

January 10 2022 10:00 AM

CONSTANCE R. WHITE  
COUNTY CLERK  
NO: 22-1-00044-1

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**STATE OF WASHINGTON  
PIERCE COUNTY SUPERIOR COURT**

9 STATE OF WASHINGTON,

NO. 22-1-00044-1

10 Plaintiff,

INFORMATION

11 v.

12 ELECTRON HYDRO, LLC,

13 Defendant.

14  
15 DOB:

SEX:

RACE:

PCN#

SID:

DOL:

16 CO-DEF: Thom Alfred Fischer, Pierce Cty Sup Ct No. 22-1-00045-9

17 I, Robert W. Ferguson, Attorney General of Washington, in the name and by the authority  
18 of the State of Washington, pursuant to RCW 43.10.232 and at the request of Mary Robnett,  
19 Pierce County Prosecuting Attorney, do accuse ELECTRON HYDRO, LLC and THOM  
20 FISCHER of the crimes committed as follows:

21 **COUNT 1: UNLAWFUL WATER POLLUTION**

22 On or about July 24, 2020, in the County of Pierce, State of Washington, ELECTRON  
23 HYDRO, LLC and THOM FISCHER did willfully throw, drain, run, or otherwise discharge,  
24 or did cause, permit, or allow to be discharged, into the waters of this state organic or inorganic  
25 matter that causes or tends to cause pollution of such waters, to wit: artificial field turf and  
26

1 crumb rubber, contrary to RCW 90.48.080 and contrary to RCW 90.48.140, a gross  
2 misdemeanor.

3 (Maximum Penalty - 364 days in jail or \$10,000 fine, or both pursuant to RCW 90.48.140, plus  
4 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

5 **COUNT 2: UNLAWFUL WATER POLLUTION**

6 On or about July 25, 2020, in the County of Pierce, State of Washington, ELECTRON  
7 HYDRO, LLC and THOM FISCHER did willfully throw, drain, run, or otherwise discharge,  
8 or did cause, permit, or allow to be discharged, into the waters of this state organic or inorganic  
9 matter that causes or tends to cause pollution of such waters, to wit: artificial field turf and  
10 crumb rubber, contrary to RCW 90.48.080 and contrary to RCW 90.48.140, a gross  
11 misdemeanor.

12 (Maximum Penalty - 364 days in jail or \$10,000 fine, or both pursuant to RCW 90.48.140, plus  
13 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

14 **COUNT 3: UNLAWFUL WATER POLLUTION**

15 On or about July 26, 2020, in the County of Pierce, State of Washington, ELECTRON  
16 HYDRO, LLC and THOM FISCHER did willfully throw, drain, run, or otherwise discharge,  
17 or did cause, permit, or allow to be discharged, into the waters of this state organic or inorganic  
18 matter that causes or tends to cause pollution of such waters, to wit: artificial field turf and  
19 crumb rubber, contrary to RCW 90.48.080 and contrary to RCW 90.48.140, a gross  
20 misdemeanor.

21 (Maximum Penalty - 364 days in jail or \$10,000 fine, or both pursuant to RCW 90.48.140, plus  
22 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

23 **COUNT 4: UNLAWFUL WATER POLLUTION**

24 On or about July 27, 2020, in the County of Pierce, State of Washington, ELECTRON  
25 HYDRO, LLC and THOM FISCHER did willfully throw, drain, run, or otherwise discharge,  
26 or did cause, permit, or allow to be discharged, into the waters of this state organic or inorganic

1 matter that causes or tends to cause pollution of such waters, to wit: artificial field turf and  
2 crumb rubber, contrary to RCW 90.48.080 and contrary to RCW 90.48.140, a gross  
3 misdemeanor.

4 (Maximum Penalty - 364 days in jail or \$10,000 fine, or both pursuant to RCW 90.48.140, plus  
5 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

6 **COUNT 5: UNLAWFUL WATER POLLUTION**

7 On or about July 28, 2020, in the County of Pierce, State of Washington, ELECTRON  
8 HYDRO, LLC and THOM FISCHER did willfully throw, drain, run, or otherwise discharge,  
9 or did cause, permit, or allow to be discharged, into the waters of this state organic or inorganic  
10 matter that causes or tends to cause pollution of such waters, to wit: artificial field turf and  
11 crumb rubber, contrary to RCW 90.48.080 and contrary to RCW 90.48.140, a gross  
12 misdemeanor.

13 (Maximum Penalty - 364 days in jail or \$10,000 fine, or both pursuant to RCW 90.48.140, plus  
14 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

15 **COUNT 6: UNLAWFUL WATER POLLUTION**

16 On or about July 29, 2020, in the County of Pierce, State of Washington, ELECTRON  
17 HYDRO, LLC and THOM FISCHER did willfully throw, drain, run, or otherwise discharge,  
18 or did cause, permit, or allow to be discharged, into the waters of this state organic or inorganic  
19 matter that causes or tends to cause pollution of such waters, to wit: artificial field turf and  
20 crumb rubber, contrary to RCW 90.48.080 and contrary to RCW 90.48.140, a gross  
21 misdemeanor.

22 (Maximum Penalty - 364 days in jail or \$10,000 fine, or both pursuant to RCW 90.48.140, plus  
23 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

24 **COUNT 7: UNLAWFUL WATER POLLUTION**

25 On or about July 30, 2020, in the County of Pierce, State of Washington, ELECTRON  
26 HYDRO, LLC and THOM FISCHER did willfully throw, drain, run, or otherwise discharge,

1 or did cause, permit, or allow to be discharged, into the waters of this state organic or inorganic  
2 matter that causes or tends to cause pollution of such waters, to wit: artificial field turf and  
3 crumb rubber, contrary to RCW 90.48.080 and contrary to RCW 90.48.140, a gross  
4 misdemeanor.

5 (Maximum Penalty - 364 days in jail or \$10,000 fine, or both pursuant to RCW 90.48.140, plus  
6 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

7 **COUNT 8: UNLAWFUL WATER POLLUTION**

8 On or about July 31, 2020, in the County of Pierce, State of Washington, ELECTRON  
9 HYDRO, LLC and THOM FISCHER did willfully throw, drain, run, or otherwise discharge,  
10 or did cause, permit, or allow to be discharged, into the waters of this state organic or inorganic  
11 matter that causes or tends to cause pollution of such waters, to wit: artificial field turf and  
12 crumb rubber, contrary to RCW 90.48.080 and contrary to RCW 90.48.140, a gross  
13 misdemeanor.

14 (Maximum Penalty - 364 days in jail or \$10,000 fine, or both pursuant to RCW 90.48.140, plus  
15 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

16 **COUNT 9: UNLAWFUL WATER POLLUTION**

17 On or about August 1, 2020, in the County of Pierce, State of Washington,  
18 ELECTRON HYDRO, LLC and THOM FISCHER did willfully throw, drain, run, or  
19 otherwise discharge, or did cause, permit, or allow to be discharged, into the waters of this  
20 state organic or inorganic matter that causes or tends to cause pollution of such waters, to wit:  
21 artificial field turf and crumb rubber, contrary to RCW 90.48.080 and contrary to RCW  
22 90.48.140, a gross misdemeanor.

23 (Maximum Penalty - 364 days in jail or \$10,000 fine, or both pursuant to RCW 90.48.140, plus  
24 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

1 **COUNT 10: UNLAWFUL WATER POLLUTION**

2 On or about August 2, 2020, in the County of Pierce, State of Washington,  
3 ELECTRON HYDRO, LLC and THOM FISCHER did willfully throw, drain, run, or  
4 otherwise discharge, or did cause, permit, or allow to be discharged, into the waters of this  
5 state organic or inorganic matter that causes or tends to cause pollution of such waters, to wit:  
6 artificial field turf and crumb rubber, contrary to RCW 90.48.080 and contrary to RCW  
7 90.48.140, a gross misdemeanor.

8 (Maximum Penalty - 364 days in jail or \$10,000 fine, or both pursuant to RCW 90.48.140, plus  
9 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

10 **COUNT 11: UNLAWFUL WATER POLLUTION**

11 On or about August 3, 2020, in the County of Pierce, State of Washington,  
12 ELECTRON HYDRO, LLC and THOM FISCHER did willfully throw, drain, run, or  
13 otherwise discharge, or did cause, permit, or allow to be discharged, into the waters of this  
14 state organic or inorganic matter that causes or tends to cause pollution of such waters, to wit:  
15 artificial field turf and crumb rubber, contrary to RCW 90.48.080 and contrary to RCW  
16 90.48.140, a gross misdemeanor.

17 (Maximum Penalty - 364 days in jail or \$10,000 fine, or both pursuant to RCW 90.48.140, plus  
18 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

19 **COUNT 12: UNLAWFUL WATER POLLUTION**

20 On or about August 4, 2020, in the County of Pierce, State of Washington,  
21 ELECTRON HYDRO, LLC and THOM FISCHER did willfully throw, drain, run, or  
22 otherwise discharge, or did cause, permit, or allow to be discharged, into the waters of this  
23 state organic or inorganic matter that causes or tends to cause pollution of such waters, to wit:  
24 artificial field turf and crumb rubber, contrary to RCW 90.48.080 and contrary to RCW  
25 90.48.140, a gross misdemeanor.  
26

1 (Maximum Penalty - 364 days in jail or \$10,000 fine, or both pursuant to RCW 90.48.140, plus  
2 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

3 **COUNT 13: UNLAWFUL WATER POLLUTION**

4 On or about August 5, 2020, in the County of Pierce, State of Washington,  
5 ELECTRON HYDRO, LLC and THOM FISCHER did willfully throw, drain, run, or  
6 otherwise discharge, or did cause, permit, or allow to be discharged, into the waters of this  
7 state organic or inorganic matter that causes or tends to cause pollution of such waters, to wit:  
8 artificial field turf and crumb rubber, contrary to RCW 90.48.080 and contrary to RCW  
9 90.48.140, a gross misdemeanor.

10 (Maximum Penalty - 364 days in jail or \$10,000 fine, or both pursuant to RCW 90.48.140, plus  
11 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

12 **COUNT 14: UNLAWFUL WATER POLLUTION**

13 On or about August 6, 2020, in the County of Pierce, State of Washington,  
14 ELECTRON HYDRO, LLC and THOM FISCHER did willfully throw, drain, run, or  
15 otherwise discharge, or did cause, permit, or allow to be discharged, into the waters of this  
16 state organic or inorganic matter that causes or tends to cause pollution of such waters, to wit:  
17 artificial field turf and crumb rubber, contrary to RCW 90.48.080 and contrary to RCW  
18 90.48.140, a gross misdemeanor.

19 (Maximum Penalty - 364 days in jail or \$10,000 fine, or both pursuant to RCW 90.48.140, plus  
20 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

21 **COUNT 15: UNLAWFUL HYDRAULIC PROJECT ACTIVITIES**

22 Between on or about July 20, 2020, through on or about July 24, 2020, in the County of  
23 Pierce, State of Washington, ELECTRON HYDRO, LLC and THOM FISCHER did construct  
24 a form of hydraulic project or perform other work on a hydraulic project and violated the  
25 requirements of the Hydraulic Project Approval granted on May 21, 2020, permit number  
26

1 2018-6-256+02 for such work, to wit: Condition Number 3, contrary to RCW 77.15.300, a  
2 gross misdemeanor.

3 (Maximum Penalty - 364 days in jail or \$5,000 fine, or both pursuant to RCW 77.15.300(2)  
4 and RCW 9.92.020, plus restitution, assessments and court costs. Maximum fine for entities is  
\$250,000 pursuant to RCW 10.01.100(d).)

5 **COUNT 16: UNLAWFUL HYDRAULIC PROJECT ACTIVITIES**

6 Between on or about July 20, 2020, through on or about July 24, 2020, in the County of  
7 Pierce, State of Washington, ELECTRON HYDRO, LLC and THOM FISCHER did construct  
8 a form of hydraulic project or perform other work on a hydraulic project and violated the  
9 requirements of the Hydraulic Project Approval granted on May 21, 2020, permit number  
10 2018-6-256+02 for such work, to wit: Condition Number 25, contrary to RCW 77.15.300, a  
11 gross misdemeanor.

12 (Maximum Penalty - 364 days in jail or \$5,000 fine, or both pursuant to RCW 77.15.300(2)  
13 and RCW 9.92.020, plus restitution, assessments and court costs. Maximum fine for entities is  
\$250,000 pursuant to RCW 10.01.100(d).)

14 **COUNT 17: UNLAWFUL SHORELINE ACTIVITIES**

15 Between on or about July 20, 2020, through on or about July 24, 2020, in the County of  
16 Pierce, State of Washington, ELECTRON HYDRO, LLC and THOM FISCHER did willfully  
17 engage in activities on the shorelines of the state, to wit: the Puyallup River, using artificial  
18 field turf and crumb rubber in construction of a temporary bypass that was not in submitted  
19 plans, in violation of the provisions of RCW 90.58, rule or regulation pursuant thereto, to wit:  
20 WAC 173-27-100, contrary to RCW 90.58.220, a gross misdemeanor.

21 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
22 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

23 **COUNT 18: UNLAWFUL SHORELINE ACTIVITIES**

24 Between or about July 20, 2020, through on or about July 24, 2020, in the County of  
25 Pierce, State of Washington, ELECTRON HYDRO, LLC and THOM FISCHER did willfully  
26 engage in activities on the shorelines of the state, to wit: the Puyallup River, using artificial

1 field turf and crumb rubber in construction of a temporary bypass that was not in submitted  
2 plans in violation of the provisions of RCW 90.58, or of a master program, to wit: the Pierce  
3 County Shoreline Master Program, contrary to RCW 90.58.220, a gross misdemeanor.  
4 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
5 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
6 RCW 10.01.100(d).)

6 **COUNT 19: VIOLATION OF THE PIERCE COUNTY CODE**

7 On or about July 20, 2020, in the County of Pierce, State of Washington, ELECTRON  
8 HYDRO, LLC and THOM FISCHER did willfully engage in activities on the shorelines of the  
9 state, to wit: the Puyallup River, which were inconsistent with the written approval granted in  
10 the Shoreline Substantial Development Permit issued on June 26, 2018, contrary to Pierce  
11 County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross misdemeanor.  
12 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
13 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
14 RCW 10.01.100(d).)

14 **COUNT 20: VIOLATION OF THE PIERCE COUNTY CODE**

15 On or about July 21, 2020, in the County of Pierce, State of Washington, ELECTRON  
16 HYDRO, LLC and THOM FISCHER did willfully engage in activities on the shorelines of the  
17 state, to wit: the Puyallup River, which were inconsistent with the written approval granted in  
18 the Shoreline Substantial Development Permit issued on June 26, 2018, contrary to Pierce  
19 County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross misdemeanor.  
20 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
21 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
22 RCW 10.01.100(d).)

22 **COUNT 21: VIOLATION OF THE PIERCE COUNTY CODE**

23 On or about July 22, 2020, in the County of Pierce, State of Washington, ELECTRON  
24 HYDRO, LLC and THOM FISCHER did willfully engage in activities on the shorelines of the  
25 state, to wit: the Puyallup River, which were inconsistent with the written approval granted in  
26



1 the Shoreline Substantial Development Permit issued on June 26, 2018, contrary to Pierce  
2 County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross misdemeanor.  
3 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
4 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

5 **COUNT 22: VIOLATION OF THE PIERCE COUNTY CODE**

6 On or about July 23, 2020, in the County of Pierce, State of Washington, ELECTRON  
7 HYDRO, LLC and THOM FISCHER did willfully engage in activities on the shorelines of the  
8 state, to wit: the Puyallup River, which were inconsistent with the written approval granted in  
9 the Shoreline Substantial Development Permit issued on June 26, 2018, contrary to Pierce  
10 County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross misdemeanor.  
11 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
12 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

13 **COUNT 23: VIOLATION OF THE PIERCE COUNTY CODE**

14 On or about July 24, 2020, in the County of Pierce, State of Washington, ELECTRON  
15 HYDRO, LLC and THOM FISCHER did willfully engage in activities on the shorelines of the  
16 state, to wit: the Puyallup River, which were inconsistent with the written approval granted in  
17 the Shoreline Substantial Development Permit issued on June 26, 2018, contrary to Pierce  
18 County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross misdemeanor.  
19 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
20 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

21 **COUNT 24: VIOLATION OF THE PIERCE COUNTY CODE**

22 On or about July 25, 2020, in the County of Pierce, State of Washington, ELECTRON  
23 HYDRO, LLC and THOM FISCHER did willfully engage in activities on the shorelines of the  
24 state, to wit: the Puyallup River, which were inconsistent with the written approval granted in  
25 the Shoreline Substantial Development Permit issued on June 26, 2018, contrary to Pierce  
26 County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross misdemeanor.

1 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
2 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

3 **COUNT 25: VIOLATION OF THE PIERCE COUNTY CODE**

4 On or about July 26, 2020, in the County of Pierce, State of Washington, ELECTRON  
5 HYDRO, LLC and THOM FISCHER did willfully engage in activities on the shorelines of the  
6 state, to wit: the Puyallup River, which were inconsistent with the written approval granted in  
7 the Shoreline Substantial Development Permit issued on June 26, 2018, contrary to Pierce  
8 County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross misdemeanor.

9 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
10 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

11 **COUNT 26: VIOLATION OF THE PIERCE COUNTY CODE**

12 On or about July 27, 2020, in the County of Pierce, State of Washington, ELECTRON  
13 HYDRO, LLC and THOM FISCHER did willfully engage in activities on the shorelines of the  
14 state, to wit: the Puyallup River, which were inconsistent with the written approval granted in  
15 the Shoreline Substantial Development Permit issued on June 26, 2018, contrary to Pierce  
16 County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross misdemeanor.

17 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
18 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

19 **COUNT 27: VIOLATION OF THE PIERCE COUNTY CODE**

20 On or about July 28, 2020, in the County of Pierce, State of Washington, ELECTRON  
21 HYDRO, LLC and THOM FISCHER did willfully engage in activities on the shorelines of the  
22 state, to wit: the Puyallup River, which were inconsistent with the written approval granted in  
23 the Shoreline Substantial Development Permit issued on June 26, 2018, contrary to Pierce  
24 County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross misdemeanor.

25 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
26 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

1                                   **COUNT 28: VIOLATION OF THE PIERCE COUNTY CODE**

2                   On or about July 29, 2020, in the County of Pierce, State of Washington, ELECTRON  
3 HYDRO, LLC and THOM FISCHER did willfully engage in activities on the shorelines of the  
4 state, to wit: the Puyallup River, which were inconsistent with the written approval granted in  
5 the Shoreline Substantial Development Permit issued on June 26, 2018, contrary to Pierce  
6 County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross misdemeanor.  
7 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
8 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

9                                   **COUNT 29: VIOLATION OF THE PIERCE COUNTY CODE**

10                   On or about July 30, 2020, in the County of Pierce, State of Washington, ELECTRON  
11 HYDRO, LLC and THOM FISCHER did willfully engage in activities on the shorelines of the  
12 state, to wit: the Puyallup River, which were inconsistent with the written approval granted in  
13 the Shoreline Substantial Development Permit issued on June 26, 2018, contrary to Pierce  
14 County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross misdemeanor.  
15 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
16 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

17                                   **COUNT 30: VIOLATION OF THE PIERCE COUNTY CODE**

18                   On or about July 31, 2020, in the County of Pierce, State of Washington, ELECTRON  
19 HYDRO, LLC and THOM FISCHER did willfully engage in activities on the shorelines of the  
20 state, to wit: the Puyallup River, which were inconsistent with the written approval granted in  
21 the Shoreline Substantial Development Permit issued on June 26, 2018, contrary to Pierce  
22 County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross misdemeanor.  
23 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
24 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

1                                   **COUNT 31: VIOLATION OF THE PIERCE COUNTY CODE**

2                   On or about August 1, 2020, in the County of Pierce, State of Washington,  
3 ELECTRON HYDRO, LLC and THOM FISCHER did willfully engage in activities on the  
4 shorelines of the state, to wit: the Puyallup River, which were inconsistent with the written  
5 approval granted in the Shoreline Substantial Development Permit issued on June 26, 2018,  
6 contrary to Pierce County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross  
7 misdemeanor.

8 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
9 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

10                                   **COUNT 32: VIOLATION OF THE PIERCE COUNTY CODE**

11                   On or about August 2, 2020, in the County of Pierce, State of Washington,  
12 ELECTRON HYDRO, LLC and THOM FISCHER did willfully engage in activities on the  
13 shorelines of the state, to wit: the Puyallup River, which were inconsistent with the written  
14 approval granted in the Shoreline Substantial Development Permit issued on June 26, 2018,  
15 contrary to Pierce County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross  
16 misdemeanor.

17 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
18 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

19                                   **COUNT 33: VIOLATION OF THE PIERCE COUNTY CODE**

20                   On or about August 3, 2020, in the County of Pierce, State of Washington,  
21 ELECTRON HYDRO, LLC and THOM FISCHER did willfully engage in activities on the  
22 shorelines of the state, to wit: the Puyallup River, which were inconsistent with the written  
23 approval granted in the Shoreline Substantial Development Permit issued on June 26, 2018,  
24 contrary to Pierce County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross  
25 misdemeanor.

1 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
2 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

3 **COUNT 34: VIOLATION OF THE PIERCE COUNTY CODE**

4 On or about August 4, 2020, in the County of Pierce, State of Washington,  
5 ELECTRON HYDRO, LLC and THOM FISCHER did willfully engage in activities on the  
6 shorelines of the state, to wit: the Puyallup River, which were inconsistent with the written  
7 approval granted in the Shoreline Substantial Development Permit issued on June 26, 2018,  
8 contrary to Pierce County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross  
9 misdemeanor.

10 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
11 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

12 **COUNT 35: VIOLATION OF THE PIERCE COUNTY CODE**

13 On or about August 5, 2020, in the County of Pierce, State of Washington,  
14 ELECTRON HYDRO, LLC and THOM FISCHER did willfully engage in activities on the  
15 shorelines of the state, to wit: the Puyallup River, which were inconsistent with the written  
16 approval granted in the Shoreline Substantial Development Permit issued on June 26, 2018,  
17 contrary to Pierce County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross  
18 misdemeanor.

19 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
20 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

21 **COUNT 36: VIOLATION OF THE PIERCE COUNTY CODE**

22 On or about August 6, 2020, in the County of Pierce, State of Washington,  
23 ELECTRON HYDRO, LLC and THOM FISCHER did willfully engage in activities on the  
24 shorelines of the state, to wit: the Puyallup River, which were inconsistent with the written  
25 approval granted in the Shoreline Substantial Development Permit issued on June 26, 2018,  
26

1 contrary to Pierce County Code 18.140.030 and Pierce County Code 18.140.050(D)(2), a gross  
2 misdemeanor.

3 (Maximum Penalty - 90 days in jail or \$1,000 fine, or both pursuant to RCW 90.58.220, plus  
4 restitution, assessments and court costs. Maximum fine for entities is \$250,000 pursuant to  
RCW 10.01.100(d).)

5 DATED this 10th day of January, 2022.

6 ROBERT W. FERGUSON  
7 Attorney General

8 /s/Bradley Roberts  
9 BRADLEY ROBERTS, WSBA #48861  
10 Assistant Attorney General  
Attorneys for Plaintiff