
ENGROSSED HOUSE BILL 1845

State of Washington

57th Legislature

2001 Regular Session

By Representatives Sehlin and H. Sommers; by request of Department of Natural Resources

Read first time 02/06/2001. Referred to Committee on Appropriations.

1 AN ACT Relating to surface mining reclamation permit fees;
2 amending RCW 78.44.085; creating a new section; providing an
3 effective date; and declaring an emergency.

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

5 **Sec. 1.** RCW 78.44.085 and 1997 c 413 s 1 are each amended to read
6 as follows:

7 (1) An applicant for a public or private reclamation permit
8 shall pay ((an)) a nonrefundable application fee to the department
9 before being granted a surface mining permit. The amount of the
10 application fee shall be ((six hundred fifty)) one thousand
11 dollars.

12 (2) After June 30, ((1993)) 2001, each public or private permit
13 holder shall pay an annual permit fee of ((six hundred fifty)) one
14 thousand dollars. The annual permit fee shall be payable to the
15 department on the first anniversary of the permit date and each
16 year thereafter. Annual fees paid by a county for mines used
17 exclusively for public works projects and having less than seven
18 acres of disturbed area per mine shall not exceed one thousand

1 dollars. Annual fees are waived for all mines used primarily for
2 public works projects if the mines are owned and primarily
3 operated by counties with 1993 populations of less than twenty
4 thousand persons, and if each mine has less than seven acres of
5 disturbed area.

6 (3) Appeals from any determination of the department shall not
7 stay the requirement to pay any annual permit fee. Failure to pay
8 the annual fee may constitute grounds for an order to suspend
9 surface mining or cancellation of the reclamation permit as
10 provided in this chapter.

11 (4) All fees collected by the department shall be deposited
12 into the surface mining reclamation account.

13 (5) If the department delegates enforcement responsibilities to
14 a county, city, or town, the department may allocate funds
15 collected under this section to the county, city, or town.

16 (6) Within sixty days after receipt of a permit application,
17 the department shall advise applicants of any information
18 necessary to successfully complete the application.

19 NEW SECTION. Sec. 2. By January 1, 2003, the department of
20 natural resources shall report to the appropriate policy and
21 fiscal committees of the legislature regarding program
22 deliverables and uses of the new fee revenue.

23 NEW SECTION. Sec. 3. This act is necessary for the immediate
24 preservation of the public peace, health, or safety, or support of
25 the state government and its existing public institutions, and
26 takes effect July 1, 2001.

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