

Date of Hearing: April 29, 2025

**ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE**

Diane Papan, Chair

AB 580 (Wallis) – As Amended March 26, 2025

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

**SUMMARY:** Extends, until January 1, 2051, the sunset date on the authority 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 (SMARA).

**EXISTING LAW:**

- 1) Provides that the Director of the Department of Conservation (DOC) shall be responsible for carrying out the state's mining and minerals policy: to foster and encourage private enterprise in the orderly development and wise and efficient use of the state's natural and reclaimable mineral resources [Public Resources Code (PRC) § 2650].
- 2) Establishes the State Mining and Geology Board (SMGB) within DOC to represent the state's interest in the development, utilization, and conservation of the state's mineral resources and the reclamation of mined lands (PRC § 660 *et seq.*).
- 3) Prohibits a person from conducting surface mining operations unless the lead agency for the operation issues a surface mining permit and approves a reclamation plan and financial assurances for reclamation. Provides that a lead agency can be a city, county, the San Francisco Bay Conservation and Development Commission, or SMGB (PRC § 2770).
- 4) Requires SMGB to adopt regulations that establish state policy for the reclamation of mined lands in accordance with the intent of SMARA (PRC § 2755).
- 5) Requires a lead agency that owns or operates a borrow pit for its own use to include maintenance measures in its reclamation plan that become effective when borrow pit operations are idle. Exempts such a lead agency from specified requirements under SMARA (PRC § 2770.1).
- 6) Establishes the Cache Creek Resources Management Plan (CCRMP), in conjunction with a site specific plan deemed consistent by the lead agency with the CCRMP, which is considered the functional equivalent of a reclamation plan for the purposes of SMARA (PRC § 2715.5).
- 7) Authorizes Metropolitan to develop the Metropolitan Reclamation Plan to cover SMARA compliance requirements for its surface mining operations within the counties of Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura. The State Mining and Geology Board serves as lead agency with respect to surface mining operations conducted by Metropolitan. Sunsets this authority on January 1, 2026 (PRC § 2715.6).

**FISCAL EFFECT:** Unknown. This bill is keyed fiscal.

**COMMENTS:**

- 1) **Purpose of this bill.** According to the author, this bill “is a common-sense solution that ensures [Metropolitan] can maintain the Colorado River Aqueduct (CRA)—a vital lifeline for 19 million Southern Californians—without unnecessary red tape.” The author asserts the existing authority granted to Metropolitan to streamline its compliance with SMARA has “worked since 2022, allowing faster repairs, consistent environmental oversight, and lower costs.” As a result, the author maintains this bill keeps our water flowing safely and efficiently for the ‘long haul.’”
- 2) **Background.** When Metropolitan completed construction of the CRA and began operation in 1941, it retained ownership of the land beneath and adjacent to the aqueduct, 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 CRA is located in a desert area that is subject to heavy rains and flash floods. Maintaining berms and siphons to redirect water that is 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 materials 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.

In response to the notice provided by the counties, Metropolitan worked with both counties to identify sites that are subject to SMARA and, in 2020, began preparation of a reclamation plan for each county. AB 442 (see below) authorized Metropolitan to meet its SMARA requirements by preparing a single master reclamation plan until January 1, 2026. SMGB conducted an annual inspection in April 2024 and found that all aspects of Metropolitan’s surface mining operation were compliant with SMARA.

- 3) **Arguments in support.** Metropolitan is the sponsor of this bill and asserts it has worked diligently with the State Mining Board to develop the Metropolitan Reclamation Plan permitted by AB 442 (Mayes) and that Metropolitan has complied with inspection and reporting requirements. Metropolitan asserts this bill will allow it to continue to take advantage of the streamlining that AB 442 allows: “this important proposal that will ensure Metropolitan is able to carry out its repair and maintenance of the CRA in a timely and efficient manner.”
- 4) **Double referral.** This bill passed the Assembly Committee on Natural Resources by a vote of 13-0 on March 24, 2025.
- 5) **Related legislation.** AB 442 (Mayes), Chapter 166, Statutes of 2021, authorizes, until January 1, 2026, Metropolitan to prepare a single master reclamation plan to meet SMARA requirements for its mining operations related to CRA (see Existing Law #6, above).

## REGISTERED SUPPORT / OPPOSITION:

### 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  
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  
Garden Grove Chamber of Commerce  
Gateway Chambers Alliance  
Greater Conejo Valley Chamber of Commerce  
Greater Riverside Chambers of Commerce  
Harbor Association of Industry & Commerce  
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  
Redondo Beach Chamber of Commerce  
South Bay Association of Chambers of Commerce  
Southern California Contractors Association  
Southwest California Legislative Council  
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 on file

**Analysis Prepared by:** Pablo Garza / W., P., & W. / (916) 319-2096