



STATE MINING AND GEOLOGY BOARD

Policy and Legislation Committee

Brian Baca, Chair; Erin Garner; Benjamin Licari; Kathy Lund

EXECUTIVE OFFICER'S REPORT

For Meeting Date: November 10, 2010

Agenda Item No. 3: Discussion of Potential Process Streamlining and Cost Reduction in the Implementation of the Surface Mining and Reclamation Act (SMARA).

INTRODUCTION: The Surface Mining and Reclamation Act (SMARA) has been amended twenty-eight times since its enactment in 1975. The statute is unique in two respects: (1) mining is regulated locally by cities and counties which are referred to as lead agencies, and (2) it provides for the conservation of mineral resources. SMARA has evolved such that certain elements require revisiting and discussion. At its September 9, 2010, regular business meeting, the State Mining and Geology Board (SMGB) directed the Policy and Legislation Committee to commence discussion as to how the overall SMARA process could be streamlined, duplicity minimized or eliminated, and inequities addressed, while still maintaining the overall intent of SMARA.

At its October 14, 2010, Committee meeting, the Committee requested that a draft survey questionnaire be developed for further discussion. The purpose of the questionnaire is to identify 1) areas where the SMARA could be streamlined, and 2) areas where the SMGB or DOC could assist SMARA lead agencies in their implementation of the mineral conservation and reclamation components of SMARA.

EXECUTIVE OFFICER'S RECOMMENDATIONS: The Executive Officer's offers no recommendation to the Committee at this time.

Respectfully submitted:

Stephen M. Testa
Executive Officer


Executive Officer's Report