

SENATE BILL REPORT

SHB 1565

As Reported By Senate Committee On:
Natural Resources & Parks, April 4, 1997

Title: An act relating to small scale prospecting and mining.

Brief Description: Limiting the regulations of small scale mining.

Sponsors: House Committee on Natural Resources (originally sponsored by Representatives Mielke, Pennington, Carrell, Mulliken, Thompson and Cairnes).

Brief History:

Committee Activity: Natural Resources & Parks: 4/4/97 [DPA]

SENATE COMMITTEE ON NATURAL RESOURCES & PARKS

Majority Report: Do pass as amended.

Signed by Senators Oke, Chair; Rossi, Vice Chair; Hargrove, Roach, Snyder, Stevens and Swecker.

Staff: Ross Antipa (786-7413)

Background: The Department of Fish and Wildlife is authorized to regulate mining activities within the high watermark of streams, rivers, and other water bodies of the state through the hydraulic permit approval (HPA) process. The department publishes a gold and fish– pamphlet that describes when, where, and how small scale gold mining can take place. A written HPA permit is not required for persons who pan for gold using hand tools, including panning, mini-rocker boxes, and certain nonmotorized sluice boxes if the provisions in the gold and fish pamphlet are followed. Gold mining using motorized sluice boxes and dredging require a written HPA permit. Current regulations allow a 1.5 inch nozzle for motorized sluicing operations and 2.5 to 8 inch nozzles for dredging operations, depending on the river or stream being mined.

The department issues HPA permits for a number of activities not related to gold mining. In practice, the department issues several types of HPA permits, including emergency permits, expedited permits, and standard permits. Standard permits must be issued within 45 days of receiving a complete application and generally require an environmental analysis under the State Environmental Policy Act (SEPA).

Summary of Amended Bill: Small scale prospecting and mining is exempt from the hydraulic permit statute. Small scale mining is defined as mining with pans, sluice boxes, concentrators and mini-rocker boxes. Small scale mining must not undercut streambanks or disturb rooted live woody plants.

Amended Bill Compared to Substitute Bill: The regulation of small scale miners is removed from the authority of the Department of Fish and Wildlife.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: None.

Testimony Against: The improper use of small scale mining can have adverse effects on fish life.

Testified: Millard S. Deusen, WDFW (con).