

STATEMENT OF PURPOSE

RS23379

This bill recognizes the de minimus nature of suction dredge mining and tries to free this important small business vocation from unreasonable regulation. This bill further clarifies that the State of Idaho finds that a "bright line" threshold of "addition of pollutants" is not met by activities that transfer water and aggregate within the same body of water. This bill recognizes the existence of Federal Mining Claims under the 1872 Mining Act and amendments as being Congressionally granted rights to real property in every sense of the word. No agency of the State and no agency of the Federal Government may abridge those rights by regulatory scheme or by long permit delays. We recognize that environmental laws have been effective statewide and no unnecessary burdens are warranted on the suction dredge mining community for undocumented harm to aquatic habitat and assumed harm to free swimming fish. Therefore for this bill being necessary for the promotion of small business as evidenced in the words reiterated in the Organic Administration Act of 1897; "citizens are entitled to enter public lands for the purpose of prospecting and removing mineral deposits..." without material interference.

FISCAL NOTE

No fiscal impact

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