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HOUSE BILL 2384

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State of Washington

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By Representatives Dickerson, Buck, Blake and B. Sullivan; by request of Department of Natural Resources

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1 AN ACT Relating to geological survey; amending RCW 43.92.010;  
2 adding new sections to chapter 43.92 RCW; and repealing RCW 43.30.600,  
3 43.92.020, 43.92.040, 43.92.060, and 43.92.070.

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

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

13 (2) It is the intent of the legislature that the survey place  
14 primary emphasis on the statutory objectives of recognition and  
15 mitigation of geologic hazards and risks affecting public health and  
16 safety and the promotion of economic development of the mineral  
17 resources, including, but not limited to, metals, oil, natural gas,  
18 coal, coalbed methane, geothermal energy, and aggregate, of Washington.  
19 Economic development projects proposed or undertaken must involve basic

1 and applied surface and subsurface geologic research and mapping  
2 similar to that undertaken by geological surveys in other states and be  
3 designed to encourage the mitigation of geologic hazards and resource  
4 exploration and development by industry. The survey may not undertake  
5 economic development projects that directly compete with the private  
6 sector, but shall produce primary data, applied research reports, and  
7 maps useful to government, consultants, and industry.

8 NEW SECTION. **Sec. 2.** The definitions in this section apply  
9 throughout this chapter unless the context clearly requires otherwise.

10 (1) "Department" means the department of natural resources.

11 (2) "Geologic hazard" means a geologic condition or event that is  
12 a potential danger to either life or property, or both, that includes  
13 but is not limited to earthquake, tsunami, landslide, flooding,  
14 erosion, expansive soil, fault displacement, volcanic eruption, and  
15 subsidence.

16 (3) "Geology" means the study of the earth, and in particular the  
17 study of the origin, history, and topographic form of rocks,  
18 distribution of ores and minerals, either under the ground or upon the  
19 surface, and their alteration by wind, water, and ice and the economics  
20 of their use.

21 (4) "Mine" includes all mineral-producing properties of whatever  
22 kind and character, whether underground, quarry, pit, well, spring, or  
23 other source from which any mineral substance is obtained.

24 (5) "Mineral" includes any and all mineral and fossil fuel  
25 products, metallic and nonmetallic, solid, liquid, or gaseous, and  
26 mineral waters of all kinds.

27 (6) "Mineral industries" includes all enterprises engaged in  
28 developing and exploiting the natural substances of the earth.

29 (7) "Survey" means the state geological survey.

30 NEW SECTION. **Sec. 3.** The purpose of the state geological survey  
31 is to map and study the geology of the state of Washington for the  
32 benefit of the citizens of the state. The map and study must:

33 (1) Conduct basic mapping of the geologic units and structure by  
34 delineating their geographic locations, ages, history, and  
35 orientations;

- 1 (2) Identify geologic hazards and risks, including those from  
2 landslides, volcanoes, earthquakes, tsunamis, and floods;  
3 (3) Document, regulate, and maintain records on the state's  
4 geological resources;  
5 (4) Promote general knowledge and awareness of the state's geology  
6 for educational and recreational purposes.

7 **Sec. 4.** RCW 43.92.010 and 1988 c 127 s 28 are each amended to read  
8 as follows:

9 There shall be a geological survey of the state (~~which~~) that  
10 shall be under the direction of the commissioner of public lands, who  
11 shall have general charge of the survey, and shall appoint as  
12 supervisor of the survey a geologist of established reputation, to be  
13 known as the (~~supervisor of geology~~) state geologist.

14 NEW SECTION. **Sec. 5.** (1) The position of state geologist within  
15 the department is created and shall be appointed by the commissioner of  
16 public lands.

17 (2) The state geologist shall be qualified to perform as well as to  
18 direct the technical and executive work of the department as determined  
19 by the commissioner of public lands and shall be a licensed geologist  
20 in the state of Washington with a broad background of practical  
21 experience related to programs of the survey.

22 NEW SECTION. **Sec. 6.** (1) The state geologist should employ  
23 qualified persons to perform the duties of the survey.

24 (2) The state geologist shall make every effort to complete  
25 promptly for publication all substantive notes, charts, and maps  
26 covering formal mineral and geological investigations of the  
27 department, so that public distribution may take place as closely as  
28 possible after the completion of field investigations.

29 (3) The state geologist shall have charge of, organize, and  
30 supervise the work of the survey and perform other duties as may be  
31 necessary to carry out the work of the survey.

32 (4) The state geologist shall prepare a biennial report to the  
33 legislature.

34 NEW SECTION. **Sec. 7.** The survey shall:

1 (1) Survey and study the geological, mineral, and energy resources  
2 of the state and their value to the citizens of the state;

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

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

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

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

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

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

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

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

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

36 (6) Collect and maintain a library of materials describing the  
37 geology, geologic hazard, and geological resources of Washington;

1 (7) Serve as a bureau of information concerning Washington mineral  
2 resources, mineral industries, and geology, conduct mineral surveys of  
3 the state, and catalog mineral occurrences and deposits, metallic and  
4 nonmetallic, and compile mineral statistics of the state;

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

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

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

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

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

24 NEW SECTION. **Sec. 8.** The survey may:

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

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

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

33 NEW SECTION. **Sec. 9.** (1) The survey must prepare printed and  
34 published reports, pamphlets, charts, and maps embracing the matters  
35 addressed in this chapter. All maps, charts, special bulletins, and

1 other publications are for public distribution, but the survey may make  
2 a reasonable charge to cover publication and distribution costs.  
3 Publications should be made available either in print or digital media.

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

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

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

18 NEW SECTION. **Sec. 12.** The following acts or parts of acts are  
19 each repealed:

20 (1) RCW 43.30.600 (State geological survey) and 2003 c 334 s 107,  
21 1988 c 127 s 3, & 1965 c 8 s 43.21.050;

22 (2) RCW 43.92.020 (Objects of survey) and 1965 c 8 s 43.92.020;

23 (3) RCW 43.92.040 (Printing and distribution of reports) and 1965  
24 c 8 s 43.92.040;

25 (4) RCW 43.92.060 (Cooperation with federal geological survey) and  
26 1965 c 8 s 43.92.060; and

27 (5) RCW 43.92.070 (Topographic map--Stream measurements) and 1965  
28 c 8 s 43.92.070.

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

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