

2 **SHB 1565** - S AMD - 310
3 By Senator Jacobsen

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** The legislature finds that small scale
8 prospecting and mining: (1) Is an important part of the heritage of
9 the state; (2) provides economic benefits to the state, and helps to
10 meet the national security demand and industrial demand for minerals;
11 and (3) can be conducted in a manner that is beneficial to fish habitat
12 and fish propagation. Now, therefore, the legislature declares that
13 small scale prospecting shall be regulated in the least burdensome
14 manner that is consistent with the state's fish management objectives.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 75.20 RCW
16 to read as follows:

17 (1) Small scale mineral prospecting using gold pans, mini-rocker
18 boxes, and nonmotorized sluice boxes shall not require written approval
19 under this chapter if the prospecting is conducted in accordance with
20 provisions established in the department's most recent gold and fish
21 pamphlet.

22 (2) By December 31, 1998, the department shall adopt rules to
23 regulate small scale mineral prospecting activities subject to this
24 section. The department shall develop the rules in cooperation with
25 the recreational mining community and other interested parties.

26 (3) Rules adopted for small scale prospecting activities shall not
27 require an environmental analysis under chapter 43.21C RCW as a
28 condition for obtaining a written approval. Small scale prospecting
29 activities requiring a written approval under this section shall
30 complete a written application as provided by the department. The
31 department shall specify by rule the maximum length of time for the
32 department to make a decision on a permit application. In no event
33 shall the department take more than thirty days to make a decision on
34 a permit issued under this section.

1 (4) Within two months of adoption of the rules, the department
2 shall distribute an updated gold and fish pamphlet that describes
3 methods of mineral prospecting that are consistent with the
4 department's rule. The pamphlet shall be written to clearly indicate
5 the prospecting methods that require written approval under this
6 chapter and the prospecting methods that require compliance with the
7 pamphlet. To the extent possible, the department shall use the
8 provisions of the gold and fish pamphlet to minimize the number of
9 specific provisions of a written approval issued under this section.

10 (5) For the purposes of this section, "small scale prospecting"
11 means prospecting activities to pan, sluice, or dredge for minerals,
12 except that motorized dredging devices with a suction nozzle greater
13 than four inches in diameter are not considered small scale
14 prospecting.

15 (6) Motorized dredging devices with a suction nozzle greater than
16 four inches in diameter are subject to a standard written approval
17 under RCW 75.20.100."

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21 On page 1, line 1 of the title, after "mining;" strike the
22 remainder of the title and insert "adding a new section to chapter
23 75.20 RCW; and creating a new section."

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