
**Agriculture & Natural Resources
Committee**

HB 2619

Brief Description: Concerning small scale prospecting and mining.

Sponsors: Representatives Sump, Pearson, McMorris, Kristiansen, Eickmeyer, Schoesler and Roach.

Brief Summary of Bill

- Requires the Department of Natural Resources to allow small scale prospectors to access state-owned aquatic lands without charging a fee or rent, and without first requiring the prospector to obtain a permit, lease, or other form of permission.

Hearing Date: 1/30/04

Staff: Jason Callahan (786-7117).

Background:

The Department of Natural Resources (DNR) manages prospecting and mining on state lands. This authority includes the management of both commercial and recreational mineral extraction. Generally, mineral extraction on state lands requires the issuance of a permit or a lease from the DNR (RCW 79.14.300). In addition, recreational prospectors operating in state waters are required to obtain a hydraulics project approval from the Department of Fish and Wildlife (DFW). Small scale recreational prospectors may satisfy this requirement by complying with the prospecting methods outlined by the DFW publication known as the Gold and Fish Pamphlet (RCW 77.55.270).

The DNR has the discretionary authority to issue special permits for recreational mineral prospecting in designated areas, called recreational prospecting areas. Recreational prospecting is only allowed in areas that contain non-economic mineral deposits. (RCW 79.14.315). The fee for a recreational prospecting permit is established by rule at \$10 (WAC 332-16-055), and is valid for one year (RCW 79.14.315). A permit is needed for all recreational prospectors over the age of 16 (WAC 332-16-055).

To establish a recreational prospecting area, an applicant is required to file a written request with the DNR. The DNR evaluates the request by looking at criteria such as use conflicts, the presence of minerals in non-commercial quantities, public access, and environmental sensitivity (WAC 332-16-055).

For each designated recreational prospecting area, the DNR establishes the amount of collection allowed and the type of equipment that can be used based on the character of each area and the regulations imposed by other state agencies (WAC 332-16-055).

Currently, there are no recreational prospecting areas designated in Washington.

Summary of Bill:

The DNR is required to allow small scale prospectors to access state-owned aquatic lands without charging a fee or rent, and without first requiring the prospector to obtain a permit, lease, or other form of permission. The permission to access aquatic lands is limited to areas where the state owns both the surface and mineral rights.

Small scale prospectors are defined as those who only use pans, non-motorized sluice boxes, concentrators, and mini-rocker boxes for the discovery and recovery of minerals. This is the same equipment that is authorized for use in the DFW's Gold and Fish Pamphlet.

Appropriation: None.

Fiscal Note: Not requested.

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