



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR H.B. 2685

mine inspector; geological survey; authority

Purpose

Requires the Arizona Geological Survey to establish, and the State Geologist to update on request of the State Mine Inspector (Inspector), a map and inventory of all known areas that contain aggregate resources and all existing aggregate mining facilities in Arizona. Outlines content and reporting requirements for a submitted reclamation plan.

Background

An owner or operator of an aggregate mining facility may submit a single reclamation plan that covers multiple aggregate mining units of an aggregate mining facility. The proposed reclamation plan must include outlined information, including ownership information of the area, a statement that the owner or operator assumes responsibility for the reclamation of surface disturbances, outlined descriptions of the aggregate mining unit, proposed surface disturbances and reclamation measures necessary, the estimated cost and a tentative schedule for the disturbances and reclamation measures ([A.R.S. § 27-1271](#)).

The Inspector must approve a reclamation plan for aggregate mining units if the plan provides for reclamation measures for outlined surface disturbances. In evaluating the reclamation plan, the Inspector must consider the technical and economic practicability of the proposed reclamation measures, taking into account the site-specific circumstances at the aggregate mining unit and the proposed postaggregate mining land use objectives as stated in the reclamation plan. The postaggregate mining land use objective stated in the reclamation plan need not be the same use of the land that existed before the aggregate mining facility was located on the site ([A.R.S. § 27-1273](#)).

Aggregate means cinder, crushed rock or stone, decomposed granite, gravel, pumice, pumicite and sand ([A.R.S. § 27-101](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires the Arizona Geological Survey to establish a map and inventory of all known areas that contain aggregate resources and all existing aggregate mining facilities in the state according to county.
2. Requires the State Geologist, on request of the Inspector, to update the maps and inventories of the aggregate resources of the state and include areas of aggregate resources discovered since the previous publication.

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3. Requires a submitted reclamation plan to include:
 - a) the distance in feet and the direction from the closest occupied residential structures and aggregate mining facility, to be measured from the exterior of the occupied residential structure to the closest crest of excavation and include any intermediate rights of way between the structure and proposed facility; and
 - b) a statement that the owner or operator of the mining units has provided a notice of the proposed reclamation plan to each residential property owner whose property is located within a one-half mile radius of the aggregate mining operation as shown on the current property tax roll.
4. Requires the notice of the proposed reclamation plan to be sent at least 15 days before submitting the reclamation plan and include a statement that the residential property owner may request a copy of the proposed reclamation plan from the Inspector.
5. Allows the Inspector, in evaluating the reclamation plan, to consider comments from the State Geologist or any elected official.
6. Makes technical and conforming changes.
7. Becomes effective on the general effective date.

House Action

NREW	2/6/24	DP	10-0-0-0
3 rd Read	2/20/24		57-0-2-0-1

Prepared by Senate Research
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RA/SDR/slp