
SUBSTITUTE HOUSE BILL 1565

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Natural Resources (originally sponsored by Representatives Mielke, Pennington, Carrell, Mulliken, Thompson and Cairnes)

Read first time 03/05/97.

1 AN ACT Relating to small scale prospecting and mining; adding a new
2 section to chapter 75.20 RCW; and creating a new section.

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

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

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

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

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

5 (3) Rules adopted for small scale prospecting activities shall not
6 require an environmental analysis under chapter 43.21C RCW as a
7 condition for obtaining a written approval. Small scale prospecting
8 activities requiring a written approval under this section shall
9 complete a written application as provided by the department. The
10 department shall specify by rule the maximum length of time for the
11 department to make a decision on a permit application. In no event
12 shall the department take more than thirty days to make a decision on
13 a permit issued under this section.

14 (4) Within two months of adoption of the rules, the department
15 shall distribute an updated gold and fish pamphlet that describes
16 methods of mineral prospecting that are consistent with the
17 department's rule. The pamphlet shall be written to clearly indicate
18 the prospecting methods that require written approval under this
19 chapter and the prospecting methods that require compliance with the
20 pamphlet. To the extent possible, the department shall use the
21 provisions of the gold and fish pamphlet to minimize the number of
22 specific provisions of a written approval issued under this section.

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

28 (6) Motorized dredging devices with a suction nozzle greater than
29 four inches in diameter are subject to a standard written approval
30 under RCW 75.20.100.

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