

County of Santa Clara

Department of Planning and Development
Planning Office

County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, California 951 10-1705
(408) 299-5770 FAX (408) 288-9198
www.sccplanning.org



October 16, 2015

Ms. Christina Reese
State Office of Mine Reclamation
801 K Street MS 09-06
Sacramento, CA 95814

VIA CERTIFIED MAIL

**Subject: 2015 SMARA Inspection Report for the Stevens Creek Quarry
County Planning Office File 1253-15PAM
State Mine ID #91-43-0007**

Dear Ms. Reese:

Enclosed for your records is a copy of the 2015 SMARA inspection report for the Stevens Creek Quarry. The report includes the following list of documents regarding this quarry:

1. SMARA Lead Agency Inspection Notice Form.
2. MRRC-1 form.
3. Attachment A, which includes detailed information and photographs from the field inspection on August 27, 2015.

The County has working on its review of the mine's Financial Assurance Cost Estimate (FACE). Once the review is complete, I will forward to the Office of Mine Reclamation for its 45 day review.

If you have any questions regarding this matter please feel free to call me at (408) 299-5784.

Sincerely,

Marina Rush, Planner III

cc: Kirk Girard, Director
Jason Voss, Stevens Creek Quarry

County of Santa Clara

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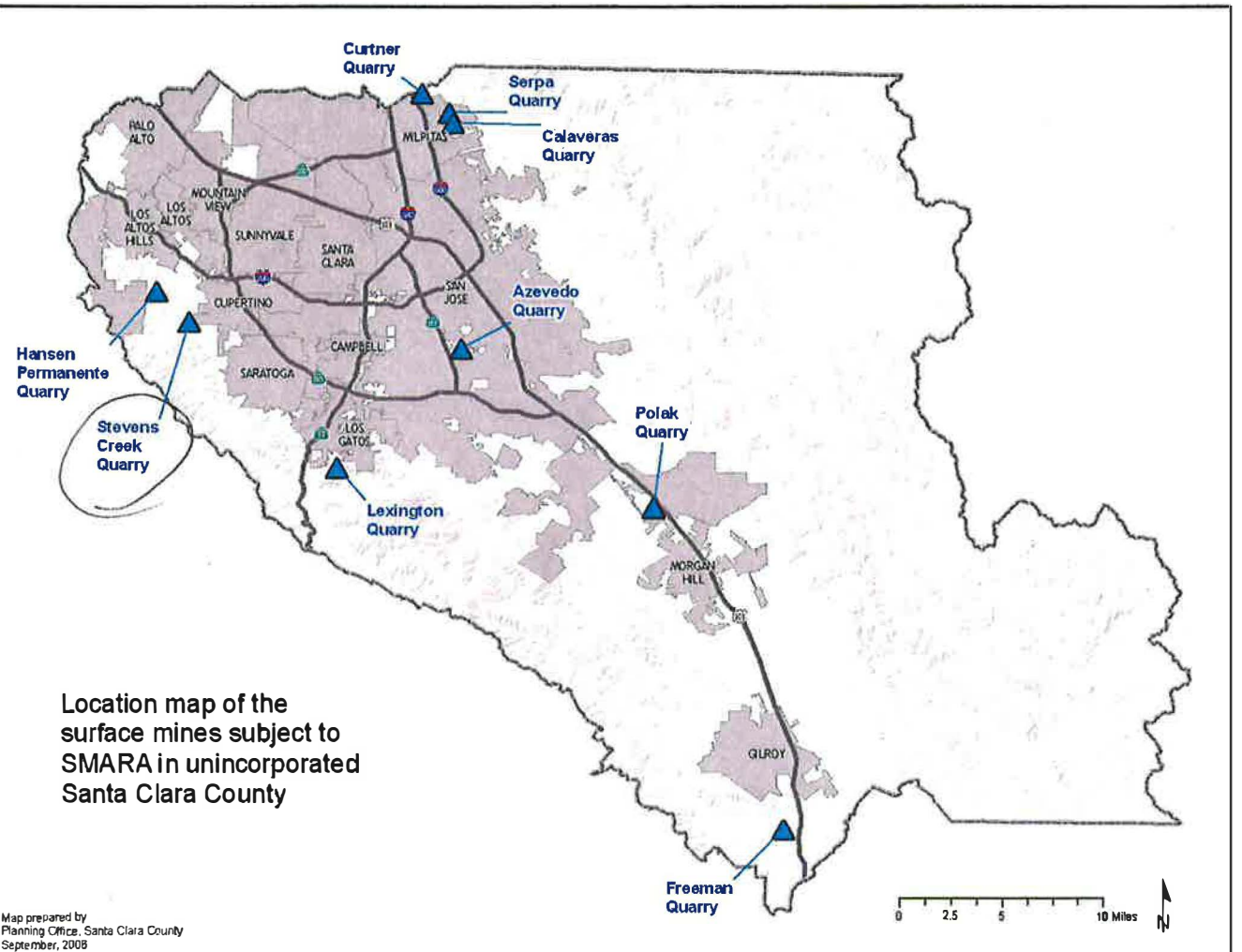
2015 Annual SMARA Inspection

Stevens Creek Quarry County File 1253-94P-07P-15PAM State Mine ID #91-43-0007

Inspection Date: August 27, 2015

Report Date: October 13, 2015







Department of Conservation
OFFICE OF MINE RECLAMATION

SMARA LEAD AGENCY INSPECTION NOTICE FORM

(This form is provided for the convenience of lead agencies. See instructions on the back of the form.)

To: Reporting Unit
California Department of Conservation
Office of Mine Reclamation
801 K Street, MS 0906
Sacramento, CA 95814

From: County of Santa Clara
Department of Planning and Development
70 West Hedding Street, East Wing, 7th Floor
San Jose, CA 95110

Date of this Notice: October 15, 2015

Subject: Lead Agency Inspection Notice Pursuant to PRC 2774(b)

Date of Inspection: Aug. 27 and Oct. 6, 2015

Mine ID: 91-43-0007

I certify that this surface mining operation is in compliance with SMARA (mining operation is permitted [or vested], consistent with reclamation plan, the financial assurance is adequate for reclamation costs, and no violations were cited on the MRRC-1 inspection form*).

Check applicable box:

Yes ☐ No ☒ - If no, which aspects of the operations are inconsistent with SMARA :

See attached inspection report and photo documentation.

Does the surface mining operation have a review of its reclamation plan, financial assurances, or an interim management plan pending under subdivision (b), (c), (d), or (h) of Section 2770, or an appeal pending before the board or lead agency governing body under subdivision (e) or (h) of Section 2770?

Yes ☒ No ☐

Are the completed MRRC-1 inspection form and any supporting documentation, including, but not limited to, any inspection report prepared by the licensed geologist, civil engineer, landscape architect, or forester, who conducted the inspection attached?

Yes ☐ No ☒



Signature and Title of Lead Agency Representative

* See instructions on back of form

INSPECTION NOTICE FORM INSTRUCTIONS

The specific SMARA statute that requires the inspection notice is quoted below:

"PRC 2774 (b) ...The lead agency shall notify the director within 30 days of the date of completion of the inspection that the inspection has been conducted. The notice shall contain a statement regarding the surface mining operation's compliance with this chapter, shall include a copy of the completed inspection form, and shall specify which aspects of the surface mining operations, if any, are inconsistent with this chapter. If the surface mining operation has a review of its reclamation plan, financial assurances, or an interim management plan pending under subdivision (b), (c), (d), or (h) of Section 2770, or an appeal pending before the board or lead agency governing body under subdivision (e) or (h) of Section 2770, the notice shall so indicate. The lead agency shall forward to the operator a copy of the notice, a copy of the completed inspection form, and any supporting documentation, including, but not limited to, any inspection report prepared by the geologist, civil engineer, landscape architect, or forester, who conducted the inspection."

Please use the attached suggested SMARA LEAD AGENCY INSPECTION NOTICE FORM or your own form or letter format to provide the information required pursuant to PRC 2774(b).

*Please note whether violations cited in the MRRC-1 have been corrected at the date of this notice.

SURFACE MINING INSPECTION REPORT

(See reverse side of each form page for completion instructions)

I. Mine Name (As Shown on Approved Reclamation Plan) Stevens Creek Quarry	Inspection Date: 08-27-15 and 10-05-15	CA MINE ID# 91- 43-0007
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II. Mine Operator Stevens Creek Quarry, Inc.		Telephone (408) 253-2512 ext 210
Onsite Contact Person Jason Voss		Telephone (408) 640-6160
Mailing Address 12100 Stevens Canyon Rd		
City Cupertino	State CA	ZIP Code 95014
E-mail Address (optional) Jvoss@scqinc.com		

III. Designated Agent Jason Voss		Telephone (408) 640-6160
Mailing Address same as above		
City same as above	State same as above	ZIP Code same as above
E-mail Address (optional) same as above		

IV. SMARA Lead Agency Name (City, County, BCDC, or SMGB) Santa Clara County		
Inspector Marina Rush (Planner), Jim Baker (Geologist), Steve Beams (LDE Inspector), Kirk Girard (Director)		Telephone (408) 299-5784
Title Planner III, County Geologist, Supervising Inspector, Director	Organization Planning Office, Department of Planning & Development	
Mailing Address 70 W Hedding Street, East Wing, 7th Floor		
City San Jose	State CA	ZIP Code 95110
E-mail Address (optional) marina.rush@pln.sccgov.org		

V. Does the operation have:	P	NR	No	Yes
A Permit to Mine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Permit # - Start and Expiration Dates 1253-16-62-94P (Start: 12/17/1996 and expires 02/18/2015; renewable)
Vested Right to Mine	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Year of Lead Agency determination Mediated Agreement adopted 10/08/2002
A Reclamation Plan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RP# 1996-16-62-94P Date Approved 12/17/1996
Reclamation Plan Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RP Amendment # (as applies) 1253-16-62-07P (R2) Date Approved or Status of Amendment 05/14/2009
Has the Operator filed a Mining Operation Annual Report (Form MRRC-2) this Year? Check One: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Year of Most Recent Filed Annual Report: 2014				

VI. Is this Operation on Federal Land? Check One: If "Yes," Provide One or Both of the Federal Mine Land Identification Numbers Below:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
California Mining Claim Number (CAMC#): N/A	Latitude/Longitude at Mine Entrance (Decimal Degrees): 37° 17.785'N / 122° 05.071'W	
U.S. Forest Service or BLM Identification Number (Plan of Operations #): N/A	Status of Plan of Operations (Current/Expired/In Process): N/A	

DISTRIBUTION: Lead Agency sends copies of Inspection notice & completed MRRC-1 to operator, operator's designated agent, BLM or USFS (if required) & retains original.

INSTRUCTIONS FOR COMPLETING SURFACE MINING INSPECTION REPORT

Form MRRC-1 (4/97) Page 1 (Rev. 07/13)

This report is intended to comply with the requirements of California's Surface Mining and Reclamation Act (SMARA – Public Resources Code Sections §§ 2710 et seq., and the associated California Code of Regulations found in Title 14, division 2, beginning at § 3500, hereinafter respectively "PRC" or "CCR") and specifically PRC § 2774(b) and CCR § 3504.5 for operations located on private land and/or partly or solely on Bureau of Land Management (BLM) and U.S. Forest Service (USFS) lands (Title 43, parts 3500, 3600, and 3800 of the Code of Federal Regulations). A Memorandum of Understanding between the U.S. Department of Interior, BLM; U.S. Department of Agriculture, USFS; the State of California, Department of Conservation; and the State Mining and Geology Board (SMGB), discusses implementation of SMARA on Federal lands in California that are under the jurisdiction of the BLM and/or the USFS.

As required by PRC § 2774(b) and CCR § 3504.5(g), Lead Agencies shall file an Inspection Notice that includes a statement regarding compliance with SMARA, a copy of this Surface Mining Inspection Report (MRRC-1) and any other supporting documentation with the Department within 30 days of completion of the inspection. The Lead Agency shall also forward a copy of the Inspection Notice, MRRC-1, and any supporting documentation to the operator.

- BLOCK I:** Enter the name of the Mining Operation, the date of the inspection, and the California Mine ID number.
- BLOCK II:** Enter the name of the Mine Operator, mailing address, phone number, name, and email address (optional) of the person to serve as the onsite contact.
- BLOCK III:** Enter the name, mailing address, phone number, and email (optional) of the Designated Agent who, under PRC § 2772(c)(1) and 2207(a)(1), will serve as a contact for any follow-up correspondence or discussions regarding the inspection or noted violations.
- BLOCK IV:** For "Lead Agency," enter the name of the certified SMARA Lead Agency that is conducting this inspection. Acceptable entries include the name of the city, county, Bay Conservation and Development Commission (BCDC), or State Mining and Geology Board (SMGB). For "Organization," enter the name of the agency, firm or other organization that employs the inspector.
- BLOCK V:** Check the appropriate boxes.
- | | |
|-------------|---|
| P | Pending (on appeal or awaiting approval by Lead Agency) |
| NR, No, Yes | Not required for this operation at the time this inspection was completed |
| | No |
| | Yes, supply information |

Note: Where appropriate, to aid in determining when the lead agency recognized that the operation has vested mining rights, inspectors are advised to review older agency correspondence; minutes of lead agency hearings, including agendas and staff reports associated with approvals of any kind related to the mining operation.

- BLOCK VI:** Indicate if the operation is on federal Land; if operation is on federal land, include a California Mining Claim Number and/or a BLM/USFS Identification Number and Plan of Operations Number, if applicable. Give the status of the BLM/USFS Plan of Operations, as indicated. Give the latitude and longitude at the mine entrance in decimal degrees.

DISTRIBUTION INSTRUCTIONS:

One copy of the inspection notice and this completed Inspection Report (all pages) shall be given to the Mine Operator and the operator's designated agent by the lead agency (PRC Section 7374(b)).

The Lead Agency must retain the original copy of this Inspection Report and submit one copy of this Inspection Report, along with an original inspection report notice (PRC Subsection 2774(b)), within 30-days of the completion of the inspection, to:

Department of Conservation
Office of Mine Reclamation
801 K St MS 09-06 Sacramento, CA 95814-3529

If any part of the operation inspected is on BLM or USFS land, one copy of this Inspection Report should be forwarded to the appropriate BLM or USFS office.

SURFACE MINING INSPECTION REPORT

VII. Financial Assurance		Inspection Date: 08-27-15 and 10-05-15	CA MINE ID#: 91- 43-0007	
Type of Financial Assurance Mechanism(s) Surety Bond	Financial Assurance Mechanism Number(s) Liberty Mutual #70000907	Amount of Mechanism \$653,408.99	Date of Expiration none	Date of Lead Agency Approval of Mechanism January 30, 2014
Total Amount of Mechanism(s)		\$653,408.99		
<input checked="" type="checkbox"/> Financial Assurance Mechanism Pending Review by Lead Agency? If yes, provide date submitted/explanation and amount of pending mechanism: <small>July 2015, pending amount \$2,304,756.29. County review complete and DID NOT certify the FACE calculations are in keeping with the FA Guidelines, SMARA Section 2774(c). Revisions due to County by 11/01/2015.</small>				
Has there been a change of operator since last inspection? If yes provide the date of notice. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date of Change:	If yes, has the new operator posted a Financial Assurance Mechanism? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, describe status of new operators Financial Assurance Mechanism: N/A		Does new operator's Notice of Change include a statement of responsibility for reclamation? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Date and Amount of Most Recent Approved Financial Assurance Cost Estimate:		Date: December 26, 2013 Amount: \$653,408.99		
<input checked="" type="checkbox"/> Financial Assurance Cost Estimate Pending Review with Lead Agency?		Date Submitted/Explanation/Amount of pending estimate: Last year, June 2014 FACE for \$731,721.84 was not certified and Operator revised FACE July 2015 to currently \$2,304,756.29. County is reviewing the current FACE and will submit to the OMR when it is certified as keeping with SMARA.		
<input type="checkbox"/> Financial Assurance Cost Estimate Appealed by Operator?		Date Submitted to State Mining and Geology Board or Lead Agency for Appeal/Explanation: N/A		
<input type="checkbox"/> Other?		N/A		

INSTRUCTIONS FOR COMPLETING SURFACE MINING INSPECTION REPORT

Form MRRC-1 (4/97) Page 2 (Rev. 07/13)

BLOCK VII: Type of Financial Assurance Mechanism(s): Fill in the type of mechanism(s) that are on file. PRC § 3803 and SMGB Financial Assurance Guideline number 10 describe Surety Bonds, Trust Funds, or Irrevocable Letters of Credit as acceptable financial assurance mechanisms for non-governmental entity operators. For surface mining operations owned and operated by state and local government entities, Surety Bonds, Trust Funds, Irrevocable Letters of Credit, Pledges of Revenue, and Budget Set Aside are acceptable financial assurance mechanisms.

State the Financial Assurance Mechanism(s) document number(s). State the dollar amount of each Financial Assurance Mechanism(s) currently on file. State the date of expiration of the Financial Assurance Mechanism(s) currently on file. State the date of approval for the most recent lead agency approved Financial Assurance Mechanism(s) on file. State the total dollar amount of mechanisms held for reclamation.

Indicate if any Financial Assurance Mechanisms are pending review by the lead agency and the date and amount of submittal to the lead agency.

Indicate if there has been a change of operator of record since the last inspection and, if so, note the date the change occurred and whether the new operator has signed any document acknowledging reclamation responsibility under the approved reclamation plan and if the new operator has posted a Financial Assurance Mechanism. If a replacement Financial Assurance Mechanism has not been posted, indicate the status of the new operator's replacement Financial Assurance Mechanism. Per PRC § 2773.1(c) and Guideline number 19 of the SMGB's Financial Assurance Guidelines, when operatorship is transferred, "the original financial assurance must remain in effect until the lead agency has approved, following department review, the replacement assurances provided by the successor operator."

The Financial Assurance amount must be adjusted and approved annually to account for new lands disturbed by surface mining operations and lands to be disturbed in coming year, inflation, and reclamation of lands accomplished in accordance with the approved Reclamation Plan (PRC § 2773.1(a)(3) and SMGB Financial Assurance Guideline #16). In order to determine what adjustments, if any, are appropriate to the Financial Assurance Mechanism amount, each mine operator must submit annually a revision of the written Financial Assurance Cost Estimate to the Lead Agency (PRC § 3804(c)). Provide the date of the operator's most recent revision of the Financial Assurance Cost Estimate to the Lead Agency and where appropriate, provide a status of the pending Financial Assurance Cost Estimate. Provide the date and amount of the most recently approved Financial Assurance Cost Estimate.

Also indicate if the Financial Assurance Cost Estimate is under appeal to the lead agency or whether it has been appealed to State Mining and Geology Board as described in PRC § 2770(e).

Use the Financial Assurance "Other" and "Explanation" blocks to provide any other pertinent information regarding the status of Financial Assurance(s). If the operation does not have a sufficient Financial Assurance Cost Estimate and/or Financial Assurance Mechanism, explain in detail.

SURFACE MINING INSPECTION REPORT

VIII. Non-SMARA facility operations conditions solely of local concern (e.g. hours of operation) do not need to be noted here. See Instructions for Block VIII on reverse side of page. [Use separate sheet(s) where necessary. Refer to item numbers below]		CA MINE ID # <div style="font-size: 1.2em; font-weight: bold;">91- 43-0007</div>	
Potential Reclamation Plan Requirements:	List Reclamation Plan Requirements (Recommended to be filled out prior to field inspection)	Note Site Conditions and Compliance Issues (Note additional comments on Page 5 as necessary)	VN?
1) General Information	Mineral products: aggregate No limit of product as set forth by County approvals. End of operations is not defined in the reclamation plan. End use pursuant to the Reclamation Plan is Open Space. The mine operator applied for a Reclamation Plan Amendment to add end date. The application is under review by the lead agency.	Inspectors observed active mining operations. Operator has current use permit to operate recycling facility for concrete, asphalt, and dirt. Those operations were also active during the inspection. See Attachment A for more discussion.	<input type="checkbox"/>
a) Permitted Mineral Product(s)			
b) Approved Production Amount <small>(Annual/Gross)</small>			
c) End Date of Operations Per RP			
d) Permit end date			
e) End Use			
2) Boundaries	Property and reclamation plan boundaries are shown in Figures 6 and 8 of the reclamation plan approved in May 2009. The property boundary of Parcel A was subsequently modified in a lot line adjustment approved by the County, 2013, to coincide with the reclamation plan boundary.	Inspectors observed an 47 feet tall earthen dam between Upper and Middle ponds, partially located outside Rec Plan boundary. Upper Basin partially located outside Reclamation Plan and property boundary. Inspectors observed access road along the high cut wall is very close to property and Rec Plan boundary, within 15 feet. See Attachment A for more discussion.	<input checked="" type="checkbox"/>
a) Property Boundary			
b) Permit Boundary			
c) Rec. Plan Boundary (RPB)			
d) Setbacks			
3) Slopes – Grading	Max. working slopes 1.5:1 as shown on Figures 6 and 8 of 2009 reclamation plan amendment (RPA), and on Sheet 2 of 6 of the RPA drawings by Resource Design Technology. Reclaimed in Parcel A to be 1.5:1 slopes as shown in Figure 11, and will vary from 2:1 to 3:1 in Parcel B, as shown in Figure 13 of the RPA, and on Sheet 3 of 6 of the RPA drawings by Resource Design Technology. See also Appendix D of the RPA (Slope Stability Report) for further information.	Mining was active during the field visit. Inspectors observed open cracks and vertically displaced scarps on west and north slopes of the quarry pit. See Attachment A for more discussion.	<input type="checkbox"/>
a) Fill Slopes – Note Condition of:			
i) Slopes – Working (max/current)			
ii) Slopes – Reclaimed			
iii) Compaction			
b) Cut Slopes – Note Condition of:			
i) Slopes – Working (max./current)			
ii) Slopes – Reclaimed			
4) Erosion Control	Erosion control is managed through re-vegetation of disturbed slopes as set forth in the RPA, Section 4, and by managing onsite surface water runoff as shown on Sheet 6 of 6 of the RPA drawings by Resource Design Technology. Erosion control and BMPs are also detailed in Table WQ-4 of the Initial Study for the RPA.	Inspectors observed fill and recent graded areas. These areas need erosion control measures to be installed prior to rain season. See attachment A for more discussion.	<input type="checkbox"/>
a) BMPs			
b) Grading			
c) Vegetation			
5) Ponds	RPA drawing 6 of 6 by Resource Design Technology shows six basins at full excavation and three permanent ponds at final reclamation.	Inspectors observed Upper and Middle Basins water levels at capacity. Lower basin and settling ponds are clean and free of vegetation. There may have capacity issues with rain season. See Attachment A for more discussion.	<input type="checkbox"/>
a) Design – Function			
b) Capacity (area/depth/volume)			
c) Maintenance			
6) Stream & Wetland Protection	Stream protection is addressed in the RPA through erosion control and surface water management as described RPA Initial Study, implementation of a Storm Water Pollution Prevention Program (SWPPP), approved by the San Francisco Water Control Board in 1997.	Inspectors observed Upper, Middle and Lower Basins in the Montebello Creek channel, earthen dam is located between basins. Material stockpile located on Parcel A is hydroseeded.	<input type="checkbox"/>
a) Buffers (distance to channel)			
b) Berms (distance/length/height)			
c) Best Management Practices			
d) Drainage			
e) Grading & Slopes			
f) Stockpiles			
g) Stream Diversions			
7) Sensitive Wildlife & Plant Protection	Sensitive wildlife and plant species are described in the 2009 RPA initial study, and addressed through mitigation measures, were are incorporated into the RPA as conditions of approval 14 through 17 (see Attachment B).	Mitigation measures are triggered when new areas of disturbance occur through mine or reclamation operations within a 9.5 acre expansion area authorized by the 2009 RPA. County inspectors observed no new areas of disturbance in the expansion area.	<input type="checkbox"/>
a) List Species			
b) Protection Measures			

INSTRUCTIONS FOR COMPLETING SURFACE MINING INSPECTION REPORT

Form MRRC-1 (4/97) Page 3 and 4 (Rev. 07/13)

BLOCK VIII: INSTRUCTIONS FOR EACH DATA COLUMN:

Potential Reclamation Plan Requirements (Column 1): Under CCR § 3504.5(f), "Inspections may include, but shall not be limited to the following: the operation's horizontal and vertical dimensions, volumes of materials stored on the site; slope angles of stock piles, waste piles and quarry walls; potential geological hazards; equipment and other facilities; samples of materials; photographic or other electronic images of the operation; any measurements or observations deemed necessary by the inspector or the lead agency to ensure the operation is in compliance with Public Resources Code Chapter 9." Column 1 provides a list of items that may be included in the approved reclamation plan, either expressly or by reference as described in PRC § 2772(d), which may include conditions of approval, other permit requirements and supplementary documents, including environmental documents, prepared for the project pursuant to Division 13 (commencing with Section 21000).

It is not expected that all reclamation plans will include each item of Section VIII, or be limited to the items listed. Items in Column 1 that are not operative requirements in the reclamation plan may not need to be addressed by the inspection. Operative reclamation plan requirements not listed in Items 1 through 12 may be listed in Item 13, under "Other Reclamation Plan Requirements."

Reclamation Plan Requirements (Column 2): Prior to field inspection, it is recommended that the inspector review the approved reclamation plan and any amendments, as well as any other documents included by reference, including conditions of approval, other permit requirements and supplementary documents, such as environmental documents prepared for the project pursuant to Division 13 (commencing with Section 21000) that specifically relate to reclamation of the mine site. The most recently approved Financial Assurance Cost Estimate and any pending or ongoing enforcement actions should also be reviewed. Conditions of approval that relate to facility operations solely of local concern, such as hours of operation, noise, and dust control are not subject to the inspection.

Column 2 is intended to provide the inspector a place to match any items noted in Column 1 with those items included in the approved reclamation plan either expressly or by reference as described in PRC § 2772(d), which may include conditions of approval, other permit requirements and supplementary documents, including environmental documents prepared for the project pursuant to Division 13 (commencing with § 21000). Also note any Interim Management Plan (IMP) requirements where the mine is subject to an IMP pursuant to PRC § 2770(h).

Indicate the source document for the reclamation plan requirements at the end of the entry in parenthesis; i.e. (COA) (POO) (EIR) (WDR) (SWPPP), etc. Conditions of approval that relate to facility operations solely of local concern, such as hours of operation, noise, and dust control should not be included in Column 2. If items listed in Column 1 of Section VIII of the form are not included in the reclamation plan or other documents included by reference, write not applicable or "NA" in Column 2.

Specific reclamation requirements may not apply to an operation at the time of inspection, but they are important to be aware of to ensure current activity at the site will not prohibit reclamation in accordance with the approved reclamation plan.

A copy of the Surface Mining and Reclamation Act of 1975 and 1993 SMGB regulations may be obtained at <http://www.conservation.ca.gov/omr/lawsandregulations/Pages/SMARA.aspx>.

Site Conditions and Compliance Issues (Column 3): Describe current site conditions and compliance issues noted for both operating and reclaimed surfaces that pertain to the reclaimed condition of the mining site. Block IX is provided for additional space to describe site conditions and/or compliance issues. Attach additional sheets as necessary. Evaluations of slope stability and engineered compaction should be prepared by qualified professionals only. PRC § 2774(b)) states "The lead agency may cause an inspection to be conducted by a state licensed geologist, state licensed civil engineer, state licensed landscape architect, or state licensed forester, who is experienced in land reclamation and who has not been employed by a surface mining operation within the jurisdiction of the lead agency in any capacity during the previous 12 months."

VN? (Column 4): Use this box to indicate if violations were noted for any of the specific items under the corresponding item group heading (e.g., Boundaries, Slopes-Grading, etc.) during field inspection of the site. Enter number of violations in the box.

SURFACE MINING INSPECTION REPORT

VIII. Non-SMARA facility operations conditions solely of local concern (e.g. hours of operation) do not need to be noted here. See Instructions for Block VIII on reverse side of page. [Use separate sheet(s) where necessary. Refer to item numbers below]		CA MINE ID # 91- 43-0007	
Potential Reclamation Plan Requirements:	List Reclamation Plan Requirements (Recommended to be filled out prior to field inspection)	Note Site Conditions and Compliance Issues (Note additional comments on Page 5 as necessary)	VN?
8) Soil/Overburden Stockpile Management a) Topsoil i) Location ii) Slope Stability iii) BMPs b) Overburden i) Location ii) Slope Stability iii) BMPs c) Topsoil Application i) Amendments ii) Depth iii) Moisture iv) Application Methods	Stockpiles of topsoil and overburden are shown in the Existing Conditions, Figures 3 and 4 for Parcel A and Parcel B of the quarry respectively. A stockpile is located in the east portion of Parcel A that includes topsoil. Stockpiles in the southwesterly and southeasterly corners of Parcel B are shown on Sheet 6 of 6 of the RPA drawings by Resource Design Technology. These stockpiles are mostly overburden material that may be used for fill, as part of final reclamation.	Stockpile on Parcel A is vegetated from hydroseed in previous years. The vegetation from the hydroseeding appeared to effectively prevent erosion, and protect the material underneath. Inspectors did not observe BMPs in place on some fill areas located on Parcel B. Need confirmation on volume available onsite from Operator to reclaim current pit. See Attachment A for further information.	<input type="checkbox"/>
9) Revegetation a) Test Plots b) Species Mix c) Density d) Percent Cover e) Species Richness f) Protection g) Success Monitoring h) Invasive Species Control	The approved Reclamation Plan Amendment revised the plant list of vegetation to be used for revegetation of disturbed areas during reclamation. The plant list is included in Section 4.3 of the RPA (Table 1, "Revised Revegetation Palette"). Location of vegetation types is shown in Figures 16 and 17 of the RPA, as well as Sheet 5 of 6 of the drawings by Resource Design Technology.	A 2.4 acre area where prior vegetation was planted was not successful. County recommends installing test plots to help test for and ensure success of revegetation plan. See Attachment A for further information.	<input type="checkbox"/>
10) Structures	Structures not shown on the reclamation plan to remain following reclamation of the quarry must be removed.	No changes to onsite structures.	<input type="checkbox"/>
11) Equipment	Equipment used for mining purposes must be removed following reclamation of the quarry.	Crusher equipment was relocated and retaining wall constructed to southwest portion of Parcel B. Operator is in process of getting building permits.	<input type="checkbox"/>
12) Closure of Adits	The mine does not include adits; none are required to be addressed through reclamation.	N/A. The mine does not include adits; none are required to be addressed through reclamation.	<input type="checkbox"/>
13) Other Reclamation Plan Requirements	N/A	N/A	<input type="checkbox"/>

SURFACE MINING INSPECTION REPORT

<p>IX. List comments/description/sketches to support observations of mine site conditions, including violations. Where any violations are noted, list in numerical order, along with suggested corresponding corrective actions. Also describe preventative measures recommended by the inspector to avoid or remedy potential violations. Indicate if you have attached photos, sketches, and/or notice(s) of violation(s) or other documents to this form. (Add additional sheets as necessary)</p> <p>AREAS OF CONCERN AND ISSUES TO MONITOR:</p> <p>See Attachment A for discussion and schedule.</p>	CA MINE ID # 91- 43-0007
	Inspection Date: 08-27-15 and 10-05-15
	Weather Code(s): CR
	Duration of Inspection: 3 hours Start Time: 9:15 AM End Time: 12:15 PM
	Status of Mine Code(s): A
	Status of Reclamation Code(s): R Approximate Acreage Under Reclamation: 2.4 acres Approximate Acreage the lead agency has determined reclaimed in accordance with the approved reclamation plan: 0.0
	Approximate Total Disturbed Acreage: 123 acres Approximate Pre-SMARA Disturbed Acreage:
	Disturbed Acreage Identified in Most Recent Financial Assurance Cost Estimate: 117.8 acres
	Previous Inspection Date (and Number of Violations then Noted): November 11, 2014 (0) Violations Corrected? (explain in block to left) N/A
	Inspection Attendees and Affiliations: Marina Rush, Jim Baker, Steve Beams, Santa Clara County; Jason Voss, Rich Voss Stevens Creek Quarry

X. Number of Current Violations: <div style="font-size: 2em; margin-left: 10px;">0</div>	Inspectors Signature: <i>[Signature]</i>	If inspector is a contractor for the lead agency give license type and number: <i>CEG 1021</i> <div style="font-size: 1.5em; margin-left: 10px;">n/a</div>
	Date Signed: <i>10-16-2015</i>	

INSTRUCTIONS FOR COMPLETING SURFACE MINING INSPECTION REPORT

Form MRRC-1 (4/97) Page 5 (Rev. 05/13)

BLOCK IX

Inspectors may use the large open block for comments to describe violations, corresponding corrective actions, or preventative measure(s) suggested by the inspector to address noted violations or avoid potential violations, and to explain any limitations on the inspection conducted. The inspector can also use this space to describe the status of any pending or current enforcement actions. Separate violations that are the subject of existing enforcement actions from violations observed during the current inspection.

Enter California Mine ID Number and Date of Inspection.

Weather Codes: CR = Clear; CL = Cloudy; RN = Rain; SN = Snow; WD = Windy

For "Duration of Inspection," indicate the start and end times of the inspection (do not include travel time).

SMARA Status Codes (based on annual report and reported production under CCR § 3695, indicate the appropriate status code)

I = Idle (Per § 2727.1)

NP = Newly Permitted (must be no mining/disturbance)

AB = Abandoned (Per § 2770(h)(6))

NOP-NC = Not in operation, reclamation not completed

NOP-C = Not in operation, reclamation completed

If idle, indicate either the date operation became idle as defined by PRC Section 2727.1, the date an IMP was approved, or the status of any pending IMP.

Status of Reclamation Codes:

RN = Reclamation not begun

P = Post reclamation monitoring

R = Reclamation in progress

RC = Reclamation complete

Enter approximate acreage under reclamation (the number of acres actively being reclaimed in accordance with the approved reclamation plan).

Enter approximate acreage determined to be reclaimed in accordance with the approved reclamation plan by Lead Agency.

Enter approximate total disturbed acreage. This includes all acreage disturbed by the surface mining operation, as defined by PRC § 2729: "Mined Lands' includes the surface, subsurface, and ground water of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any such area, land excavations, workings, mining waste, and areas in which structures, facilities, equipment, machines, tools or other materials or property which result from, or are used in, surface mining operations are located." This should include acreage under reclamation that has not been determined to be reclaimed in accordance with the approved reclamation plan by the Lead Agency.

Enter the total number of acres within or adjacent to the disturbance area of the operation disturbed pre-SMARA (disturbance before January 1, 1976, that has not had mining related disturbance after January 1, 1976).

Enter the disturbed acreage identified in the most recent Financial Assurance Cost Estimate (i.e., the disturbed acreage that was used to calculate the most recent Financial Assurance Cost Estimate).

Enter the date of the previous lead agency inspection and number of violations noted during that inspection.

Attendees: Provide the names and affiliations of parties in attendance at the inspection.

BLOCK X:

Enter the number of violations noted during the inspection. Sign and date the Inspection Report. If the inspector is a consultant to the lead agency, include the inspector's certification (PE, PG, CEG, etc.) and license number, if applicable. The lead agency may cause an inspection to be performed by contracting with private consultants, specifically: state licensed geologist, state licensed civil engineer, state licensed landscape architect, or state licensed forester per § 2774(b).

Attachment A

2015 Annual SMARA Inspection

Stevens Creek Quarry County File 1253-94P-07P-15PAM State Mine ID #91-43-0007

Inspection Date: August 27, 2015

Report Date: October 13, 2015

The 2015 annual SMARA inspection was conducted for approximately 3 hours on the morning of August 27, 2015. In attendance were Marina Rush, Planner III, Jim Baker, County Geologist, and Steve Beams, [Grading] Construction Inspector, representing Santa Clara County, and Jason Voss representing Stevens Creek Quarry. The mine was active (A) during the inspection. The weather during the inspection was clear (CR). The mine entrance is located near latitude 37° 17.785'N and longitude 122° 05.071'W.

BACKGROUND

Stevens Creek Quarry lies in a north-northwest trending canyon on the northeast of Monte Bello Ridge in the Santa Cruz Mountains. The access to the mine is off of Stevens Canyon Road, which runs along the west side of the Stevens Creek Reservoir and Stevens Creek County Park. The County approved the current Reclamation Plan, May 2009. The current mining operations occur in two areas commonly referred to as "Parcel A" and Parcel "B" (see Reclamation Plan map Sheet 1) Parcel A encompasses 51 acres on the southeast side and Parcel B, encompassing a combined 96 acres on the northwest. The mine operations and reclamation plan encompass approximately 147 acres of a 167-acre site. Parcel A is the southeastern portion of the mine and contains the mining operations offices, shops, and maintenance facilities. The County issued a Use Permit in 1996 for recycling concrete, asphalt, and soil; this recycling facility also located on Parcel A.

Quarrying also occurs on Parcel B where the crushing, screening and sorting operations occupy the floor of the pit. Mining in Parcel B extracts primarily Franciscan greenstone for aggregate. The land to the north, east, and west sides of Parcel B is undeveloped land owned by Lehigh Southwest Cement Company.

SITE CONDITIONS

Recycling Operations: The northeastern portion of Parcel A is used for mining and recycling concrete, asphalt and topsoil. Large stockpiles of these materials are placed along the northern portion of the parcel boundary and partially bury the finished mine slope. The recycling equipment is located behind the quarry offices on Parcel A. (Photos 1 and 2)

Slump Repair: An area located behind the recycling operation on Parcel A had a slump repair (2012) and is stable, no changes observed. (Photo 3)

Stockpile Parcel A: Inspectors observed large stockpile on Parcel A. Unclear based on inspection, if stockpiled materials observed onsite are sufficient to reclaim the current pit to the approved Reclamation Plan standards. Operator states there is sufficient fill and has calculations to confirm (verbal communications with R. Voss, Oct. 6, 2015). Operator will submit calculations with the revised FACE. (Photo 4)

Re-vegetation: of 2.4 sloped acres along the northern boundary of Parcel A occurred several years ago, however, trees that were planted on the slopes did not survive the acclimation period. The operator attempted to have the 2.4 acres planted in previous years; however, insufficient survival of the plants prevented final planting. Operator stated they will install a test plot area located on upper slope adjacent to upper access road adjacent to pit. The County recommends the operator consult with a qualified biologist or botanist to install test plots and reconsider the plant choice for the location, taking into consideration the climate, soils, and slope of the land.

Settling Basins: As previously reported, storm water from the quarry is stored in a series of settling basins that run along the southern boundary of Parcel A and B (Upper Settling Basin, Middle Settling Basin, Lower Settling Basin). Two of these basins (Middle and Lower) are in Parcel A, the lowermost basin being the largest. The settling basins eventually discharge offsite from a southeastern basin adjacent to the mine entrance to the creek and eventually Stevens Creek Reservoir. Inspectors observed an earthen impoundment/dam, approximately 47 feet high between Upper Settling Basing and Middle Settling Basin, and is partially located outside of property line (see stake marker) and Reclamation Plan boundary. Inspectors observed the basins' capacity is currently full of water. (Photos 5 and 6)

Operator communicated they will apply for a lot line adjustment to modify the property line (oral communications with J. Voss, August 27, 2015). This also requires a Reclamation Plan Amendment (RPA) to modify the boundary, this can be processed with the current RPA application. County requires these applications be submitted/modified as soon as possible and no later December 1, 2015. County recommends Operator research and consult with State Department of Water Resources, and other state agencies if applicable, to determine jurisdictional status of the dam. Operator agreed (verbal communication with R. Voss, October 6, 2015) to obtain status of dam and confirm status to County by November 15, 2015.

Stormwater BMPs: County observed ongoing erosion gullies located on fill slopes (Parcel B) above haul road. County requires operator to implement soil stabilization measures and install adequate BMPs no later than November 1, 2015. Erosion control and BMP measures, including hydroseeding for winter, should be implemented at all locations where active grading or disturbed soil (new crusher, fill slope near creek, etc.). County shall conduct a final inspection of the completed work. (Photos 7, 8, and 9)

Crusher and Retaining Wall: Mining is conducted in Parcel B in a north-northwest trending quarry where Franciscan greenstone bedrock is extracted. Equipment for crushing and sorting rock materials is located on Parcel B. Inspectors observed crusher equipment was in process of being relocated during the inspection to the southeast portion of Parcel B. Building permits are required for the foundation and the retaining wall. A Stop Work Order was issued on September 2, 2015 to the Operator and instructed to apply for the appropriate building permits from the County. The Operator stated they will apply for building permits on October 16, 2015. (Photo 10)

Quarry Pit: Looking west at high wall cuts. Localized slumping has occurred between benches that will be buried by fill during reclamation. Looking down on northern slope of pit, localized cracking and erosion rills have formed in the slope. Operator (verbal communication w/ R. Voss October 6, 2015) agreed to obtain a geological evaluation by Sandy Figures, CEG, to assess potential instabilities or movement that may jeopardize reclamation. This report shall be completed and submitted to County on or before Dec. 1, 2015. Also observed upper access road (north) is located within a few feet of property line and Reclamation Plan boundary. County recommends operator demarcate the property line along in the area of the access road prior to next SMARA inspection. (Photos 11, 12, 13 and 14)

CORRECTIONS

1. *Revegetation:* As noted in prior annual reports, Operator should install vegetation test plots on quarried conditions similar to those that will exist for reclamation to prove the viability of proposed reclamation plantings. County recommends Mine Operator contract with a botanist or qualified biologist for the installation and reporting to achieve results for revegetation in accordance with the standards of the Reclamation Plan.

Completion Date: No later than September 1, 2016.

2. *Boundary Amendments:* County requires Operator to apply for a Lot Line Adjustment and modify the Reclamation Plan Amendment application to adjust the property and reclamation area boundaries to incorporate the portions of the Upper Settling Pond and impoundment that are currently outside the boundaries. Due to the close proximity of the upper access road to the northerly property line, the County recommends the Mine Operator demarcate the property line with T-stakes painted in a bright color (e.g., orange) to ensure mining activities do not extend past the property line.

Completion Date: No later than December 1, 2015.

3. *Stormwater BMPs:* County inspectors observed fill slopes with no erosion control measures, primarily in area of new crusher and adjacent to haul road. County requires operator to immediately implement soil stabilization measures and install adequate BMPs, including hydroseeding, at all locations where active grading or disturbed soil have occurred. County will perform final inspection of completed work.

Completion Date: No later than November 1, 2015.

4. *Ponds, stream, earthen dam wall:* County inspectors observed several [in-creek] ponds, identified in the Reclamation Plan as Upper, Middle and Lower Settling Basins, and an earthen dam, approximately 47 feet tall. Upon County recommendation, Operator agreed to research and consult with State Department of Water Resources, and other applicable agencies, to determine jurisdictional status of the dam and report status to County by November 15, 2015 (verbal communication with R. Voss, October 6, 2015 Action plan, if required, shall be submitted to the County by December 15, 2015).

Completion Date: No later than November 15, 2015 to submit documentation on status of dam; no later than December 15, 2015 to submit action plan, if required.

5. *Geologic Assessment:* County inspectors observed open cracks and vertical displaced scarps on west and north slopes of the quarry pit. These are signs of possible instability. Operator agreed to obtain geological evaluation by a certified engineering geologist [Sandy Figures, CEG] to complete a geological assessment to analyze potential instabilities or movement that may jeopardize reclamation (verbal communication w R. Voss October 6, 2015). Operator shall submit geological report to the County Geologist by December 31, 2015.

Completion Date: No later than December 31, 2015.

6. *Stockpile Cover Material:* County inspectors observed material stockpile on Parcel A consistent with the Reclamation Plan maps. Mine operator pointed out some additional stockpile material on Parcel B. Rough volume calculations conducted by a third-party engineer hired by the County, indicated the on-site volume of cover material may be insufficient to meet reclamation requirements for the current quarry pit. In the post inspection meeting, the Operator stated the calculations generated from a highly accurate cut/fill terrain model of the site indicate there is sufficient fill. The operator agreed to share the methodology and output of the terrain model with the County and the third-party engineer to rectify the discrepancy (communications with R Voss, October 6, 2015).

Completion Date: No later than November 30, 2015.

7. *Recycled materials stockpile:* The quarry has an approved use permit for recycling operations for concrete, asphalt and soil. The quarry operator shall provide the County a financial analysis demonstrating the value of the stockpiled materials exceeds the costs of removal and reclamation of the site.

Completion Date: No later than December 31, 2015.

FINANCIAL ASSURANCE

The County of Santa Clara received the financial assurance cost estimate (FACE) for the Stevens Creek Quarry in July 2015. The FACE is under review by the County. When the County certifies that the FACE is complete, County staff will forward under a separate cover letter the FACE to the Office of Mine Reclamation for its mandated 45-day review.

Photo 1 (Recycled Stockpile, view from Montebello Road)



Photo 2 (Recycling Equipment Parcel A)



Photo 3 (Slump Repair, Parcel A)



Photo 4 (Stockpile, Parcel A)

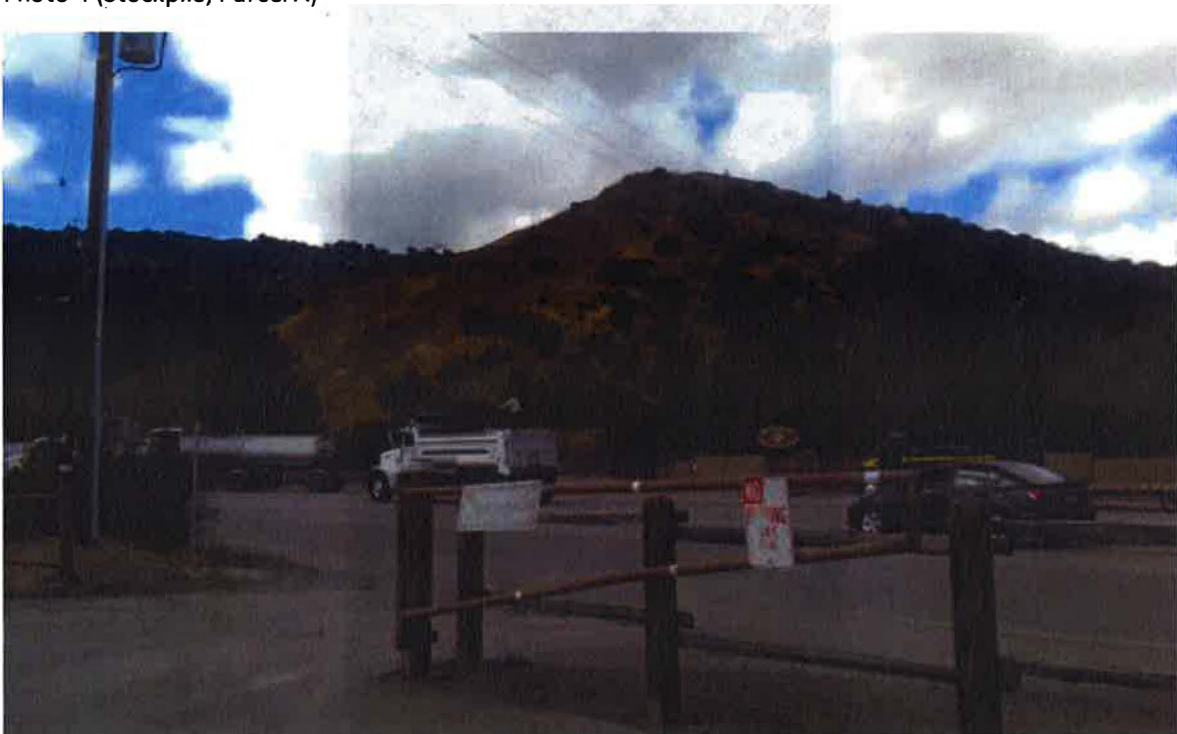


Photo 5 (Earthen Impoundment looking down to Middle and Lower Settling Basins)



Photo 6 (Upper Settling Basin)



Photo 7 (Older fill slop, Parcel B)



Photo 8 (New compacted area, Parcel B)



Photo 9 (Fill slope, Parcel B)



Photo 10 (Rock Crusher Relocated, Parcel B)



Photo 11 (Quarry pit, Parcel B)



Photo 12 (Quarry pit, looking down, Parcel B)



Photo 13 (Quarry pit, Parcel B)



Photo 14 (localized slumping and cracking)

