

# SENATE BILL REPORT

## SB 5351

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As Reported By Senate Committee On:  
Natural Resources & Parks, March 4, 1997

**Title:** An act relating to small scale prospecting and mining.

**Brief Description:** Exempting small scale mining from the requirement of obtaining a hydraulic permit.

**Sponsors:** Senators Benton, Strannigan, Oke, Anderson, Swecker, Zarelli and Rossi.

**Brief History:**

**Committee Activity:** Natural Resources & Parks: 2/20/97, 3/4/97 [DPS].

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### SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

**Majority Report:** That Substitute Senate Bill No. 5351 be substituted therefor, and the substitute bill do pass.

Signed by Senators Oke, Chair; Rossi, Vice Chair; Hargrove, Jacobsen, Morton, Stevens and Swecker.

**Staff:** Ross Antipa (786-7413)

**Background:** Mining activities within the high water mark of streams, rivers, and other water bodies of the state are regulated by the Department of Fish and Wildlife through the hydraulic permit process. Exemptions from the permit process are provided to persons who pan for gold using hand tools. More extensive mining activities in streams or rivers require a hydraulic permit and are subject to department regulation.

Miners who prospect or mine in rivers and streams desire less regulation from the Department of Fish and Wildlife.

**Summary of Substitute Bill:** Small scale mineral prospecting— is defined as mining with gold pans, mini-rocker boxes and nonmotorized sluice boxes. These mining activities do not require a hydraulic permit if conducted in accordance with provisions in the department's gold and fish pamphlet. The department must adopt rules to regulate small scale mining by December 31, 1997 in cooperation with the recreational mining community. A revised gold and fish pamphlet will be distributed within two months of rule adoption.

The emergency clause is removed.

**Substitute Bill Compared to Original Bill:** Mining with the Venturi method and other motorized methods is not addressed, and continues to be regulated by the hydraulic permit process.

**Appropriation:** None.

**Fiscal Note:** Requested on February 11, 1997.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Small scale mining activities are subject to unnecessary regulation by the Department of Fish and Wildlife.

**Testimony Against:** None.

**Testified:** Michael Dulkan, Boeing Employees Prospecting, Washington Prospectors, GPAA (pro); David Rutan, Washington Prospectors and Miners Ad-Hoc Committee (pro); Chuck Cox, Washington Prospectors Mining Associated (pro); David Hogg, WPMA (pro).