

THIRD READING

Bill No: AB 982
Author: Carrillo (D)
Amended: 8/21/26 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.

Senate floor amendments of 8/21/26 revise multiple definitions, including for construction aggregate material, idle (mine), active (mine), and “in the process of being reclaimed;” add additional information to a required legislative report; extend the sunset to January 1, 2033; and make numerous technical, clarifying, and conforming changes to the law, among other provisions.

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) "Active" means surface mining operations occurred during the reporting year.
 - b) "Construction aggregate material" means mineral materials capable of being used in construction that normally receive minimal processing, commonly washing and grading, and for which the ratio of transportation costs to the value of the processed material at the mine are typically not economically viable beyond 100 miles, including, but not limited to, sand, gravel, and crushed rock.

- c) "Idle" means formerly active, where surface mining operations did not occur during the reporting year with the intent to resume operations at a future date, as specified.
 - d) "In the process of being reclaimed" means an operator has ceased surface mining operations and is implementing the reclamation plan, as specified.
 - e) "Reserves" means that part of the resource base that could be economically extracted or produced within the foreseeable future and refers to permitted or vested resources, as provided.
- 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 an economically viable volume of reserves, as provided. Submitted proprietary information to support this determination shall not be disclosed to the public.
 - 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.
 - d) The applicant pays the actual costs associated with the review, as specified.
 - e) Approval of an application for Idle Reserve Mine Status does not renew the interim management plan or reduce existing financial assurance obligations, as specified.
- 4) If the division concludes that all of the conditions in (a) - (e) of 3) above are met and comments on the application, and the lead agency approves an application for Idle Reserve Mine Status, 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) Authorizes the board to adopt regulations to implement Idle Reserve Mine Status.
- 7) On or before December 31, 2028 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) Sunsets 3) – 8) above on January 1, 2033
- 10) 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.
- 11) Makes numerous technical and conforming changes. Includes legislative findings to limit public access to certain information provided in support of an application for Idle Reserve Mine Status.

[NOTE: Additional information regarding this bill can be found in the Senate Natural Resources and Water Committee’s analysis.]

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 8/19/26)

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 8/19/26)

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, CO₂ 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

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