
HOUSE BILL 1876

State of Washington

56th Legislature

1999 Regular Session

By Representatives Schoesler, Grant and Cox

Read first time 02/09/1999. Referred to Committee on Natural Resources.

1 AN ACT Relating to limiting the authority of counties with small
2 populations for certain aspects of mining; amending RCW 78.44.085; and
3 adding a new section to chapter 36.01 RCW.

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 shall
8 pay an application fee to the department before being granted a surface
9 mining permit. The amount of the application fee shall be six hundred
10 fifty dollars.

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

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

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

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

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

18 NEW SECTION. Sec. 2. A new section is added to chapter 36.01 RCW
19 to read as follows:

20 Minerals from any mine owned or operated by a county with 1993
21 populations of at least twenty thousand persons but less than fifty
22 thousand persons may not be sold to any person located within a five-
23 mile radius of a commercial mining operation.

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