

House Engrossed

reclamation plans; aggregate mining; notice

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

CHAPTER 78

HOUSE BILL 2078

AN ACT

AMENDING SECTION 27-1271, ARIZONA REVISED STATUTES; RELATING TO MINING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 27-1271, Arizona Revised Statutes, is amended to
3 read:

4 27-1271. Submission and contents of reclamation plan

5 A. ~~Beginning January 1, 2006,~~ An owner or operator may submit a
6 single reclamation plan that covers multiple aggregate mining units of an
7 aggregate mining facility.

8 B. The proposed reclamation plan shall include:

9 1. The names and addresses of the owner or operator and an
10 individual who will be the regulatory contact.

11 2. A statement that the owner or operator assumes responsibility
12 for the reclamation of surface disturbances that are attributable to the
13 aggregate mining unit consistent with this chapter and the rules adopted
14 pursuant to this chapter.

15 3. The current ownership and use of the land included in the
16 aggregate mining unit.

17 4. The proposed postaggregate mining use of the land.

18 5. A description of the aggregate mining unit and the proposed
19 surface disturbances that will be created.

20 6. The existing and proposed final topography, including the final
21 slopes or configuration of overburden or waste rock stockpiles and fine
22 areas.

23 7. A narrative description of roads that are proposed for the
24 aggregate mining unit.

25 8. The acreage affected by each type of surface disturbance and a
26 map of the aggregate mining unit area showing each surface disturbance.
27 For previously undisturbed areas, the map shall identify any types of fish
28 and wildlife habitats that will be disturbed.

29 9. The proposed reclamation measures that are necessary to achieve
30 the postaggregate mining land use, including information concerning:

31 (a) The measures that will be taken to restrict public access to
32 pits and other surface features that may be a hazard to public safety.

33 (b) The measures that will be taken to address erosion control and
34 stability.

35 (c) The measures that will be taken to address revegetation,
36 conservation and the care and monitoring of revegetated areas as provided
37 in this chapter.

38 (d) For surface disturbances for which the proposed postaggregate
39 mining land use objective is designated as grazing, fish or wildlife
40 habitat, forestry or recreation, the type of wildlife or fish habitat to
41 be encouraged, including measures that will be taken to encourage that
42 type of wildlife or fish habitat, and that those measures will not be
43 incompatible with the fish or wildlife habitat on adjacent lands.

44 10. A proposed tentative schedule for beginning surface
45 disturbances and beginning and completing the reclamation measures.

1 11. The estimated costs to perform each of the proposed reclamation
2 measures for the purposes of determining financial assurance requirements
3 under article 5 of this chapter.

4 12. The distance in feet and the direction from the closest
5 existing occupied residential structures and aggregate mining
6 facility. For the purposes of this paragraph, the distance shall be
7 measured from the exterior of the occupied residential structure to the
8 closest crest of excavation and includes any intermediate rights-of-way
9 between the structure and proposed facility.

10 13. A statement that the owner or operator has provided a notice of
11 the proposed ~~reclamation plan~~ AGGREGATE MINING UNIT to each residential
12 property ~~owner~~ OWNERS whose ~~property is~~ PROPERTIES ARE located within a
13 one-half mile radius of the aggregate mining operation as shown on the
14 current property tax roll. The notice shall include the name and contact
15 information of the ~~owner~~ OWNER'S or operator's designated representative
16 who will respond to questions regarding the proposed ~~reclamation plan~~
17 AGGREGATE MINING UNIT. THE NOTICE REQUIREMENT PRESCRIBED BY THIS
18 PARAGRAPH:

19 (a) APPLIES ONLY TO NEW PROPOSED RECLAMATION PLANS FOR NEW
20 AGGREGATE MINING OPERATIONS THAT ARE SUBMITTED TO THE INSPECTOR FROM AND
21 AFTER SEPTEMBER 15, 2024.

22 (b) MAY BE SATISFIED BY PROVIDING PRIOR PUBLIC NOTICES RELATING TO
23 SPECIAL USE PERMITTING OR REZONING OR ANNEXATION APPLICATIONS OR BY
24 PROVIDING OTHER PUBLIC NOTICES ASSOCIATED WITH THE PROPOSED AGGREGATE
25 MINING UNIT IF THE PUBLIC NOTICES WERE PUBLISHED OR DISTRIBUTED OR
26 DISPLAYED WITHIN AT LEAST A ONE-HALF MILE RADIUS OF THE AGGREGATE MINING
27 OPERATION.

28 Sec. 2. Retroactivity

29 This act applies retroactively to from and after September 15, 2024.

APPROVED BY THE GOVERNOR JUNE 4, 2026.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 5, 2026.