

# FINAL BILL REPORT

## SB 5145

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Synopsis as Enacted

**Brief Description:** Concerning the prevention of seabed mining of hard minerals.

**Sponsors:** Senators Van De Wege and Rolfes.

**Senate Committee on Agriculture, Water, Natural Resources & Parks**  
**House Committee on Rural Development, Agriculture & Natural Resources**

**Background:** The Department of Natural Resources (DNR) manages nearly 3 million acres of uplands and over 2 million acres of aquatic lands. DNR must manage those lands using a multiple use concept where it is in the best interests of the state and the general welfare of the citizens and is consistent with the management objectives of the land. In managing state-owned aquatic lands, DNR must provide a balance of public benefits to the state. Management of state-owned aquatic lands must, at a minimum, encourage direct public use and access, foster water-dependent uses, ensure environmental protection, and utilize renewable resources.

DNR manages prospecting and mining on state lands. Generally, mineral extraction on state lands requires a permit or a lease issued from DNR.

The Shorelines Management Act (SMA) requires all counties and most cities and towns with shorelines to develop and implement shoreline management plans. The SMA applies to the shorelines of all marine waters. Under the SMA, shorelines of statewide significance must be managed in the interests of all Washingtonians. Shorelines of statewide significance include the Pacific coast, Puget Sound, and the Strait of Juan de Fuca. For shorelines of statewide significance, preferred uses are designed to recognize and protect statewide use over local interests, preserve the natural character of the shoreline, have long-term benefits, protect shoreline resources and environments, increase public access, and expand public recreational shoreline opportunities.

Under the SMA, surface drilling for oil and gas is prohibited in the waters of Puget Sound to the Canadian border, the Strait of Juan de Fuca, and on all lands within 1000 feet

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landward from the ordinary high-water mark.

**Summary:** DNR may not issue permits and leases on aquatic lands along the Washington coast from Cape Flattery south to Washington's southern boundary, nor in Grays Harbor, Willapa Bay, and the Columbia river downstream from the Longview bridge, for purposes of exploration, development, or seabed mining of hard minerals. Hard minerals include, but are not limited to, metals and placer deposits of metals, nonmetallic minerals, gemstones, ores, gold, silver, copper, lead, iron, manganese, silica, chrome, platinum, tungsten, zirconium, titanium, garnet, and phosphorus.

Under the SMA, seabed mining for hard minerals is prohibited in the waters of Puget Sound to the Canadian border, the Strait of Juan de Fuca, and on all lands within 1000 feet landward from the ordinary high-water mark.

**Votes on Final Passage:**

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| Senate | 49 | 0 |
| House  | 96 | 2 |

**Effective:** July 25, 2021