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HOUSE BILL 2588

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State of Washington                      59th Legislature                      2006 Regular Session

By Representatives Blake, Buck, Takko, Buri, Williams, Roach,  
Eickmeyer, Linville, Kessler, B. Sullivan and Campbell

Read first time 01/11/2006.            Referred to Committee on Natural  
Resources, Ecology & Parks.

1            AN ACT Relating to beach mining; and amending RCW 79A.05.625,  
2            79A.05.630, and 77.55.091.

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

4            **Sec. 1.** RCW 79A.05.625 and 2000 c 11 s 49 are each amended to read  
5            as follows:

6            Nothing in RCW 79A.05.600 through 79A.05.630 and 79A.05.635 through  
7            79A.05.695 shall be construed to interfere with the powers, duties, and  
8            authority of the department of fish and wildlife to regulate the  
9            conservation or taking of food fish and shellfish or the regulation of  
10           small scale prospecting and mining as defined in RCW 77.55.011. Nor  
11           shall anything in RCW 79A.05.600 through 79A.05.630 and 79A.05.635  
12           through 79A.05.695 be construed to interfere with the powers, duties,  
13           and authority of the department of fish and wildlife to regulate,  
14           manage, conserve, and provide for the harvest of wildlife within such  
15           area: PROVIDED, HOWEVER, That no hunting shall be permitted in any  
16           state park.

17           **Sec. 2.** RCW 79A.05.630 and 2000 c 11 s 50 are each amended to read  
18           as follows:

1       (1) Lands within the Seashore Conservation Area shall not be sold,  
2 leased, or otherwise disposed of, except as herein provided.

3       (2) The commission may, under authority granted in RCW 79A.05.175  
4 and 79A.05.180, exchange state park lands in the Seashore Conservation  
5 Area for lands of equal value to be managed by the commission  
6 consistent with this chapter. Only state park lands lying east of the  
7 Seashore Conservation Line, as it is located at the time of exchange,  
8 may be so exchanged.

9       (3) The department of natural resources may lease the lands within  
10 the Washington State Seashore Conservation Area as well as the accreted  
11 lands along the ocean in state ownership for the exploration and  
12 production of oil and gas: PROVIDED, That oil drilling rigs and  
13 equipment will not be placed on the Seashore Conservation Area or  
14 state-owned accreted lands.

15       (4) Sale of sand from accretions shall be made to supply the needs  
16 of cranberry growers for cranberry bogs in the vicinity and shall not  
17 be prohibited if found by the commission to be reasonable, and not  
18 generally harmful or destructive to the character of the land(~~(+~~  
19 ~~PROVIDED, That~~)).

20       (5) The commission may grant leases and permits for the removal of  
21 sands for construction purposes from any lands within the Seashore  
22 Conservation Area if found by the commission to be reasonable and not  
23 generally harmful or destructive to the character of the land(~~(+~~  
24 ~~PROVIDED FURTHER, That~~)). The net income from such leases shall be  
25 deposited in the state parks renewal and stewardship account.

26       (6) The commission shall grant permits for small scale prospecting  
27 and mining, as defined in RCW 77.55.011, for the removal of gold from  
28 appropriate beach areas within the Seashore Conservation Area.

29       **Sec. 3.** RCW 77.55.091 and 2005 c 146 s 402 are each amended to  
30 read as follows:

31       (1) Small scale prospecting and mining shall not require a permit  
32 under this chapter if the prospecting is conducted in accordance with  
33 rules established by the department.

34       (2) By December 31, (~~(1998)) (2007)~~, the department shall adopt  
35 rules applicable to small scale prospecting and mining activities  
36 subject to this section and RCW 79A.05.630(6). The department shall

1 develop the rules in cooperation with the recreational mining community  
2 and other interested parties.

3 (3) Within two months of adoption of the rules, the department  
4 shall distribute an updated gold and fish pamphlet that describes  
5 methods of mineral prospecting that are consistent with the  
6 department's rule. The pamphlet shall be written to clearly indicate  
7 the prospecting methods that require a permit under this chapter and  
8 the prospecting methods that require compliance with the pamphlet. To  
9 the extent possible, the department shall use the provisions of the  
10 gold and fish pamphlet to minimize the number of specific provisions of  
11 a written permit issued under this chapter.

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