

---

THIRD READING

---

Bill No: AB 982  
Author: Carrillo (D)  
Amended: 8/29/25 in Senate  
Vote: 21

---

SENATE NATURAL RES. & WATER COMMITTEE: 7-0, 7/16/25  
AYES: Limón, Seyarto, Allen, Grove, Hurtado, Laird, Stern

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25  
AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 78-1, 6/2/25 - See last page for vote

---

**SUBJECT:** The Surface Mining and Reclamation Act of 1975: idle reserve mine status

**SOURCE:** California Construction and Industrial Materials Association

---

**DIGEST:** This bill creates an “Idle Reserve Mine Status” of up to 10 years length for idle construction aggregate mines, and sunsets on January 1, 2032, among other provisions, as provided.

**ANALYSIS:**

Existing law:

- 1) Establishes the Surface Mining and Reclamation Act of 1975 (SMARA) (Public Resources Code (PRC) §§2710 et seq.) that encourages the production, conservation, and protection of the state’s mineral resources, and requires annual reporting for all mines in the state. SMARA provides a comprehensive surface mining and reclamation policy with regulation of surface mining operations to ensure that adverse environmental impacts are minimized and mined lands are reclaimed to a usable condition.

- 2) Establishes the State Mining and Geology Board (board), and the Division of Mine Reclamation (division) within the Department of Conservation. The division is led by the Supervisor of Mine Reclamation (supervisor). The board and division jointly administer SMARA. (PRC §§607, 2006.5)
- 3) Requires the board to adopt regulations that establish state policy for the reclamation of mined lands, as provided. (PRC §2755)
- 4) Requires the owner or operator of a mining operation within the state to annually forward to the supervisor information about the mining operation including its location; its status as active, idle, reclaimed, or in the process of being reclaimed; the commodities produced by the mine; approval date for the reclamation plan; and proof of financial assurance, among other requirements. Requires a lead agency to submit to the supervisor official copies of an approved reclamation plan or plan amendment, interim management plan, financial assurances, and other information, as provided. (PRC §§2207, 2774.2.5)
- 5) Prohibits a person from conducting surface mining operations unless a permit is obtained from, a reclamation plan has been submitted and approved by, and financial assurance for reclamation have been approved by the lead agency, as provided. (PRC §2770)
- 6) Requires, within 90 days of a surface mining operation becoming idle, the operator to submit an interim management plan to the lead agency for review. The approved interim management plan is an amendment to the surface mining operation's approved reclamation plan. (PRC §2770(h)(1))
  - a) Defines "idle" to mean that an operator of a surface mining operation has curtailed production at the surface mining operation, with the intent to resume the surface mining operation at a future date, for a period of one year or more by more than 90 percent of its maximum annual mineral production within any of the last five years during which an interim management plan has not been approved. (PRC §2727.1)
- 7) Authorizes an interim management plan to remain in effect for up to 5 years, at which time the lead agency is required to either renew the interim management plan for up to another 5 years twice or require the operator to commence reclamation. (PRC §2770(h)(2))

- 8) Requires lead agencies to obtain financial assurances, as specified, from the surface mining operation operator. Requires the financial assurance for the surface mine to remain in effect while it is idle. (PRC §§2770(h)(3), 2773.1)
- 9) Requires a surface mining operation to be considered abandoned if it remains idle for more than one year without obtaining approval of an interim management plan, as specified. (PRC §2770(h)(6))
- 10) Requires a reclamation plan to be filed with the lead agency by any person who owns, leases, or otherwise controls or operates on all or any portion of any mined lands and who plans to conduct surface mining operations on the lands. Prior to approving a surface mining operation's reclamation plan or plan amendment, the lead agency shall submit it to the supervisor for review. (PRC §§2772, 2772.1)
- 11) Requires every lead agency to adopt ordinances in accordance with state policy that establish procedures for the review and approval of reclamation plans and financial assurances, and the issuance of a permit to conduct surface mining operations, as provided. Requires the lead agency to cause surface mining operations to be inspected in intervals of no more than 12 months. (PRC §2774)

This bill:

- 1) States legislative intent to minimize the waste of construction resources, while ensuring the timely reclamation of idle construction aggregate mines, and to prevent indefinite delays in or avoidance of reclamation efforts.
- 2) Defines the following terms:
  - a) "Construction aggregate material" as cinders, decomposed granite, decorative rock, dimension stone, fill dirt, limestone, pumice, rock, stone, sand, gravel, or both sand and gravel.
  - b) "Reserves" as that part of the resource base that could be economically extracted or produced within the foreseeable future and usually referring to permitted resources. The term "reserves" need not signify that extraction facilities are in place and operative.
- 3) Authorizes a surface mining operation authorized for extraction of construction aggregate materials but currently idle, to apply for and request the division to review and approve an application for Idle Reserve Mine Status to determine whether all of the following conditions are met:

- a) The State Geologist determines the surface mining operation has a volume of reserves to address future infrastructure needs, as provided.
  - b) The surface mining operation is not located on federal public land.
  - c) The division has previously received fewer than 12 applications for Idle Reserve Mine Status within the same fiscal year in which the subject application is received.
- 4) If the division concludes that all of the conditions in (a) - (c) of 3) above are met and approves an application for Idle Reserve Mine Status, and if the lead agency concurs with the division's review, authorizes the lead agency to extend the maximum renewal period that an interim management plan may remain in effect by up to 10 years in addition to the specified time frames, as provided.
  - 5) Authorizes an operator's interim management plan to remain in effect if a determination on its application for Idle Reserve Mine Status has not yet been made, as provided.
  - 6) Requires the board to adopt regulations to implement Idle Reserve Mine Status.
  - 7) On or before September 1, 2027 and annually thereafter, requires the division to compile and post on its internet website certain information related to surface mining operations for the preceding calendar year, including, among other provisions, how many were approved for Idle Reserve Mine Status, as specified.
  - 8) Requires the division to use information provided to it by lead agencies in compiling the information required by 7) to the extent feasible and to avoid duplicate effort. Authorizes the division to seek any additional information necessary from the lead agency.
  - 9) Requires the applicant for Idle Reserve Mine Status to pay the actual costs associated with the division's review in addition to the required fees.
  - 10) Requires that the approval of an application for Idle Reserve Mine Status does not renew the interim management plan for a period beyond the effective term of any applicable surface mining permit or reduce existing financial assurance obligations for reclamation, as provided.

- 11) Adds a mine with “Idle Reserve Mine Status” to existing lead agency inspection and operator financial assurance requirements. Requires a mine with “Idle Reserve Mine Status” to begin reclamation after the expiration of its interim management plan.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- Ongoing costs of about \$1 million in the first year and \$987,000 annually thereafter until the January 1, 2032 sunset date (Mine Reclamation Account) for the Department of Conservation to develop regulations, review applications, and fulfill annual reporting requirements, among other things.

**SUPPORT:** (Verified 8/29/25)

California Construction and Industrial Materials Association (source)

A & A Ready Mix Concrete

Granite Construction

Graniterock

Holliday Rock

Knife River Construction

Lastrada Partners

Reed Family Companies, LLC

Robertson’s Ready Mix

Stevens Creek Quarry, Inc.

The California Asphalt Pavement Association

Vulcan Materials Company

**OPPOSITION:** (Verified 8/29/25)

None received

**ARGUMENTS IN SUPPORT:** According to the author, “Assembly Bill 982 is crucial for the continued success of our local mining industry and the construction projects that rely on it. By allowing mines across California to extend their operations, we ensure that valuable resources are preserved for future use, reducing unnecessary shutdowns and costly transportation. In rural districts like mine, where mines are spread far apart, the closure of any mine forces longer travel for resources, which increases emissions and makes it harder to attract investment in local construction projects. This bill will help keep construction materials local, reducing fuel consumption, CO<sub>2</sub> emissions, and traffic congestion. By supporting AB 982, we’re investing in our local economy, job creation, and sustainable

development, while ensuring that we have the resources to build the infrastructure our communities need and deserve.”

ASSEMBLY FLOOR: 78-1, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Ávila Farías

Prepared by: Katharine Moore / N.R. & W. / (916) 651-4116  
9/2/25 18:08:45

\*\*\*\* END \*\*\*\*