

HOUSE BILL REPORT

HB 1647

As Passed House:

March 6, 2025

Title: An act relating to establishing surface mine reclamation permit fees.

Brief Description: Establishing surface mine reclamation permit fees.

Sponsors: Representative Springer; by request of Department of Natural Resources.

Brief History:

Committee Activity:

Agriculture & Natural Resources: 2/11/25, 2/19/25 [DP];

Appropriations: 2/26/25, 2/28/25 [DP].

Floor Activity:

Passed House: 3/6/25, 55-42.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Increases surface mine reclamation permit fees.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass. Signed by 6 members: Representatives Reeves, Chair; Morgan, Vice Chair; Bernbaum, Nance, Richards and Springer.

Minority Report: Do not pass. Signed by 4 members: Representatives Dent, Ranking Minority Member; Engell, Assistant Ranking Minority Member; Orcutt and Schmick.

Minority Report: Without recommendation. Signed by 1 member: Representative McClintock.

Staff: Lily Smith (786-7175).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 20 members: Representatives Ormsby, Chair; Gregerson, Vice Chair; Macri, Vice Chair; Schmick, Assistant Ranking Minority Member; Berg, Bergquist, Cortes, Doglio, Dye, Fitzgibbon, Leavitt, Lekanoff, Peterson, Pollet, Ryu, Springer, Stonier, Street, Thai and Tharinger.

Minority Report: Without recommendation. Signed by 10 members: Representatives Couture, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Penner, Assistant Ranking Minority Member; Burnett, Caldier, Corry, Keaton, Manjarrez, Marshall and Rude.

Staff: Dan Jones (786-7118).

Background:

The Department of Natural Resources (DNR) regulates surface mine reclamation in Washington for the purpose of restoring landscape and environmental conditions after mining. Persons engaging in surface mining activities must have an approved reclamation plan and a reclamation permit issued by the DNR and must pay permit application fees and annual permit fees.

The application fee for a new reclamation permit, for the expansion of an existing permitted mine, or for the combination of existing public or private reclamation permits, is \$4,500. The fee for a revision to an application for an existing reclamation plan is \$2,500. The annual fee for all permit holders is \$2,000.

Certain smaller county mines used for public works projects are subject to lower annual fees. County mines under 7 acres that are used exclusively for public works projects have a fee cap of \$1,000. County mines under 7 acres with 1993 county populations under 20,000, that are used primarily for public works projects, do not have to pay a fee.

Summary of Bill:

Surface mine reclamation permit fees are increased as follows:

- for revision of an existing reclamation permit or reclamation plan, the fee is increased from \$2,500 to \$4,500;
- for public or private permit holders, the annual fee is increased from \$2,000 to \$3,500;
- for all public permit holders for mines used exclusively for public works projects, the annual fee is \$2,500; and
- the fee cap and the exemption for certain smaller county mines used for public works projects are eliminated.

Within 60 days of receipt, the DNR must advise applicants for permit or plan revisions of any information necessary to complete the application.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony (Agriculture & Natural Resources):

(In support) This is agency request legislation and the people responsible for these fees are in favor of increasing them. There are over 850 permitted surface mines that produce materials for our infrastructure. A fee structure was established in 2017 with bipartisan support and has not been increased since. The DNR does not take fee increases lightly, but they are necessary at this point for the DNR to continue to administer this program. The same amount of agency resources are used for the regulation of mines of different sizes. This program is necessary for producers to continue to provide these products under this program. The advisory committee on this subject worked over the interim to consider different proposals and this bill is the result of that work.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations):

(In support) Significant stakeholder work was done over the interim. These fees have not been increased in 10 years. The Department of Natural Resources staffing has gone down, and the regulated industry has suffered as a result. The Surface Mine Advisory Committee met multiple times and looked at different fee structures, and this bill is what was approved.

(Opposed) The bill would end exemptions for certain small county mines used for public works projects. Removing those exemptions would impact counties, and could lead to the closure of small pits and lower levels of service.

Persons Testifying (Agriculture & Natural Resources): Representative Larry Springer, prime sponsor; Cory Shaw, Washington Aggregates and Concrete Association; and Pat Sullivan, Department of Natural Resources.

Persons Testifying (Appropriations): (In support) Pat Sullivan, Department of Natural Resources; and Michael Transue, Washington Aggregate and Concrete Association.

(Opposed) Axel Swanson, Washington State Association of County Engineers.

Persons Signed In To Testify But Not Testifying (Agriculture & Natural Resources):
None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.