AN ACT Relating to geological survey; amending RCW 43.92.010; adding new sections to chapter 43.92 RCW; and repealing RCW 43.30.600, 43.92.020, 43.92.040, 43.92.060, and 43.92.070.

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

NEW SECTION. Sec. 1. (1) It is the intent of the legislature that sufficient funds be provided to cover the direct costs of a base staff and their operating expenses to ensure functional continuity of the survey as provided by this chapter. The survey shall appropriately charge for preparation and reproduction of reports, maps, and publications. However, the survey shall not directly compete with consultants by entering into contracts with private citizens and industries for providing geotechnical and related services.

(2) It is the intent of the legislature that the survey place primary emphasis on the statutory objectives of recognition and mitigation of geologic hazards and risks affecting public health and safety and the promotion of economic development of the mineral resources, including, but not limited to, metals, oil, natural gas, coal, coalbed methane, geothermal energy, and aggregate, of Washington. Economic development projects proposed or undertaken must involve basic
and applied surface and subsurface geologic research and mapping
similar to that undertaken by geological surveys in other states and be
designed to encourage the mitigation of geologic hazards and resource
exploration and development by industry. The survey may not undertake
economic development projects that directly compete with the private
sector, but shall produce primary data, applied research reports, and
maps useful to government, consultants, and industry.

NEW SECTION.  Sec. 2. The definitions in this section apply
throughout this chapter unless the context clearly requires otherwise.
(1) "Department" means the department of natural resources.
(2) "Geologic hazard" means a geologic condition or event that is
a potential danger to either life or property, or both, that includes
but is not limited to earthquake, tsunami, landslide, flooding,
erosion, expansive soil, fault displacement, volcanic eruption, and
subsidence.
(3) "Geology" means the study of the earth, and in particular the
study of the origin, history, and topographic form of rocks,
distribution of ores and minerals, either under the ground or upon the
surface, and their alteration by wind, water, and ice and the economics
of their use.
(4) "Mine" includes all mineral-producing properties of whatever
kind and character, whether underground, quarry, pit, well, spring, or
other source from which any mineral substance is obtained.
(5) "Mineral" includes any and all mineral and fossil fuel
products, metallic and nonmetallic, solid, liquid, or gaseous, and
mineral waters of all kinds.
(6) "Mineral industries" includes all enterprises engaged in
developing and exploiting the natural substances of the earth.
(7) "Survey" means the state geological survey.

NEW SECTION.  Sec. 3. The purpose of the state geological survey
is to map and study the geology of the state of Washington for the
benefit of the citizens of the state. The map and study must:
(1) Conduct basic mapping of the geologic units and structure by
delineating their geographic locations, ages, history, and
orientations;
(2) Identify geologic hazards and risks, including those from landslides, volcanoes, earthquakes, tsunamis, and floods;
(3) Document, regulate, and maintain records on the state's geological resources;
(4) Promote general knowledge and awareness of the state's geology for educational and recreational purposes.

Sec. 4. RCW 43.92.010 and 1988 c 127 s 28 are each amended to read as follows:
There shall be a geological survey of the state (which) that shall be under the direction of the commissioner of public lands, who shall have general charge of the survey, and shall appoint as supervisor of the survey a geologist of established reputation, to be known as the state geologist.

NEW SECTION. Sec. 5. (1) The position of state geologist within the department is created and shall be appointed by the commissioner of public lands.
(2) The state geologist shall be qualified to perform as well as to direct the technical and executive work of the department as determined by the commissioner of public lands and shall be a licensed geologist in the state of Washington with a broad background of practical experience related to programs of the survey.

NEW SECTION. Sec. 6. (1) The state geologist should employ qualified persons to perform the duties of the survey.
(2) The state geologist shall make every effort to complete promptly for publication all substantive notes, charts, and maps covering formal mineral and geological investigations of the department, so that public distribution may take place as closely as possible after the completion of field investigations.
(3) The state geologist shall have charge of, organize, and supervise the work of the survey and perform other duties as may be necessary to carry out the work of the survey.
(4) The state geologist shall prepare a biennial report to the legislature.

NEW SECTION. Sec. 7. The survey shall:
(1) Survey and study the geological, mineral, and energy resources of the state and their value to the citizens of the state;

(2) Study minerals and ores, study additional uses for the state's minerals, and explore the possibilities for using improved treatment, processes, mining methods, and reclamation techniques for regulated mines and abandoned mined lands;

(3) Establish, or in cooperation with universities and other organizations, a repository for drill cores, cuttings, samples, and other subsurface drill hole geological, geophysical, geochemical, and geotechnical information of long-term value and construct a data base to be made available to the public;

(4) Map and continually update the geology of Washington, both in the surface and subsurface, either as a survey undertaking or jointly with federal or other agencies;

(5) Assess geologic hazards and the vulnerability of the state to the hazards. As a primary science agency on geologic hazards, the survey shall advise and assist the emergency management division of the Washington military department during geologic emergencies. These studies and programs may include but need not be limited to:

(a) Statewide hazard assessment, including identification and mapping of geologic hazards, estimation of their potential consequences and likelihood of occurrence, and monitoring and assessment of potentially hazardous geologic activity;

(b) Studies of paleoseismicity including but not limited to providing evidence of whether prehistoric subduction zone and crustal earthquakes have occurred in Washington;

(c) Cooperation with either universities or federal agencies, or both, on a state seismic network through the strategic placement of instrumentation to monitor earthquake activity as it occurs;

(d) Cooperation with the state geodetic network through the monitoring and periodic survey of markers in order to detect modern deformation of the earth's crust and the subsequent buildup of stress; and

(e) Operation of a clearinghouse for posthazard event earth science investigations;

(6) Collect and maintain a library of materials describing the geology, geologic hazard, and geological resources of Washington;
(7) Serve as a bureau of information concerning Washington mineral resources, mineral industries, and geology, conduct mineral surveys of the state, and catalog mineral occurrences and deposits, metallic and nonmetallic, and compile mineral statistics of the state;

(8) Provide information and advisory services concerning: Geology, geologic resources, and geologic hazards; a public education program and geologic data base; review of functions; and expert advice to federal, state, and local government agencies;

(9) Provide technical assistance to local governments on geological hazards, mineral resources, aggregate mining, and reclamation during preparation and amendment of comprehensive plans and land use regulations;

(10) Promote outdoor recreation and education through creation and dissemination of interpretive materials, including but not limited to field trip guides, road logs, interpretive displays, and field excursions for teachers;

(11) Cooperate with federal or other agencies for the performance of survey work in Washington deemed of value to the state and of advantage to its people. The results of any joint undertakings must be made available without restrictions;

(12) Consider and study kindred scientific and economic questions in the field of geology and mining that are deemed of value to the people of Washington.

NEW SECTION. Sec. 8. The survey may:

(1) Contract with other parties to perform geological, geochemical, and geophysical surveys and may make reasonable charges for these services;

(2) Collect and exhibit specimens, samples, and photographs of the geology of Washington;

(3) Make surveys and determinations at the request of other agencies of the state, without any charge in excess of the actual cost thereof.

NEW SECTION. Sec. 9. (1) The survey must prepare printed and published reports, pamphlets, charts, and maps embracing the matters addressed in this chapter. All maps, charts, special bulletins, and
other publications are for public distribution, but the survey may make a reasonable charge to cover publication and distribution costs. Publications should be made available either in print or digital media.

(2) When a report embodies results of surveys or studies of economic importance, no information of any kind concerning the contents of such a report may be given out prior to publication if such prior information could place the recipient in a preferential position as regards its use.

NEW SECTION. Sec. 10. The state geological survey shall work with federal officials and private mine owners to encourage the prompt sealing of open holes and mine shafts that constitute a threat to safety.

NEW SECTION. Sec. 11. The owner of each mine shall make a map of the surface of the property. The owner of each active mine shall make a map of the underground workings. All maps shall be filed with the state geological survey. The state geological survey shall establish by rule the scale and contents required for the maps.

NEW SECTION. Sec. 12. The following acts or parts of acts are each repealed:
(1) RCW 43.30.600 (State geological survey) and 2003 c 334 s 107, 1988 c 127 s 3, & 1965 c 8 s 43.21.050;
(2) RCW 43.92.020 (Objects of survey) and 1965 c 8 s 43.92.020;
(3) RCW 43.92.040 (Printing and distribution of reports) and 1965 c 8 s 43.92.040;
(4) RCW 43.92.060 (Cooperation with federal geological survey) and 1965 c 8 s 43.92.060; and
(5) RCW 43.92.070 (Topographic map--Stream measurements) and 1965 c 8 s 43.92.070.

NEW SECTION. Sec. 13. Sections 1 through 3 and 5 through 11 of this act are each added to chapter 43.92 RCW.