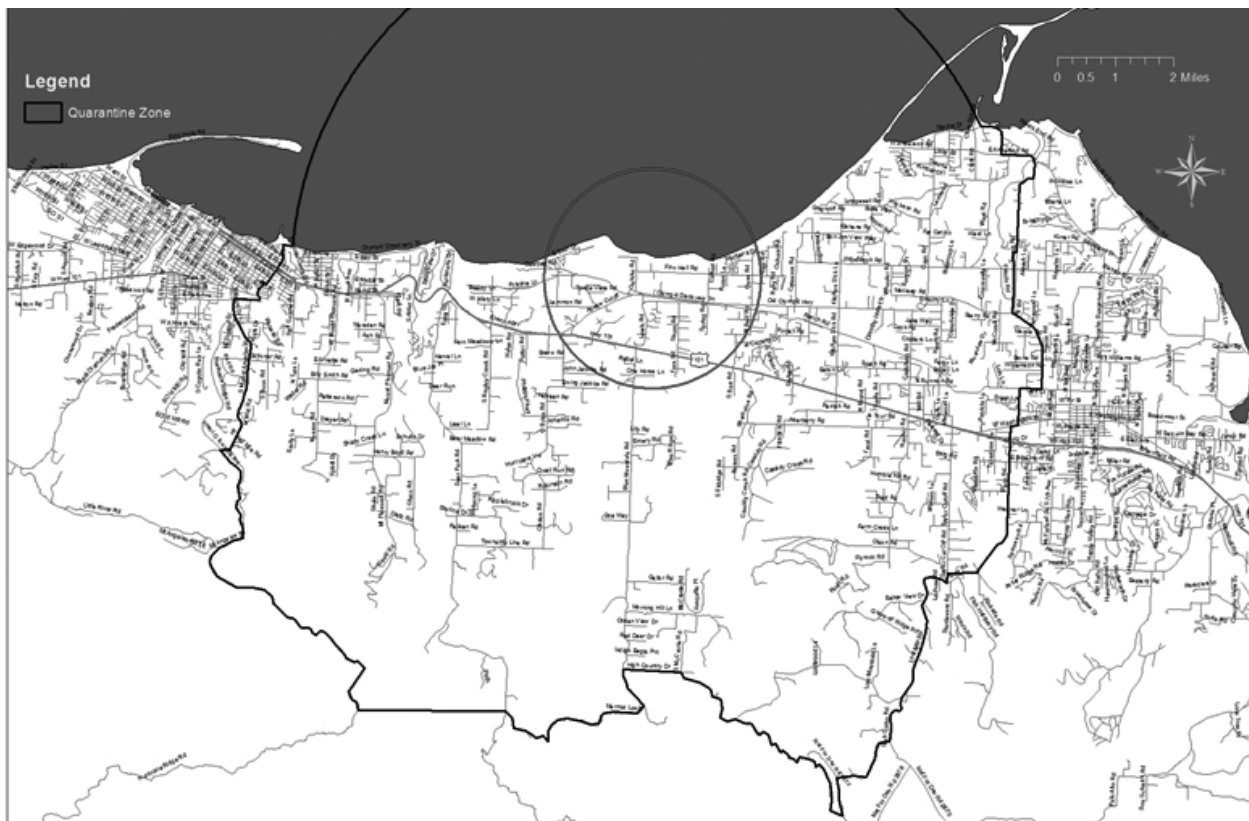
Reviser's note: The typographical error in the above section occurred in the copy filed by the agency and appears in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 16-51-910 Zone under quarantine for NAI (1)

A quarantine zone is created within Clallam County. All premises lying within the boundaries outlined in (1)(a) of this section fall under movement restrictions per WAC 16-51-915. See map below.

Map of Quarantine Zone



(2) A map of the quarantine zone can be obtained through a request to the department at toll-free number (800) 606-3056 or email at ahealth@agr.wa.gov.

NEW SECTION

WAC 16-51-915 Prohibition on moving poultry, eggs, and poultry products, and specified farm products within or from the quarantine zone established for NAI.

(a) Starting at the northeastern point and moving clockwise; From Marine Drive, continue South to East Anderson Road, Turn Left on East Anderson Road, Turn Right onto Town Road, Turn Left onto Old Olympic Highway, Turn Right onto N. Kendall Road, Turn Right onto W. Hendrickson Road, Turn Left onto N. Priest Road, Continue on S. Priest Road, Turn Right at W. Washington Street, Turn left at River Road.

At the end of River Road, connect horizontally due West with The Taylor Cutoff Road (the two roads do not connect), Turn Right onto Lost Mountain Road, Turn Right onto NF 2875, Turn Left onto High County Drive, Turn Left onto Blue Mountain Drive, Turn Right onto Marmot Loop.

At the intersection of Marmot Loop and Deer Park road, connect horizontally due West with Hurricane Ridge Road (the two roads do not connect), Continue following Hurricane Ridge Road North, Turn Right onto S. Mt. Angeles Road, Turn Right onto E. Park Avenue, Turn left onto Liberty Street, Turn Right onto S. Ennis Street, Continue onto North Ennis Street, End at Lees Creek Road.

(1) Movement of living or dead poultry, eggs, or poultry products within or from the quarantine zone for NAI is prohibited, unless a permit has been issued by the department pursuant to WAC 16-51-940. Poultry may be moved within

property that is one premises under the control of one person so long as that movement does not cross the boundary of a quarantine zone established by this chapter. Dead poultry or other dead birds can be transported to an approved landfill or an incinerator for disposal when secured within two plastic bags in compliance with WAC 16-51-935.

(2) Poultry shows or sales may not be held within the quarantine zone unless permissible per WAC 16-51-910 or by a special permit issued under WAC 16-51-940.

NEW SECTION

WAC 16-51-920 Restrictions on vehicles, poultry equipment, wood crates and poultry products leaving from any premises in the quarantine zone established for NAI. (1) The following articles are declared to be able to carry NAI, and their movement or transportation from any premises in the quarantine zone is prohibited prior to being disinfected:

- (a) vehicles;
- (b) the outer surfaces of diagnostic samples collected in approved containers;
- (c) sampling equipment made of metal, glass, or plastic such as totes, scissors, knives, specimen bottles, or specimen vials;
- (d) non-disposable personal protective equipment capable of being disinfected such as rubber boots or shoes, respirators or reusable protective clothing;
- (e) poultry equipment made of metal, plastic polymer, non-natural materials; and,
- (f) water resistant data recording materials.

(2) The following are the required practices for adequate disinfecting the items listed in section (1) above:

- (a) Thoroughly scrub to free the item of visible, dirt, manure, or other organic material.
- (b) Apply disinfectant using brushes, sponges or spray units.
- (c) Use all disinfectants according to the manufacturer's label, state laws and local regulations.

The USDA, APHIS Web site at (http://www.aphis.usda.gov/animal_health/birdbiosecurity/biosecurity/) may be consulted for the latest recommendations concerning poultry biosecurity or the department may be contacted by calling (800) 606-3056 or by email at ahealth@agr.wa.gov.

(3) The following articles are declared capable of carrying NAI, and their movement or transportation from any premises in the quarantine zone is prohibited since they cannot be adequately sanitized:

- (a) disposable sampling equipment including syringes, needles, swabs;
- (b) Non-water resistant data recording materials including writing utensils, notepads, clipboards, or paper;
- (c) disposable personal protective equipment such as clothing, masks, and boots; and,
- (d) all other items that may have come in contact with infected secretions from poultry and are not capable of being disinfected.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 16-51-925 Testing of living poultry within the quarantine zone. When requested, poultry or eggs on any premise in the quarantine zone must be presented to the department for testing. Results from the testing will be provided as soon as practical to the owner of the birds.

NEW SECTION

WAC 16-51-930 Destruction of birds testing positive or exposed to birds testing positive for NAI. Poultry that test positive or are exposed to birds that test positive for NAI must be destroyed promptly after a plan for indemnity and flock management has been accepted by the department, the USDA, APHIS and the flock owner. Euthanasia must be humanely handled in accordance with practices recommended by the department. A list of approved euthanasia practices can be obtained through a request to the department by calling (800) 606-3056 or by email at ahealth@agr.wa.gov.

NEW SECTION

WAC 16-51-935 Disposal of dead poultry originating within the quarantine zone. Dead poultry or other dead birds may only be disposed of by one of the following options:

- 1) Dead poultry or other dead birds can be transported to an approved landfill for disposal when secured within two plastic bags and outer surfaces are disinfected.
- 2) Dead poultry or other dead birds can be composted on site or as part of a recognized composting operation. On-site composting shall be managed and monitored by the department or other suitable state agency.
- 3) Dead poultry or other dead birds may be incinerated at an approved facility. Transport requirements are as in (1) above.
- 4) Dead poultry or other dead birds may be disposed of by other method only by special permit issued under WAC 16-51-940.

Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.

NEW SECTION

WAC 16-51-940 Special permits—Quarantine zone. The department may issue special permits for actions otherwise forbidden under provisions of this chapter. These special permits shall be conditioned to minimize the risk of spreading NAI.