
ENGROSSED SUBSTITUTE HOUSE BILL 1864

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Natural Resources & Parks (originally sponsored by Representatives Kremen, Haugen, Wilson, Roland, Braddock, Spanel, Rayburn, Rasmussen, Leonard, Bowman, R. Johnson, P. Johnson and Sheldon).

Read first time March 6, 1991.

1 AN ACT Relating to removal of sand and gravel; amending RCW
2 79.90.150; and repealing RCW 79.90.140.

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

4 **Sec. 1.** RCW 79.90.150 and 1982 1st ex.s. c 21 s 21 are each
5 amended to read as follows:

6 When gravel, rock, sand, silt or other material from any aquatic
7 lands is removed by any public agency or under public contract for
8 channel or harbor improvement, or flood control, use of such material
9 may be authorized by the department of natural resources for a public
10 purpose on land owned or leased by the state or any municipality,
11 county, or public corporation: PROVIDED, That when no public land site
12 is available for deposit of such material, its deposit on private land
13 with the landowner's permission is authorized and may be designated by
14 the department of natural resources to be for a public purpose. Prior
15 to removal and use, the state agency, municipality, county, or public

1 corporation contemplating or arranging such use shall first obtain
2 written permission from the department of natural resources. No
3 payment of royalty shall be required for such gravel, rock, sand, silt,
4 or other material used for such public purpose, but a charge will be
5 made if such material is subsequently sold or used for some other
6 purpose: PROVIDED, That the department may authorize such public
7 agency or private landowner to dispose of such material without charge
8 when necessary to implement disposal of material. No charge shall be
9 required for any use of the material obtained under the provisions of
10 this chapter when used solely on an authorized site. No charge shall
11 be required for any use of the material obtained under the provisions
12 of this chapter if the material is used for public purposes by local
13 governments. Public purposes include, but are not limited to,
14 construction and maintenance of roads, dikes, and levies. Nothing in
15 this section shall repeal or modify the provisions of RCW 75.20.100 or
16 eliminate the necessity of obtaining a permit for such removal from
17 other state or federal agencies as otherwise required by law.

18 NEW SECTION. Sec. 2. RCW 79.90.140 and 1982 1st ex.s. c 21 s
19 20 are each repealed.