
SUBSTITUTE HOUSE BILL 2871

State of Washington 60th Legislature 2008 Regular Session

By House Agriculture & Natural Resources (originally sponsored by Representatives Kretz and McCune)

READ FIRST TIME 02/04/08.

1 AN ACT Relating to penalties for small scale prospecting and mining
2 violations; amending RCW 77.15.300; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 77.15.300 and 2000 c 107 s 239 are each amended to
5 read as follows:

6 (1) A person is guilty of unlawfully undertaking hydraulic project
7 activities if the person constructs any form of hydraulic project or
8 performs other work on a hydraulic project and:

9 (a) Fails to have a hydraulic project approval required under
10 chapter 77.55 RCW for such construction or work; or

11 (b) Violates any requirements or conditions of the hydraulic
12 project approval for such construction or work.

13 (2)(a) Except for actions involving small scale prospecting and
14 mining, as defined in RCW 77.55.011, that are in violation of the
15 requirements of an individual hydraulic permit or the gold and fish
16 pamphlet published by the department under RCW 77.55.091, and
17 violations of chapter 77.55 RCW involving small scale prospecting using
18 motorized equipment, unlawfully undertaking hydraulic project
19 activities is a gross misdemeanor.

1 (b) For actions involving small scale prospecting and mining, as
2 defined in RCW 77.55.011, that are in violation of the requirements of
3 an individual hydraulic permit or the gold and fish pamphlet, and
4 violations of chapter 77.55 RCW involving small scale prospecting using
5 motorized equipment, published by the department under RCW 77.55.091,
6 and violations of chapter 77.55 RCW involving small scale prospecting
7 using motorized equipment, unlawfully undertaking hydraulic project
8 activities is a natural resources infraction punishable under chapter
9 7.84 RCW.

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