

# California SURFACE MINING LAW

A Guide to Federal, State, and Local Requirements

**THE FIRST AND ONLY BOOK** that comprehensively addresses the regulation of surface mining in California. Covers federal, state, regional, and local laws and regulations along with relevant cases, and provides extensive citations. Explains mining-specific concepts and offers practical advice for understanding and complying with the law.

**AN IMPORTANT RESOURCE** for attorneys—whether for mining operators, public agencies, or neighborhood or environmental organizations—as well as planners, consultants, government officials, and interested members of the public.

## TOPICS INCLUDE—

- An introduction to surface mining—its forms, operations, uses, and applications
- State Surface Mining and Reclamation Act of 1975 (SMARA), including its provisions for mineral conservation, reclamation, and enforcement
- City and county regulations, including required local authorizations, application processes, the role of CEQA, and special rules and doctrines governing pre-existing or nonconforming surface mines
- Environmental regulation of surface mining, including air quality requirements, water quality regulations, federal and state laws on wetlands and endangered species, and handling of hazardous materials



AN INVALUABLE REFERENCE FOR PLANNERS • ATTORNEYS • GOVERNMENT OFFICIALS • CONSULTANTS • STUDENTS IN THE FIELD • AND INTERESTED MEMBERS OF THE PUBLIC

## CHAPTERS AT A GLANCE

### PART ONE

Understanding Surface Mining

- 1 Surface Mining—Background
- 2 California's Mineral Production and Demand

### PART TWO

Surface Mining and Reclamation Act

- 3 Introduction to the Surface Mining and Reclamation Act
- 4 Identification and Conservation of Significant Mineral Resources
- 5 Reclamation
- 6 Enforcement of the Surface Mining and Reclamation Act

### PART THREE

Local Permitting

- 7 City and County Land Use Regulation
- 8 Surface Mining and the California Environmental Quality Act
- 9 Nonconforming Surface Mines

### PART FOUR

Environmental Regulation

- 10 Air Quality
- 11 Water Quality
- 12 Wetlands, Streams, and Lakes
- 13 Endangered and Threatened Species
- 14 Handling of Hazardous Materials



**DEREK COLE** is an attorney with Cota Cole & Associates in Roseville, California. His statewide practice includes advising clients on the full range of land use and environmental laws and regulations, as well as representing operators and public agencies in surface mining matters.

In addition to his law practice, Mr. Cole has taught legal writing and research at the University of the Pacific McGeorge School of Law, where he received his J.D. in 1999.

Published by  
SOLANO PRESS BOOKS

978-0-923956-73-8