

RCW 76.04.021 Department must accommodate livestock owner's request to retrieve or care for animals at risk due to a wildfire—Liability. (1)(a) The department must make every reasonable effort to accommodate a livestock owner's request to retrieve or care for animals in his or her charge that are at risk due to a wildfire.

(b) The department may only prohibit livestock owners, or the owner's employees or agents, from retrieving or caring for livestock that are lawfully present on the public lands during any fire suppression response if doing so is reasonably necessary to prevent interference with a direct, active fire response.

(2) The department must incorporate the implementation of this section into any prefire season training or coordination conducted in local communities that contain active grazing areas.

(3)(a) The owner of livestock lawfully present on public lands assumes full liability for any damages incurred to himself or herself, and any employees or agents in his or her charge, if public lands are accessed to retrieve or care for livestock during the time of a fire suppression response by the department affecting the public lands in question.

(b) No civil liability may be imposed by any court on the state, the department, or another political subdivision of the state for any direct or indirect adverse impacts, including injury or death, resulting from:

(i) The department's reasonable efforts under this section to accommodate a livestock owner, or the owner's employees or agents, to retrieve or care for animals in his or her charge that are at risk due to a wildfire; or

(ii) A livestock owner, or the owner's employees or agents, accessing public lands to retrieve or care for livestock during the time of a fire suppression response by the department affecting the public lands in question. [2016 c 109 § 2.]