



DEPARTMENT OF CONSERVATION

News Release

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MAJOR MINING REFORMS ENACTED

SACRAMENTO – With the enactment of two bills today, California strengthened an important mining law to better ensure that mine operators restore lands to a natural or usable condition after mining production ends.

“The mining industry is essential to California and the landscape has changed quite a bit over the past 40 years,” Department of Conservation (DOC) Director David Bunn said. “We are pleased to have helped shape a significant overhaul of an important bill for the next generation.”

Reforms signed into law by Governor Edmund G. Brown Jr. create a Supervisor of Mine Reclamation position within the DOC, increase fees to mine operations, provide more compliance flexibility for locally owned and operated pits, and clarify the components of mining reclamation plans, among other measures. The DOC sought the reforms to strengthen the Surface Mining and Reclamation Act (SMARA) of 1975.

SMARA ended an era in California in which operators could abandon mines, leaving others to deal with potential problems including safety and environmental hazards. The law requires mining operators to have permits to mine and reclamation plans to ensure mined land is returned to a natural or usable state. While mine safety regulations were common, few states had addressed the issue of mined land reclamation prior to the era of increased environmental awareness beginning in the mid-1960s.

In 2014, the Governor directed the department to work with stakeholders to develop substantive and procedural changes to the mining law. The newly-signed bills – SB 209 by Senator Fran Pavley (D-Agoura Hills) and AB 1142 by Assemblymember Adam Gray (D-Merced) – are the result of that stakeholder process. The full text of the bills is available here: <http://leginfo.legislature.ca.gov>.

SB 209 creates the Division of Mine Reclamation, replacing the Office of Mine Reclamation, and also the position of Supervisor of Mine Reclamation. It increases fees to mine operations to support the Division’s efforts. It also provides that under certain conditions, a locally owned and operated mine may only need to be inspected every two years rather than annually.

AB 1142 clarifies reclamation plan components, ensuring that a licensed professional produce and certify

The Department of Conservation’s mission is to balance today’s needs with tomorrow’s challenges and foster intelligent, sustainable, and efficient use of California’s energy, land, and mineral resources.

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reclamation plan maps, diagrams and calculations. Additionally, it requires that lead agency inspectors be trained and qualified where appropriate.

The Division of Mine Reclamation is celebrating its 25th anniversary. It was created in 1991, when additional enforcement requirements were enacted, to provide oversight to local governments as they administer these new priorities within their respective jurisdictions. State regulators give local officials input on the appropriateness of a mining operation's reclamation plan and the financial assurances supporting that plan. If necessary, the Division can initiate enforcement actions that encourage SMARA compliance.

Although the primary focus of SMARA is on permitting existing mining operations and returning mined lands to a usable and safe condition, issues relating to "legacy mines" – those pre-dating the state's mining law, back to the Gold Rush -- are addressed through the Division's Abandoned Mine Lands Program.

For more information about the Department of Conservation, the Division of Mine Reclamation and 25th anniversary events, including a display at the State Capitol, please visit <http://www.conservation.ca.gov>.

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