

**REVENUE: No revenue impact**

**FISCAL: Fiscal statement issued**

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means by Prior Reference
<b>Vote:</b>	3 - 2 - 0
<b>Yeas:</b>	Bates, Hass, Dingfelder
<b>Nays:</b>	Hansell, Olsen
<b>Exc.:</b>	0
<b>Prepared By:</b>	Beth Reiley, Administrator
<b>Meeting Dates:</b>	4/15, 4/17

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**WHAT THE MEASURE DOES:** Imposes moratorium until January 2, 2018 on mining that uses any form of motorized equipment for purposes of extracting gold, silver or any other precious mineral (precious minerals) from placer deposits of beds of waters of state or from other placer deposits that results in removal or disturbance of streamside vegetation that may impact water quality. Applies moratorium up to line of ordinary high water and adjacent 100 yards of stream bank in full length of any river and tributary of which any portion contains essential indigenous anadromous salmonid habitat or naturally reproducing populations of bull trout. Stipulates moratorium does not apply to any mining for which State Department of Geology and Mineral Industries issues operating permit. Establishes violation of moratorium is punishable by maximum of one year's imprisonment, \$6,250 fine, or both. Directs Governor's office in consultation with certain agencies and stakeholders to study certain issues related to mining using motorized equipment for purpose of extracting precious minerals from placer deposits and matters related to removal or disturbance of streamside vegetation and propose revised regulatory framework. Requires framework includes, but is not limited to: consolidated regulatory process including single permit system; effective monitoring, compliance and enforcement; adequate fee structures; operating conditions based on best practices; and prohibitions on mining in certain areas. Requires Governor's office to submit report with results of proposed regulatory framework including recommendations for any necessary legislation to interim committee of Legislature on or before September 1, 2015. Sunsets study requirements January 2, 2016. Authorizes Environmental Quality Commission to establish different fees for water quality permits for person operating suction dredge with hose eight inches or smaller diameter.

**ISSUES DISCUSSED:**

- Interaction of different recreational activities
- Impact of motorized suction dredge mining on fish and Oregon's river
- California's moratorium on motorized suction dredge mining

**EFFECT OF COMMITTEE AMENDMENT:** Replaces measure.

**BACKGROUND:** Both the Department of Environmental Quality (DEQ) and the Department of State Lands (DSL) regulate recreational and small scale placer mining in Oregon. A general authorization from DSL is required for activities involving less than 25 cubic yards of removal and fill annually in essential salmon habitat (ESH); an individual removal fill permit is required for recreational placer mining in state scenic waterways, activities that do not qualify for the general authorization and activities that involve 50 cubic yards or more of removal and fill in non-ESH waterways. Under DEQ, a National Pollutant Discharge Elimination System (NPDES) general water quality discharge permit covers suction dredges and in-water non-motorized mining equipment such as hand sluice boxes and rocker boxes for recovering precious metals or minerals from stream bottom sediments. Operators of in-water mining equipment do not need to register and pay a fee for coverage, but must follow applicable permit conditions. An individual NPDES permit is required from DEQ for metal mining activities with wastewater discharges to Oregon waters that do not qualify for a general NPDES permit. Senate Bill 838 A would impose a moratorium on suction dredge mining until January 2, 2018 and direct the Governor's Office to work with agencies and stakeholders to propose a new regulatory framework for such activities.

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*This summary has not been adopted or officially endorsed by action of the committee.*