

**PRELIMINARY STAFF MEASURE SUMMARY**

**Senate Committee On Environment and Natural Resources**

**Fiscal:** May have fiscal impact, but no statement yet issued

Sub. Referrals: Joint Committee On Ways

**Revenue:** May have revenue impact, but no statement yet issued

and Means

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**Action Date:**

**Action:**

**Meeting Dates:** 02/04

**Prepared By:** Beth Reiley, Committee Administrator

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**WHAT THE MEASURE DOES:**

Requires certain state and federal agencies to consult to determine whether state and federal mining programs could be better coordinated. Excludes nonaggregate upland placer mining from moratorium on mining using motorized equipment.

Requires, until January 1, 2017, motorized equipment used for nonaggregate upland placer mining may only operate between 9:00 am and 5:00 pm, and a violation would be a Class A violation. Requires certain nonaggregate upland placer mining to hold operating permit. Becomes operative January 1, 2017. Exempts certain mining operations from exclusion certificate requirements. Allows State Department of Geology and Mineral Industries to condition operating permits to protect cultural resources.

Establishes permitting requirements for motorized in-stream placer mining. Requires Director of Department of State Lands and Director of Department of Environmental Quality to enter memorandum of understanding allowing Department of Environmental Quality to issue removal fill permits required under motorized in-stream placer mining permitting provisions. Authorizes Department of Environmental Quality to issue consolidated water quality and removal fill permits for motorized in-stream placer mining. Places certain restrictions on motorized in-stream placer mining. Becomes operative January 2, 2021.

Punishes motorized in-stream placer mining without permit coverage by maximum of \$2,000 fine.

Requires motorized equipment used for motorized in-stream placer mining to be inspected at aquatic invasive species check stations.

Allows State Department of Geology and Mineral Industries, Department of State Lands and Environmental Quality Commission to take actions necessary prior to operative dates to develop permitting provisions. Declares emergency, effective on passage.

**ISSUES DISCUSSED:**

**EFFECT OF COMMITTEE AMENDMENT:**

(Proposed -1 Amendment) Extends moratorium to habitat essential to recovery and conservation of Pacific Lamprey. Clarifies application of moratorium on tributaries.

(Proposed -2 Amendment) Places statute regulating nonaggregate upland placer mining within statute on mineral exploration and reclamation of mining lands. Removes authorization for Department of Geology and Mineral Industries to deny or condition operating permit to ensure compliance with laws protecting Native American burial places, archeological sites or other cultural resources. Restores definition of small scale mining.

**BACKGROUND:**

In 2013 the Legislative Assembly passed Senate Bill 838 which imposed certain restrictions and conditions on placer mining between January 1, 2014 and January 2, 2016 and set a limit of 850 permits that Department of State Lands may issue for placer mining during this period. Under the measure, these restrictions are repealed on January 2, 2016, and a moratorium is imposed until January 2, 2021 on placer mining in specified rivers containing essential indigenous anadromous salmonid habitat or naturally reproducing populations of bull trout.