

# HOUSE BILL REPORT

## SHB 1466

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### As Passed Legislature

**Title:** An act relating to surface mining.

**Brief Description:** Removing authority of the department of natural resources to delegate enforcement of reclamation plans.

**Sponsors:** By House Committee on Natural Resources (originally sponsored by Representatives Sump, Sheldon, Grant, Hatfield, Delvin and Pennington).

**Brief History:**

**Committee Activity:**

Natural Resources: 2/12/97, 2/28/97 [DPS];  
Appropriations: 3/6/97 [DPS(NR)].

**Floor Activity:**

Passed House: 3/13/97, 96-0.  
Passed Legislature.

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### HOUSE COMMITTEE ON NATURAL RESOURCES

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Buck, Chairman; Sump, Vice Chairman; Regala, Ranking Minority Member; Butler, Assistant Ranking Minority Member; Alexander; Anderson; Chandler; Hatfield; Pennington and Sheldon.

**Staff:** Linda Byers (786-7129).

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** The substitute bill by Committee on Natural Resources be substituted therefor and the substitute bill do pass. Signed by 30 members: Representatives Huff, Chairman; Alexander, Vice Chairman; Clements, Vice Chairman; Wensman, Vice Chairman; H. Sommers, Ranking Minority Member; Doumit, Assistant Ranking Minority Member; Gombosky, Assistant Ranking Minority Member; Benson; Carlson; Chopp; Cody; Cooke; Crouse; Dyer; Grant; Keiser;

Kenney; Kessler; Linville; Lisk; Mastin; McMorris; Parlette; Poulsen; Regala; D. Schmidt; Sehlin; Sheahan; Talcott and Tokuda.

**Staff:** Nancy Stevenson (786-7137).

**Background:** The Department of Natural Resources (DNR) administers the state's surface mining reclamation program. The department may, by contract, delegate its enforcement authority over provisions in surface mine reclamation plans to local governments. Currently the department has one such contract in place with King County.

The surface mining chapter states that surface mining is an appropriate land use, subject to reclamation authority exercised by the department.

**Summary of Bill:** The Department of Natural Resources may delegate its enforcement authority if the department believes that the county, city, or town employs personnel who are qualified to enforce reclamation plans approved by the department.

No county, city, or town may require for its review or approval a separate reclamation plan or application.

**Appropriation:** None.

**Fiscal Note:** Available on original bill.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** (Natural Resources) This bill is in response to a local jurisdiction that decided to get involved in reclamation. The industry is not having a problem with King County. The department should be the one in the position of enforcement.

(Appropriations) The substitute bill formalizes the delegation of responsibilities.

**Testimony Against:** (Natural Resources) Prior to the 1993 legislation, it was unclear where the line of authority was between counties and the DNR. It would be good to maintain the option to delegate enforcement authority to qualified counties.

(Appropriations) None.

**Testified:** (Natural Resources) Mark Triplett, Washington Aggregate & Concrete Association (in favor); Paul Parker, Washington State Association of Counties (opposed).

(Appropriations) Representative Sump, prime sponsor; and Mark Triplett, Washington Aggregate & Concrete Association.