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# SENATE COMMITTEE ON NATURAL RESOURCES AND WATER

Senator Monique Limón, Chair  
2025 - 2026 Regular

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<b>Bill No:</b>	AB 580	<b>Hearing Date:</b>	July 16, 2025
<b>Author:</b>	Wallis		
<b>Version:</b>	March 26, 2025 Amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Genevieve Wong		

**Subject:** Surface mining: Metropolitan Water District of Southern California

## SUMMARY

This bill would extend by twenty-five years, until January 1, 2051, the authorization for the Metropolitan Water District of Southern California (Metropolitan) to develop a single master reclamation plan (Metropolitan Reclamation Plan) to comply with its obligations under the Surface Mining and Reclamation Act of 1975 (SMARA).

## BACKGROUND AND EXISTING LAW

**SMARA.** Administered by the Department of Conservation (DOC), SMARA provides a comprehensive surface mining and reclamation policy with the regulation of surface mining operations to assure that adverse environmental impacts are minimized and mined lands are reclaimed to a useable condition (Public Resources Code (PRC) §§2710 *et seq.*).

**AB 442 (Mayes, Chapter 166, Statutes of 2021).** When Metropolitan completed construction of the Colorado River Aqueduct (CRA) and began operation in 1941, it retained ownership of the land beneath and adjacent to the CRA, including the excess stone, gravel, and sand used to construct the project. Metropolitan uses those materials to restore, repair, protect, and maintain berms, access roads, and pipelines. The desert is an area subject to heavy rains and flash floods. Maintaining berms and siphons to redirect water laden with sediment around the aqueduct is essential to maintain water quality. In addition, heavy rains and localized flooding in 2018, for example, caused erosion damage to 35 sites and exposed parts of the CRA pipeline in 26 places over nine miles. Metropolitan used the sand and gravel materials from its existing borrow sites adjacent to the CRA to make repairs to the exposed pipeline and washed out roads.

Metropolitan currently maintains 19 borrow pit sites that supply aggregate materials for repairs and maintenance of the CRA and other infrastructure. Most of the material at these sites are spoils from tunnel construction of the CRA. However, in 2017, San Bernardino and Riverside counties informed Metropolitan it had to comply with SMARA because some sites involved the removal of native soils, which constitutes a mining activity under SMARA.

Instead of requiring Metropolitan to prepare a reclamation plan for each county, the Legislature passed AB 422 (Mayes, Chapter 166, Statutes of 2021), which allows Metropolitan to use a master reclamation plan for all 19 borrow pit sites across the various counties until January 1, 2026. According to information provided by the author, the master reclamation plan was approved by the State Mining and Geology Board

(SMGB) in April 2023. In addition to the annual report required by SMARA, Metropolitan is also required to provide a separate subreport for each individual surface mining operation that provides information for the annual report. In its 2024 annual inspection, SMGB found all aspects of Metropolitan's surface mining operation were compliant with SMARA.

***Existing law:***

- 1) Establishes within the DOC the Division of Mine Reclamation (DMR), led by the Supervisor of Mine Reclamation and the SMGB.
- 2) Establishes SMARA to create a comprehensive surface mining and reclamation policy to prevent or minimize adverse environmental effects, reclaim mined lands to a usable condition, encourage production and conservation of minerals, and eliminate hazards to public health and safety, as specified. (PRC §§2710 *et seq.*)
  - a) Under SMARA, prohibits a person from conducting surface mining operations unless a permit is obtained from, a reclamation plan has been submitted to and approved by, and financial assurances for reclamation have been approved by the lead agency for the operation, as specified. (PRC §2770)
- 3) Exempts from SMARA, until January 1, 2026, Metropolitan for emergency excavations or grading conducted by Metropolitan for its own operation and infrastructure for the purpose of averting, alleviating, repairing, or restoring damage to property due to imminent or recent floods, disasters, or other emergencies. (PRC §2714(j))
  - a) Creates, until January 1, 2026, special provisions under SMARA for Metropolitan's operations within the Counties of Los Angeles, Orange, Riverside, San Bernardino, San Diego, or Ventura, including to, amongst others, authorize Metropolitan to prepare a master reclamation plan for its operations. (PRC §2715.6)

**PROPOSED LAW**

This bill would extend, until January 1, 2051, the authorization for Metropolitan to develop a multi-county Metropolitan Reclamation Plan to comply with its obligations under SMARA.

**ARGUMENTS IN SUPPORT**

According to the author's office, "AB 580 is a common-sense solution that ensures the Metropolitan Water District can maintain the Colorado River Aqueduct—a vital lifeline for 19 million Southern Californians—without unnecessary red tape. This bill removes the sunset date on a proven process that's worked since 2022, allowing faster repairs, consistent environmental oversight, and lower costs. The Aqueduct's maintenance shouldn't be bogged down by inconsistent county regulations when we've already seen the state-level plan succeed. AB 580 keeps our water flowing safely and efficiently for the long haul."

**ARGUMENTS IN OPPOSITION**

None received

**COMMENTS**

**Early implementation successes.** When AB 442 was enacted in 2021, it contained a sunset authorizing the use of a multi-county master reclamation plan until January 1, 2026. However, the master reclamation plan was not approved until 2023, and the actual plan itself has only been in effect for 2 years. Although Metropolitan's surface mining is in compliance with SMARA and in good standing, including submitting annual reports on time and passing annual site inspections, the program is still in its beginning states of implementation.

**See you later.** This bill proposes to extend the sunset on the use of the multi-county master reclamation plan for 25 years. According to the sponsors, the master reclamation plan is based on a 100-year schedule. However, it might be more prudent to apply a shorter sunset in order to provide the Legislature with a closer opportunity for oversight and check-in during these beginning stages. The committee may wish to amend the sunset date from 25 years to 15 years, balancing between providing assurances for related projects that rely on the master reclamation plan and providing timely Legislative management. *See Amendment 1.*

**SUGGESTED AMENDMENTS****AMENDMENT 1**

Amend Public Resources Code §2715.6(k) to read:

(k) This section shall remain in effect only until January 1, ~~2051~~, **2041**, and as of that date is repealed.

**SUPPORT**

Metropolitan Water District of Southern California (sponsor)  
Association of California Cities - Orange County  
Association of California Water Agencies  
California Council for Environmental & Economic Balance (CCEEB)  
California Municipal Utilities Association  
California Special Districts Association  
Calleguas Municipal Water District  
Central Basin Municipal Water District  
Desert Water Agency  
Eastern Municipal Water District  
El Segundo Chamber of Commerce  
Foothill Municipal Water District  
Gateway Chambers Alliance  
Greater Conejo Valley Chamber of Commerce  
Greater Riverside Chambers of Commerce  
Harbor Association of Industry and Commerce (HAIC)  
Inland Empire Utilities Agency  
Las Virgenes Municipal Water District  
Long Beach Area Chamber of Commerce  
Los Angeles Area Chamber of Commerce  
Los Angeles County Business Federation

Municipal Water District of Orange County  
Orange County Business Council  
Orange County Taxpayers Association  
Rancho Water  
San Diego County Water Authority  
Southern California Contractors Association  
Southwest California Legislative Council  
The Greater Coachella Valley Chamber of Commerce  
Three Valleys Municipal Water District  
Torrance Area Chamber of Commerce  
West Basin Municipal Water District  
West Ventura County Business Alliance  
Western Municipal Water District  
Western Riverside Council of Governments

**OPPOSITION**

None Received

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