
SENATE BILL 5145

State of Washington

67th Legislature

2021 Regular Session

By Senators Van De Wege and Rolfes

Read first time 01/12/21. Referred to Committee on Agriculture,
Water, Natural Resources & Parks.

1 AN ACT Relating to the prevention of seabed mining of hard
2 minerals; and amending RCW 79.14.300, 79.140.190, and 90.58.160.

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

4 **Sec. 1.** RCW 79.14.300 and 2003 c 334 s 401 are each amended to
5 read as follows:

6 ((The)) (1) Except as provided in subsection (2) of this section,
7 the department may issue permits and leases for prospecting, and
8 contracts for the mining of valuable minerals and specified
9 materials, except rock, gravel, sand, silt, coal, or hydrocarbons,
10 upon and from any public lands belonging to or held in trust by the
11 state, or which have been sold and the minerals thereon reserved by
12 the state in tracts not to exceed six hundred forty acres or an
13 entire government-surveyed section.

14 (2) The department may not issue permits and leases on aquatic
15 lands along the Washington coast from Cape Flattery south to
16 Washington's southern boundary, nor in Grays Harbor, Willapa Bay, and
17 the Columbia river downstream from the Longview bridge, for purposes
18 of exploration, development, or seabed mining of hard minerals. For
19 the purposes of this section, "hard minerals" means natural deposits
20 of valuable minerals other than rock, gravel, sand, silt, coal, or
21 hydrocarbons. Hard minerals include, but are not limited to, metals

1 and placer deposits of metals, nonmetallic minerals, gemstones, ores,
2 gold, silver, copper, lead, iron, manganese, silica, chrome,
3 platinum, tungsten, zirconium, titanium, garnet, and phosphorus.

4 **Sec. 2.** RCW 79.140.190 and 2005 c 155 s 131 are each amended to
5 read as follows:

6 ~~((The))~~ (1) Except as provided in subsection (2) of this section,
7 the department may issue permits and leases for prospecting, placer
8 mining contracts, and contracts for the mining of valuable minerals
9 and specific materials, except rock, gravel, sand, silt, coal, or
10 hydrocarbons, upon and from any state-owned aquatic lands, or which
11 have been sold and the minerals reserved by the state in tracts not
12 to exceed six hundred forty acres or an entire government-surveyed
13 section. The procedures contained at RCW 79.14.300 through 79.14.450,
14 inclusive, shall apply.

15 (2) The department may not issue permits and leases on state-
16 owned aquatic lands along the Washington coast from Cape Flattery
17 south to Washington's southern boundary, nor in Grays Harbor, Willapa
18 Bay, and the Columbia river downstream from the Longview bridge, for
19 purposes of exploration, development, or mining of hard minerals. For
20 the purposes of this section, "hard minerals" has the same meaning as
21 defined in RCW 79.14.300(2).

22 **Sec. 3.** RCW 90.58.160 and 1971 ex.s. c 286 s 16 are each amended
23 to read as follows:

24 ~~((Surface))~~ (1) Seabed mining for hard minerals and surface
25 drilling for oil or gas is prohibited in the waters of Puget Sound
26 north to the Canadian boundary and the Strait of Juan de Fuca seaward
27 from the ordinary high water mark and on all lands within one
28 thousand feet landward from said mark.

29 (2)(a) For purposes of this section, "hard minerals" means
30 natural deposits of valuable minerals including, but not limited to,
31 metals and placer deposits of metals, nonmetallic minerals,
32 gemstones, ores, sediments, gold, silver, copper, lead, iron,
33 manganese, silica, chrome, platinum, tungsten, zirconium, titanium,
34 garnet, and phosphorus.

35 (b) "Hard minerals" does not include rock, gravel, sand, silt,
36 coal, or hydrocarbons.

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