CERTIFICATION OF ENROLLMENT

**SENATE BILL 5145**

67th Legislature

2021 Regular Session

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| Passed by the Senate March 4, 2021  Yeas 49 Nays 0  **President of the Senate**  Passed by the House April 11, 2021  Yeas 96 Nays 2  **Speaker of the House of Representatives** | CERTIFICATE  I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5145** as passed by the Senate and the House of Representatives on the dates hereon set forth.  Secretary |
| Approved |  |
| **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SENATE BILL 5145**

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Passed Legislature - 2021 Regular Session

**State of Washington 67th Legislature 2021 Regular Session**

**By** Senators Van De Wege and Rolfes

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

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

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

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

(2) The department may not issue permits and leases on aquatic lands along the Washington coast from Cape Flattery south to Washington's southern boundary, nor in Grays Harbor, Willapa Bay, and the Columbia river downstream from the Longview bridge, for purposes of exploration, development, or seabed mining of hard minerals. For the purposes of this section, "hard minerals" means natural deposits of valuable minerals other than rock, gravel, sand, silt, coal, or hydrocarbons. Hard minerals include, but are not limited to, metals and placer deposits of metals, nonmetallic minerals, gemstones, ores, gold, silver, copper, lead, iron, manganese, silica, chrome, platinum, tungsten, zirconium, titanium, garnet, and phosphorus.

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

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

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

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

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

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

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

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