

# HOUSE BILL REPORT

## SSB 6343

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### As Passed House:

March 5, 2008

**Title:** An act relating to establishing a pilot program to examine the impacts of small scale mineral prospecting on coastal areas.

**Brief Description:** Creating a pilot program to examine the impacts of small scale mineral prospecting on coastal areas.

**Sponsors:** By Senate Committee on Natural Resources, Ocean & Recreation (originally sponsored by Senators Morton, Carrell and Roach).

### Brief History:

#### Committee Activity:

Agriculture & Natural Resources: 2/25/08, 2/27/08 [DP].

#### Floor Activity:

Passed House: 3/5/08, 96-0.

### Brief Summary of Substitute Bill

- Creating a pilot program to examine the impacts of small scale mineral prospecting on coastal areas.

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## HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

**Majority Report:** Do pass. Signed by 13 members: Representatives Blake, Chair; Van De Wege, Vice Chair; Kretz, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Eickmeyer, Grant, Kristiansen, Lantz, Loomis, McCoy, Nelson, Newhouse and Orcutt.

**Staff:** Colleen Kerr (786-7168).

### Background:

Under statute, small scale prospecting and mining does not require a hydraulic permit (HPA) if the prospecting is conducted in accordance with rules adopted by the Department of Fish

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and Wildlife (WDFW). The rules are published in the Gold and Fish Pamphlet, which serves as the HPA.

In 1967 the Legislature established the Seashore Conservation Area, dedicating the public beaches on the Pacific Ocean to public recreation. The State Parks and Recreation Commission (Commission) is authorized to oversee these beaches under principles established in statute.

Within the beaches of Seashore Conservation Area, the WDFW is specifically authorized to regulate the conservation or taking of fish and shellfish. Washington law provides that anyone removing natural objects from State Park Land, without rules allowing otherwise, would be guilty of a misdemeanor.

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**Summary of Bill:**

The Commission and the WDFW must establish a pilot program to allow small scale prospecting and mining on at least three demonstration areas within the Washington State Seashore Conservation Area. The pilot program must be conducted from July 1, 2008, through July 1, 2010. The WDFW must issue individual HPA permits that require small scale prospecting and mining activities to occur to the greatest extent possible on the beach. The WDFW must report its findings and recommendations regarding small scale prospecting and mining to the Commission by October 1, 2010. The Commission and the WDFW must report their findings and recommendations on the potential impacts and the activity of small scale prospecting and mining on ocean beaches to the Legislature by December 1, 2010. The act expires on December 1, 2010.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony:** (In support) The total amount of volume being removed from the beach is very small for this type of gold prospecting, but the amount of mercury that is removed is significant. The volume is a little over three buckets of sand being removed at one time from the beach. The number of permits issued can be changed from up to 100 per year to any level that would seem appropriate, and the number of beach areas can be adjusted accordingly. The ability to also remove toxic material such as mercury is very beneficial for our environment. Beach mining was lost to gold prospectors during the 1980s. For years, starting in the 1880s, mining gold on our state beaches was part of our early history. In the 1980s gold mining and prospecting was prohibited without a State Environmental Protection Act checklist and analysis. This bill would allow gold mining on

Washington state beaches similar to the activity that is currently occurring in Alaska, California, and Oregon.

(Neutral) The Department of Fish and Wildlife would like to have the opportunity to further work with the permit applications that have already been submitted.

(Opposed) None.

**Persons Testifying:** (In support) Senator Morton, prime sponsor; Bruce Beatty; Harley Edwards; and Rob Matthews, Western Washington Gold Prospectors Association.

(Neutral) Peter Birch, Washington Department of Fish and Wildlife.

**Persons Signed In To Testify But Not Testifying:** None.