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**SUBSTITUTE SENATE BILL 6149**

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**State of Washington**

**58th Legislature**

**2004 Regular Session**

**By** Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Doumit and Morton)

READ FIRST TIME 01/29/04.

1 AN ACT Relating to small scale prospecting and mining; amending RCW  
2 79.14.315; adding a new section to chapter 77.55 RCW; adding a new  
3 section to chapter 79.90 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The departments of fish and wildlife,  
6 natural resources, and ecology shall work cooperatively with the small  
7 scale mining community to attend educational meetings and  
8 demonstrations to encourage methods of conducting mining activities in  
9 ways that provide for the proper protection of the state's natural  
10 resources.

11 The departments shall work with the small scale mining community to  
12 study and determine if any regulation of small scale mining is needed.  
13 The departments shall report on this process to the 2005 legislature  
14 with legislative recommendations, if needed. The departments shall  
15 survey other states' regulation of gold panning as part of the study.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 77.55 RCW  
17 to read as follows:

1 All small scale prospecting and mining, as that term is defined in  
2 RCW 77.55.270, is exempt from the requirements of this chapter.

3 **Sec. 3.** RCW 79.14.315 and 1987 c 20 s 15 are each amended to read  
4 as follows:

5 (1) Any person may engage in small scale prospecting and mining, as  
6 that term is defined in RCW 77.55.270, on aquatic lands where both the  
7 surface and mineral rights are owned by the state without that person  
8 first obtaining a permit, lease, license, or other form of permission  
9 from the department, and without being charged a rent or fee.

10 (2) The department may issue permits for recreational mineral  
11 prospecting in designated areas containing noneconomic mineral  
12 deposits. The term of a permit shall not exceed one year. Designated  
13 areas, equipment allowed, methods of prospecting, as well as other  
14 appropriate permit conditions, shall be set in rules adopted by the  
15 department. Fees shall be set by the board of natural resources.

16 NEW SECTION. **Sec. 4.** A new section is added to chapter 79.90 RCW  
17 to read as follows:

18 The department shall allow small scale prospecting and mining, as  
19 that term is defined in RCW 77.55.270, on aquatic lands where both the  
20 surface and mineral rights are owned by the state. A person does not  
21 have to first obtain a permit, lease, license, or other form of  
22 permission from the department, and no rent or fee may be charged.

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