

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 95110-1705
(408) 299-5770 FAX (408) 288-9198
www.sccplanning.org



February 4, 2016

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

VIA CERTIFIED MAIL

**Subject: MRRC-1 Winter Inspection Report for the Stevens Creek Quarry
County Planning Office File 1253-15PAM
State Mine ID #91-43-0007
Violation**

Dear Ms. Reese:

Enclosed for your records is a copy of the most recent inspection report for the Stevens Creek Quarry (Mine ID #91-43-0007). The County conducts inspections of all quarries located in the County during the winter months to confirm installation and maintenance of BMPs for stormwater. The County conducted the winter inspection on December 22, 2015 and a follow-up inspection with staff from the Regional Water Quality Control Board on January 28, 2016. The MRRC-1 report form and Attachment A, containing field notes and photo documentation, are enclosed.

The County inspectors observed inadequate erosion control measures for both Stevens Creek Quarry Parcels A and B, and evidence of sedimentation discharges into the Montebello Creek and Swiss Creek. The County believes these discharges are in violation of the California Code of Regulations (14 CCR§ 3706. Performance Standards for Drainage, Diversion Structures, Waterways, and Erosion Control) for the following reasons:

- a) Surface mining and reclamation activities shall be conducted to protect on-site and downstream beneficial uses of water in accordance with the Porter-Cologne Water Quality Control Act, Water Code section 13000, et seq., and the Federal Clean Water Act, 33 U.S.C. section 1251, et seq.
- b) Erosion and sedimentation shall be controlled during all phases of construction, operation, reclamation, and closure of a surface mining operation to minimize siltation of lakes and watercourses, as required by the Regional Water Quality Control Board or the State Water Resources Control Board.

c) Surface runoff and drainage from surface mining activities shall be controlled by berms, silt fences, sediment ponds, revegetation, hay bales or other erosion control measures, to ensure that surrounding land and water resources are protected from erosion, gullyng, sedimentation and contamination. Erosion control methods shall be designed to handle runoff from not less than the 20 year/1 hour intensity storm event.

In accordance with SMARA, the County intends to issue an Order to Comply and Notice of Violation to the Stevens Creek Quarry shortly. If you have any questions regarding this matter please feel free to call me at (408) 299-5784.

Sincerely,

A handwritten signature in black ink that reads "Marina Rush". The signature is written in a cursive, flowing style.

Marina Rush, Senior Planner

cc: Kirk Girard, Director, Santa Clara County
Rob Eastwood, Planning Manager, Santa Clara County
Elizabeth G. Pianca, Lead Deputy County Counsel, Santa Clara County
Christine Boschen, San Francisco Bay Regional Water Quality Control Board
Jason Voss, Quarry Manager, Stevens Creek Quarry



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, Planning and
Development
Marina Rush
70 West Hedding Street, East Wing, 7th Floor
San Jose, CA 95110

Date of this Notice: February 4, 2016

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

Date of Inspection: 01-28-16 and 12-22-15

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 :

Stormwater resulting in sediment discharges into creek. Observed inadequate installation and maintenance of BMPs. Please see Attachment A field notes 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: 12-22-15 and 01-28-16	CA MINE ID# 91- 43-0007
---	--	-----------------------------------

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), Steve Beams (LDE Inspector); Michelle Rembaum (Water Board)		Telephone (408) 299-5784
Title Senior Planner, Inspector, Water Boards inspector	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 12/06/1983
Reclamation Plan Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RP Amendment # (as applies) 1253-16-62-07P 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: 12-22-15 and 01-28-16		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 \$2,304,756.29	Date of Expiration none	Date of Lead Agency Approval of Mechanism January 30, 2014	
Total Amount of Mechanism(s)		\$2,304,756.29			
<input checked="" type="checkbox"/> Financial Assurance Mechanism Pending Review by Lead Agency? If yes, provide date submitted/explanation and amount of pending mechanism: 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.					
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: July 2015 and December 2015 Amount: \$2,304,756.29 supplemental reports
<input checked="" type="checkbox"/> Financial Assurance Cost Estimate Pending Review with Lead Agency?	Date Submitted/Explanation/Amount of pending estimate: County reviewed and commented on the 2015 FACE; Operator increased the financial mechanism to \$2,304,756.29 and approved FA on Nov. 30, 2015; Operator submitted supplemental 2015 FACE documents; County is reviewing new data.
<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 # 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?
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.	Inspectors observed active mining operations, no end date in Rec Plan; Operator has Use Permit to operate recycling facility for concrete, asphalt, and dirt.	<input type="checkbox"/>
a) Permitted Mineral Product(s)			
b) Approved Production Amount (Annual/Gross)			
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.	No change since 2015 SMARA inspection. County will inspect and survey north property line boundary and 25 ft setback during 2016 SMARA inspection.	<input checked="" type="checkbox"/>
a) Property Boundary			
b) Permit Boundary			
c) Rec. Plan Boundary (RPB)			
d) Setbacks			
3) Slopes – Grading	Max cut of quarried floor will be 700 ft amsl; quarried walls will be cut to .5:1 at lower walls and reclaimed to final slope of 1.5:1. Engineered fill will be placed for final slopes of the floor of Parcel B at a grade of 2:1 or flatter.	Mining was active during the field visit. Inspectors observed open cracks and vertically displaced scarps on west and north slopes of the quarry pit, other fill slopes. 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.	Violations observed as described in Attachment A.	<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.	Violations observed as described in Attachment A.	<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.	Violations observed as described in Attachment A.	<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.	Topsoil, overburden vs material stockpiles are not clearly defined on maps and confusing in the field. Operator agreed to prepare a site map to identify each current location. Map shall be submitted to the County by March 1, 2016.	<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.	<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.	<small>Crusher equipment was relocated and retaining wall constructed without building permits on SE portion of Parcel B. Stop Work Order issued Operator. Operator applied for permits.</small>	<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>Discharges and sedimentation runoff into the creek.</p> <p>County recommendations were made to Operator in August 2015 SMARA inspection and during follow up courtesy inspection on October 22, 2015. Inspection on December 22, 2015 and January 28, 2016 observed significant discharges and sedimentation runoff to the onsite creek.</p> <p>See Attachment A for discussion and photo documentation.</p>	<p>CA MINE ID # 91- 43-0007</p> <hr/> <p>Inspection Date: 12-22-15 and 01-28-16</p> <hr/> <p>Weather Code(s): CL</p> <hr/> <p>Duration of Inspection: 4 hours Start Time: 1:30 PM End Time: 5:15 PM</p> <hr/> <p>Status of Mine Code(s): A</p> <hr/> <p>Status of Reclamation Code(s): RN Approximate Acreage Under Reclamation: 0.0 acres <small>Approximate Acreage the lead agency has determined reclaimed in accordance with the approved reclamation plan: 0.0</small></p> <hr/> <p>Approximate Total Disturbed Acreage: 123 acres Approximate Pre-SMARA Disturbed Acreage: 0</p> <hr/> <p>Disturbed Acreage Identified in Most Recent Financial Assurance Cost Estimate: 117.8 acres</p> <hr/> <p>Previous Inspection Date (and Number of Violations then Noted): 08-27-15 and 10-05-15 (0) Violations Corrected? (explain in block to left) see Attachment A.</p> <hr/> <p>Inspection Attendees and Affiliations: Marina Rush, Steve Beams, Michael Rhoades Santa Clara County; Michelle Rembaum, Devender Narala, and Elyse Heilshorn, Water Board; and Jason Voss and Mignone Stevens Creek Quarry</p>
--	---

X. Number of Current Violations: <div style="font-size: 2em; font-weight: bold; text-align: center;">1</div>	Inspector's Signature: <hr/> Date Signed: 02-04-2016	If inspector is a contractor for the lead agency give license type and number: <div style="font-size: 1.5em; font-weight: bold; text-align: center;">n/a</div>
---	---	---

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

FIELD REPORTS AND PHOTO DOCUMENTATION

December 22, 2015

January 28, 2016

County of Santa Clara
Department of Planning and Development
County Government Center, East Wing
70 West Hedding Street, 7th Floor
San Jose, California 95110



Administration	Affordable Housing	Building Inspection	Fire Marshal	Land Development Engineering	Planning
Ph: (408) 299-6740	(408) 299-5750	(408) 299-5700	(408) 299-5760	(408) 299-5730	(408) 299-5770
Fax: (408) 299-6757	(408) 299-6709	(408) 279-8537	(408) 299-6757	(408) 279-8537	(408) 288-9198

Date: December 28, 2015

Subject: 2015 / 2016 Stevens Creek Quarry SMARA Winterization Inspection Report
County Planning Office File # 1253-94P-07P-15PAM
State Mine ID #91-43-0007

Inspection Date: December 22, 2015
Hours: 1000hrs – 1138hrs

As a follow up to the August 27, 2015 summarization inspection and October 29, 2015 post correction completion / courtesy re-inspection of the Stevens Creek Quarry; a subsequent winterization inspection was performed on December 22, 2015. The winterization inspection sites included sites that were noted in the summarization inspection, as well as an overall quarry inspection of their quarry operation. The current status of the quarry is currently active and in attendance was Jason Voss w/ SCQ and myself.

Noted within the previous 8/27/15 Summerization Report, a total of seven (7) Corrections were specifically identified with required completion dates. Numerous areas noted within the Summerization report were in need of Best Management Practices or "BMP's." An additional courtesy re-inspection tour occurred on 10/29/15 to revisit and address the County's concerns with the lack of stormwater controls, absence and or lack of BMP's, unfinished storm basin improvements, etc. One area of concern (southern fill slope adjacent to the creek) was revisited specifically to address and point out the County's concern with bare fill slopes and lack of BMP's with a nearby creek. SCQ then agreed to install and address areas identified within the Summerization inspection and the 10/29/15 inspection. A follow up email from SCQ was sent with photos of installed BMP's primarily or at a minimum around the southern fill slope toe / creek. At that time, two other areas including the upper PG&E access road and the erosion gullies at the concrete platform weren't addressed by SCQ with BMP's.

12/22/2015 SMARA Winterization Inspection Notes:

1. **Boundary Demarcation** was recommended within the last Summerization Inspection report, still uncompleted within the "upper access road to the northerly property line." It was again recommended that T-stakes painted with bright paint be installed to demarcate boundaries. This item was noted as number 2 in the Summerization Corrections to be completed by 12/1/2015.
2. **Stormwater BMP's:**
 - a) **Southern fill slope(s) above creek in Parcel B** had minimal BMP's (Pics 1,2) to protect

the newly constructed fill slope(s) to prevent slope erosion and erosion gullies from entering storm inlets. Fill material and sediment was observed over land onto the lower existing vegetative hillslopes, that eventually had sediment turbid water entering the creek. **(Pic 3)** The minimal fill slope BMP's that were installed post the 10/29/15 inspection helped; however, were overwhelmed with recent storm activity due to the lack of fill slope BMP's. **(Pic 4)** It was recommended to address all fill slopes with BMP's, maintain existing failed BMP's, and install more BMP's to the area to prevent erosion and sediment from reaching the lower creek / reservoir. **(Pic 5)**

- b) **Southern fill area platform in parcel B** lacks BMP's with storm inlet protection to fill area, silt fences, more rock checks dams, etc. This upper fill area storm drainage system apparently connects directly into the creek.
- c) **New Unpermitted Rock Crusher and Support Area, New Crusher Retaining Wall(s), Upper Support area, Newly Graded Fill Slopes and New Crusher Intake Area** lack BMP's and no apparent drainage improvements or new storm infrastructure to support new roads, grading, crusher pad, sub surface wall drainage, etc. Existing sediment basin and existing area storm infrastructure near or at capacity with stormwater runoff. Erosion and Sediment runoff from newly graded area combined with lack of BMP's visible, along with the rear erosion to the new upper crusher intake retaining high wall. **(Pic 6)**
- d) **Newly Construction Sediment Basin near New Rock Crusher** lacks BMP's, inlet and outlet energy dissipators, upper fillslope BMP's, etc. New rock crusher support area stormwater has eroded the northwestern edge of basin resulting in crews placing material to block area stormwater flows and then channeling into the existing unprotected drainage system; apparently bypassing the basin at capacity. This diverted stormwater along with the basin apparently then flows directly into the lower creek without further sediment controls before the lower creek inline reservoir. **(Pics 7, 8)**
- e) **Soil Stock Piles in Parcel A and the upper soil stock pile** in need of housekeeping and winterization pre and post rain events. Multiple stock piles were uncovered due to the weather conditions with one stock pile needing to be covered completely. **(Pic 9)**
- f) **Drainage pond on Parcel A near "Gun Club Entrance"** needs to be de-weeded free of weeds and debris.
- g) **Upper PG&E Access Road** storm infrastructure lacks inlet protection and sediment rock check dams. The sediment basin closest to the upper northeastern corner lacks inlet protection, etc.
- h) **Large Stock Pile on Parcel A** lack BMP's. This large stockpile onsite will be used as fill material to reclaim the current pit to the approved Reclamation Plan. The disturbed locations and disturbed soil appear to be offhauled from the quarry within the clean soil operation. The two disturbed areas were noted in need of BMP's, the larger being on top and the minor area to the stock pile corner near the lower recycling area. **(Pic 10)**

The above noted site conditions and compliance issues should be addressed immediately. Hand work with BMP maintenance / installation should immediately start with the fill slope area (Item A) and lower creek area. Slope stabilization on all newly graded slopes, previously noted eroded fill slopes, and along with the Quarries overall BMP maintenance / installation; should be addressed by their Engineer of Record.

Due to no email response from Jason Voss with an updated post inspection BMP maintenance / installation status, an additional site inspection may be required.

Steve Beams



Senior Construction Inspector



(Pic 1)



(Pic 2)



(Pic 3)



(Pic 4)



(Pic #5)



(Pic 6)



(Pic 7)



(Pic 8)



(Pic 9)



(Pic 10)

PHOTO # 11, Swiss Creek discharge to Stevens Creek Reservoir (photo MRush, Dec 2015)



Photo #12, Swiss Creek discharge to Stevens Creek Reservoir (photo MRush, Dec 2015)





Detention pond, Parcel A. (Photo by S. Beams)



Upper Settling Basin, fill slope in distance. (Photo by S. Beams)



Erosion, runoff to Montebello Creek (Photo by S. Beams)

County of Santa Clara

Department of Planning and Development

County Government Center, East Wing
70 West Hedding Street, 7th Floor
San Jose, California 95110



Administration	Affordable Housing	Building Inspection	Fire Marshal	Land Development Engineering	Planning
Ph: (408) 299-6740	(408) 299-5750	(408) 299-5700	(408) 299-5760	(408) 299-5730	(408) 299-5770
Fax: (408) 299-6757	(408) 299-6709	(408) 279-8537	(408) 299-6757	(408) 279-8537	(408) 288-9198

Date: January 29, 2016

Subject: 2016 Stevens Creek Quarry SMARA 1/28/2016 Inspection Report
County Planning Office File # 1253-94P-07P-15PAM
State Mine ID #91-43-0007

Inspection Date: January 28, 2016
Hours: 1330hrs – 1730hrs

As a follow up to the December 22, 2015 Winterization inspection, a subsequent post winterization inspection was performed on January 28, 2016. The inspection sites included sites that were noted within Winterization report, as well as the four (4) quarry stormwater discharge points identified as #1,2,3,4.

In attendance:

Marina Rush; Planner III w/ County of Santa Clara Planning and Development
Michael Rhoades; Clean Water Program Manager w/ County of Santa Clara Consumer and Environmental Agency
Michelle Rembaum-Fox; Engineering Geologist w/ California Regional Water Quality Control Board
Elyse D. Heilshorn, P.E.; Water Resources Control Engineer w/ California Regional Water Quality Control Board
Devender Narala; Water Resources Control Engineer w/ California Regional Water Control Board
Jason Voss; Quarry Manager w/ Stevens Creek Quarry
Mignone Woods; Stormwater Consultant w/ Freeman Associates, LLC
Steve Beams; Senior Construction Inspector w/ County of Santa Clara County Planning and Development

Below were noted areas / items within the 12/22/2015 Winterization Inspection. These areas were again re visited for conformance during the 1/28/2016 Inspection. Item(s) that have been crossed out below, were brought back into compliance and noted. Action Items below that are *currently out of compliance*, have an update in red under the item. Also during the 1/28/2016 Inspection, additional areas / items were also noted that need to be addressed and brought back into compliance.

1/28/2016 SMARA Post Winterization Inspection Notes:

1. **Boundary Demarcation** was recommended within the last Summerization Inspection report,

still uncompleted within the “upper access road to the northerly property line.” It was again recommended that T-stakes painted with bright paint be installed to demarcate boundaries. This item was noted as number 2 in the Summerization Corrections to be completed by 12/1/2015.

Not verified within the 1/28/16 Inspection. Email from Jason Voss was sent 1/8/16 showing one location demarcated with one apparent T-Stake. Field verification of Northern property line demarcation needed.

2. Stormwater BMP's:

- a) **Southern fill slope(s) above creek in Parcel B** had minimal BMP's to protect the newly constructed fill slope(s) to prevent slope erosion and erosion gullies from entering storm inlets. Fill material and sediment was observed over land onto the lower existing vegetative hillslopes, that eventually had sediment turbid water entering the creek. The minimal fill slope BMP's that were installed post the 10/29/15 inspection helped; however, were overwhelmed with recent storm activity due to the lack of fill slope BMP's. It was recommended to address all fill slopes with BMP's, maintain existing failed BMP's, and install more BMP's to the area to prevent erosion and sediment from reaching the lower creek / reservoir.

No Change in Condition(s), Conditions worsened. Additional disturbed closer activity to the creek / access road, with equipment activity disturbing additional soil material (Pic 1, 2, 3). The minimum amount of fill slope BMP's that were installed post the 10/29/15 Inspection failed due to the straw wattle incorrectly installed. Furthermore, allowing sediment to erode under and around the incorrectly placed wattles, (maintenance / housekeeping needed (Pic 4, 5). An additional upper inboard access road bench with fillslope was recently graded and no BMPS's were place, observed, nor installed, etc, (Pic 6, 7). Note: After a lengthy field discussion, SCQ then agreed to have their stormwater consultant address the BMP's. A post inspection 1/29/16 email was sent by Jason Voss with minor BMP installation to the lower access road and recently graded upper access road.

- b) **Southern fill area platform in parcel B** lacks BMP's with storm inlet protection to fill area, silt fences, more rock checks dams, etc. This upper fill area storm drainage system apparently connects directly into the creek.

No Change in Condition(s). One small rock inlet dissapator was observed. Fillslopes lack BMP's and area platform was compacted creating more stormwater sheetflow to one inlet. (Pic 8, 9) Note: After a lengthy field discussion, SCQ then agreed to have their stormwater consultant address the BMP's. A post inspection 1/29/16 email was sent by Jason Voss with minor additional BMP installation to the area field inlet. Rear fillslopes still lack BMP's.

- c) **New Unpermitted Rock Crusher and Support Area, New Crusher Retaining Wall(s), Upper Support area, Newly Graded Fill Slopes and New Crusher Intake Area** lack BMP's and no apparent drainage improvements or new storm infrastructure to support new roads, grading, crusher pad, sub surface wall drainage, etc. Existing sediment basin and existing area storm infrastructure near or at capacity

with stormwater runoff. Erosion and Sediment runoff from newly graded area combined with lack of BMP's visible, along with the rear erosion to the new upper crusher intake retaining high wall.

No Change in Condition(s). Further erosion was observed to the rear high retaining wall and upper slope failure above crusher intake platform. (Pic 10). After a lengthy field discussion with site conditions, nothing was achieved with future anticipated BMP installation. With the absence of the SCQ stormwater consultant, (due to having to leave the inspection), it was again recommended to Jason Voss that their stormwater consultant view the area to assist with BMP implementation. Also, any engineering with future potential storm improvements to the area.

- d) **Newly Construction Sediment Basin near New Rock Crusher** lacks BMP's, inlet and outlet energy dissipators, upper fillslope BMP's, etc. New rock crusher support area stormwater has eroded the northwestern edge of basin resulting in crews placing material to block area stormwater flows and then channeling into the existing unprotected drainage system; apparently bypassing the basin at capacity. This diverted stormwater along with the basin apparently then flows directly into the lower creek without further sediment controls before the lower creek inline reservoir.

No Change in Condition(s). Continued sediment buildup observed on fill bench above basin. No change in conditions with lack of fill slope BMP's. Further erosion observed to basin inlets with basin at capacity (Pic 11). It was noted that since a "polymer" was added to the basin to assist with stormwater de-sedimentation, extra basin maintenance will be required with activity. Both fill slopes above basin now have erosion rills and new slope slumping combined with sediment onto fill bench (Pic 12). No BMP's onsite or placed since last inspection 12/22/15.

- e) **Soil Stock Piles in Parcel A and the upper soil stock pile** in need of housekeeping and winterization pre and post rain events. Multiple stock piles were uncovered due to the weather conditions with one stock pile needing to be covered completely.

Completed and observed within Inspection. Note: Email sent late 1/28/16 by Jason Voss showing active piles covered at the end of the day. (Pic 22)

- f) **Drainage pond on Parcel A near "Gun Club Entrance"** needs to be de-weeded free of weeds and debris.

No Change in Condition(s).

- g) **Upper PG&E Access Road** storm infrastructure lacks inlet protection and sediment rock check dams. The sediment basin closest to the upper northeastern corner lacks inlet protection, etc.

Status not verified within inspection. No email status nor condition update.

- h) **Large Stock Pile on Parcel A** lack BMP's. This large stockpile onsite will be used as fill material to reclaim the current pit to the approved Reclamation Plan. The

disturbed locations and disturbed soil appear to be offhauled from the quarry within the clean soil operation. The two disturbed areas were noted in need of BMP's, the larger being on top and the minor area to the stock pile corner near the lower recycling area.

*No Change in Condition(s). Inlets still lack BMP's with inlet protection, bare hillslopes, upper grading to stockpile with no apparent BMP measures with disturbed soil material. Lower base(s) of the stockpile were "tracked walked" with a dozer type tractor; however, still lack BMP controls including lower inlet protection from sediment (Pic 13). It was also observed on a recent frontage visit 1/22/16 that better **traffic control** is needed with truck ingress / egress through recycle area gate(s). No street sweeper was observed in operation, only at the end of the day returning to the quarry non-operational. Also noted as mentioned below (identified as new item P) with truck activity using the lower sediment basin area to park then drivers clean off their trucks free of any debris on top of dump rails, rear tail gate, etc. There is no ingress / egress rock stabilization entrance to control sediment from then infiltrating the lower receiving sediment outfall basin at capacity (Basin #3 Creek Discharge #4) (Pic 20, 23).*

New Items noted from Inspection:

- i) **Concrete Platform fillslope erosion gullies and erosion rills.** No change in condition from the Summerization with the need to address the long term restoration of the erosion gullies now that the upper stormwater has been diverted away from the sloped area. Lower rock check dams need to be maintained.
- j) **Upper Easternly PG&E Tower Easement.** Lack of BMP's on hillside Erosion Rills to cut slopes. Existing slopes to the lower Tower Easement need to be addressed / evaluated. The now harvesting of an existing stockpile is currently undermining existing hillside vegetative slopes below the PG&E Tower easement (Pic 14).
- k) **Sediment basin** near the middle and lower settling ponds across the road near the "Porta-potty" needs maintenance, to be cleaned free of debris / trash, etc. The area's stormwater runoff should be evaluated due to the amount of sediment that appears to be at capacity during rain events. (Pic #15)
- l) **Parcel A Clean Soil Operation** lacks inlet protection with all inlets, lack of BMP's to drainage swales / v ditches before stormwater / sediment reaches inlets (Pic 16). It was noted that compacting flat disturbed soil with compaction equipment is not a BMP, thus only creating more stormwater runoff / sediment for area with unprotected storm inlets.
- m) **Upper Rattlesnake Creek Pump Equipment** was observed to be operational with an electric sump pump placed into the lower creek. An existing metal tank used for a nonoperational spring 10-12 years ago, (stated by Jason Voss), was now used with the placed equipment into the creek for related pumping activity (Pic 17). A follow up

email was later sent by SCQ confirming that the immediate removal of all related equipment occurred.

- n) **Lower Shop Area Stock Pile** near creek needs to be covered and or Winterized.
- o) **Lower inline creek outfall discharge pipes #2 and #3** lack outlet rock energy dissipators. Discharge outfall pipe #2 was observed discharging 1/22/16 (Pic 18, 19).
- p) **Lower Office Area / Weigh Scale / Sediment Basin Area.** Stormwater runoff that is collected before the creek outfall #1 should be free of truck parking activity, construction activity, etc. to prevent more erosion / material into the sediment basin / creek. It was observed during a site visit that transfer trucks would park in this area, then clean off their dump rails and rear tail gate free of soil material, etc. The cleaned off soil, fuels, etc. freely drops onto the ground with no BMP's, sediment controls, quarry observation before running into the lower sediment basin / outfall / creek / reservoir (Pic 20, 21).

The above noted site conditions and compliance issues should be addressed immediately. Slope stabilization on all newly graded slopes, previously noted eroded fill slopes, and along with the Quarries overall BMP maintenance / installation; should be addressed by their Engineer of Record and or Stormwater Consultant, QSD, etc.

Furthermore, a "Hazardous Condition Complaint" with MSHA (Mining Safety and Health Administration), was submitted with the "Near Miss" / unsafe condition during the quarry inspection. The "near miss" that occurred 1/28/16 at approximately 1410hrs, was at the first stopped location in the soil recycle area between a 988G CAT loader (Heavy Equipment) and a marked County of Santa Clara vehicle occupied with (3) County Officials. Future inspections will require that escorts be conducted in safe matter and that there is proper quarry safety practices conducted at future quarry inspections.

Steve Beams



Senior Construction Inspector



(Pic 1)



(Pic 2)

(Pic 3)



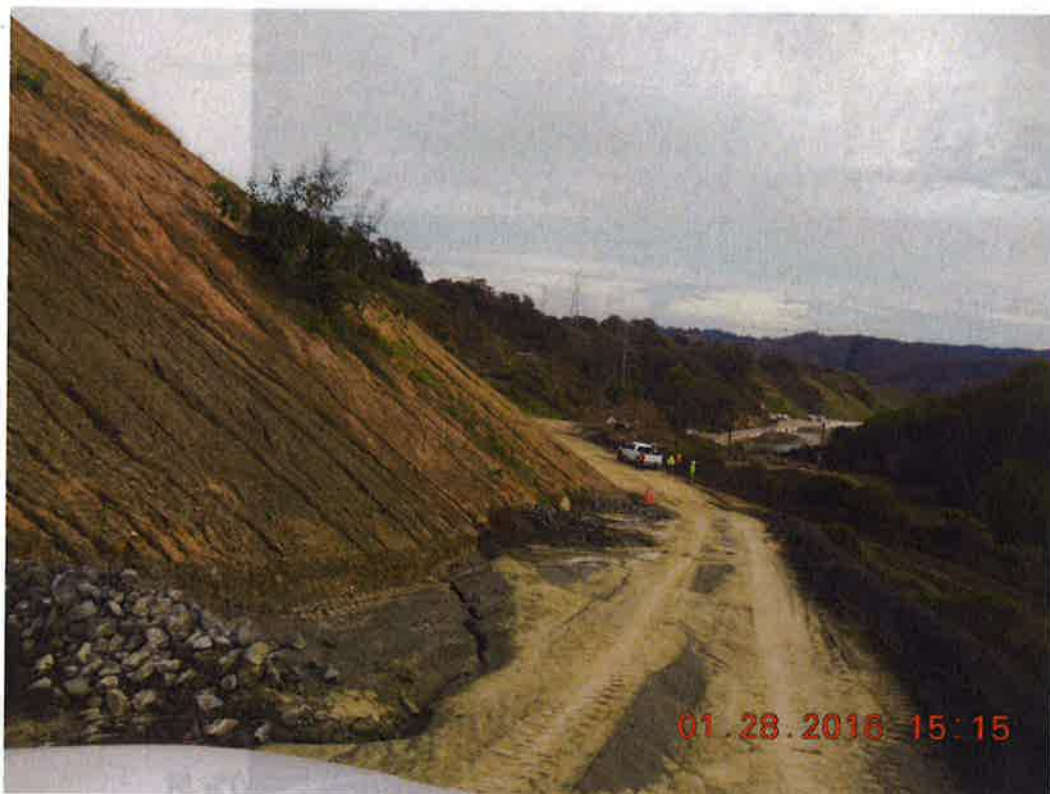
(Pic 4)



(Pic 5)



(Pic 6)



(Pic 7)



(Pic 8)



(Pic 9)



(Pic 10)



(Pic 11)



(Pic 12)



(Pic 13)



(Pic 14)



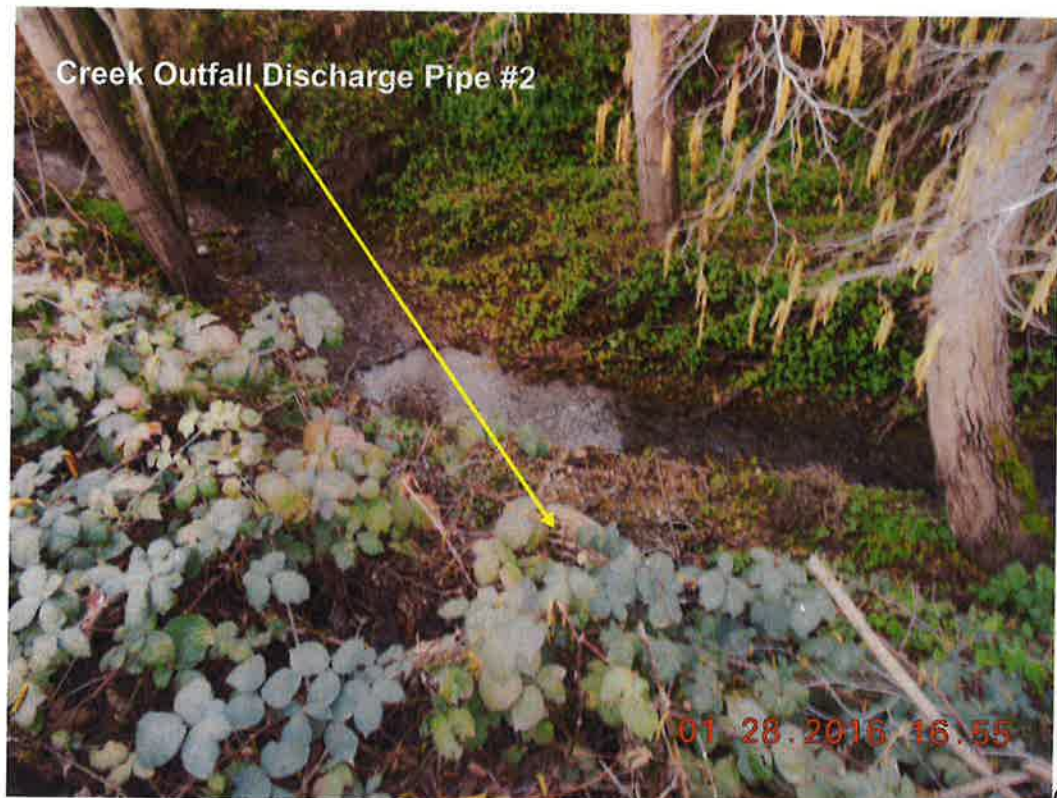
(Pic 15)



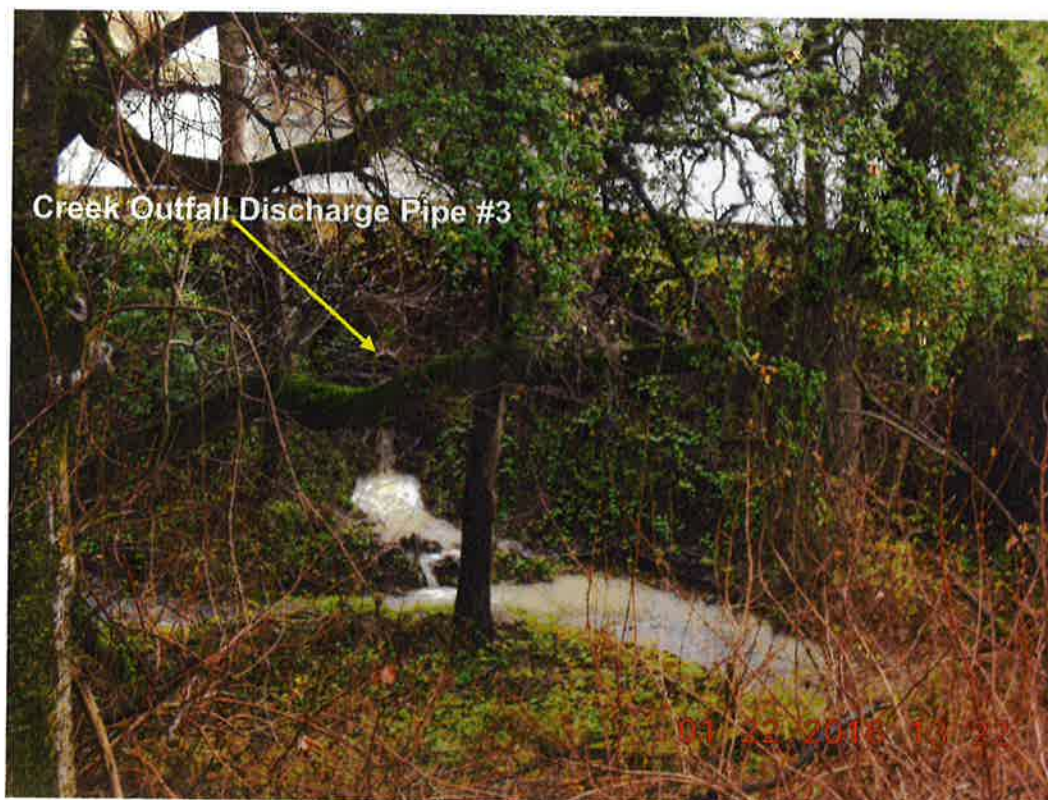
(Pic 16)



(Pic 17)



(Pic 18)



(Pic 19)



(Pic 20)



(Pic 21)



Photo Credit
Marina Rush

(Pic 22)



01.22.2016 13:59

(Pic 23)

Photo 24 (Recycling Area/Parcel A, pipe discharges to creek per J. Voss, Photo by MRush, January 2016)



Photo 25 (Recycling Area/Parcel A, Photo by MRush, January 2016)



Photo 26, Parcel B, Photo by MRush January 2016)



Photo 27, Parcel B (Photo by MRush, January 2016)



Photo 28, Parcel B (Photo by MRush, January 2016)



Photo 29, Parcel B (Photo by MRush, January 2016)



Photo 30, Parcel B (Photo by MRush, January 2016)



Photo 31, Parcel B (Photo by MRush, January 2016)



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

SANTA CLARA COUNTY INSPECTION PHOTO
LOCATION MAP
Visit 1: 12/22/2015
Visit 2: 1/28/2016



Visit 1:
11-12

Map Created 2/4/2016
File # 1253-15PAM