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



STAFF REPORT **Zoning Administration** February 11, 2019

Item #1

Staff contact: Christopher Hoem, Senior Planner 408-299-5784, Christopher. Hoem@pln.sccgov.org

2071-18P (SERPA QUARRY)

Minor Reclamation Plan Amendment

Summary: Minor Reclamation Plan Amendment ("RPA") for Serpa Quarry to reduce the Reclamation Plan boundaries, modify contours, and extend the completion date to December 31, 2019.

Owner:

Gokulam, LLC

General Plan Designation: Hillsides

Applicant:

Vijay Datt

Zoning: HS-d2

Address:

2425 Old Calaveras Road, Milpitas Project Area: ~61 acres

APN:

810-82-003

Supervisorial District: 3

RECOMMENDED ACTIONS

- A. Approve the use of a prior California Environmental Quality Act ("CEQA") document (1984 Serpa Quarry Reclamation Plan Mitigated Negative Declaration).
- B. Continue Minor Reclamation Plan Amendment ("RPA"), subject to Conditions of Approval outlined in Attachments B and D.

ATTACHMENTS INCLUDED

Attachment A - CEOA Determination - Use of a Prior CEQA Document

Attachment B – Proposed RPA Conditions of Approval

Attachment C – Location & Vicinity Map

Attachment D – 2018 Proposed Reclamation Plan

Attachment E – Response from Division of Mine Reclamation

Attachment F – 1984 Reclamation Plan Documents

Attachment G – 1984 Mitigated Negative Declaration

Attachment H – 2003 Use Permit/Architecture and Site Approval

Attachment I – 2003 Mitigated Negative Declaration

Attachment J – 2009 Reclamation Plan Amendment Documents

Attachment K – 2011 Reclamation Plan Amendment Documents

Attachment L – 2015 Reclamation Plan Amendment Documents

Attachment M – 1980 Letter from the County

Attachment N – 1984 Reclamation Plan Amendment (November)

Attachment O - February 4, 2019 email from staff

Attachment P – 2018 Annual SMARA Inspection Report Attachment A

PROJECT DESCRIPTION

The property owner (owner) of Serpa Quarry is requesting to amend the Serpa Quarry Reclamation Plan to reduce the Reclamation Plan boundaries, modify contours, and extend the completion date from September 1, 2018 to December 31, 2019.

The majority of the site has been graded and revegetated in accordance with the Reclamation Plan and is ready to be removed from the Reclamation Plan boundaries.

The reclamation includes grading hillside contours intended to provide a natural, visual barrier to screen a potential end use of single-family residential development. The reclamation work will be contained within the proposed reclamation plan boundaries, which includes the remaining hilltops and an existing access road.

The completion date is the date set by the Reclamation Plan defining the limit of quarrying and planned reclamation activities. Only approved, remedial reclamation activities (e.g. hydroseeding, revegetation, and approved remedial grading) are permitted beyond the completion date.

The quarry is no longer being mined and is undergoing reclamation. This proposed amendment is intended to aid in the transition from quarry use to the approved end use of open space/grazing and/or single-family residence. Before the site is used for open space, grazing, or single-family residential, the owner must first complete reclamation according to the Serpa Quarry Reclamation Plan, County Zoning Ordinance §4.10.370, and the Surface Mining and Reclamation Act ("SMARA"). All future development would require authorization and approval pursuant to applicable County and State ordinances and laws.

Staff is recommending that the project is considered a Minor Reclamation Plan Amendment because the modifications involve minor changes to contours that improve slope designs and are within the reclamation plan boundaries. [See County Zoning Ordinance §4.10.370 Part I (I)(3)(a)(i)].

REASONS FOR RECOMMENDATION

The Zoning Administrator is the decision-making authority for minor reclamation plan amendments [see County Zoning Ordinance §4.10.370 Part I (I)(3)(a)].

A. Environmental Review and Determination

Per the California Environmental Quality Act ("CEQA") of 1970 (as amended), all development permits processed by the County Planning Division which require discretionary approval are subject to environmental review. A new Negative Declaration or EIR is not required if a previous CEQA document has been prepared and adopted or certified which adequately address all the possible environmental impacts of the proposed project and (a) no substantial changes are proposed in the project which will result in new significant environmental effects, (b) no substantial changes have occurred with respect to the circumstances under which will result in the identification of new significant impacts, or (c) no new information is available which shows that the project will have new significant impacts or mitigation measures and alternatives which were previously found to be infeasible would now in fact be feasible (CEQA Guidelines 15162).

The Planning Division evaluated the project described above and has determined that none of the circumstances exist which would require additional environmental review. As such the environmental impacts of the project have been adequately evaluated in the Mitigated Negative Declaration certified by the Planning Commission on June 7, 1984, for the project entitled "1984 Serpa Quarry Reclamation Plan" and that no further environmental review is required under the California Environmental Quality Act.

B. Proposal

General Plan

The subject area is designated as "Hillsides" per the Santa Clara County General Plan. Pursuant to Santa Clara County General Plan policy R-LU 39, the current use of the site as a quarry (mineral extraction), and the future end uses of the property as open space, grazing (agriculture), or very low density residential, are allowed.

Mines and quarries are included in the list of types of grading that are exempt from a grading permit (County Ordinance Code § C12-407). Therefore, a grading permit is not required, and the General Plan findings typically necessary for grading approvals are not applicable.

The proposed grading modification to hillside contours includes revegetation pursuant to the Reclamation Plan and SMARA (California Public Resources Code § 2773.)

Zoning Ordinance

The subject area is designated as HS-d2 (Hillsides with Design Review) per the Santa Clara County Zoning Ordinance. Pursuant to County Zoning Ordinance Tables 2.20-1 and 2.20-2, Surface Mining, Agriculture (Livestock), and Single-Family Residences are all allowed.

Zoning Ordinance § 4.10.370 Part II (A)(6) states that when the ridgeline is visible from the valley floor, the top of the uppermost cut area shall be as shown in an approved reclamation plan. This project does not include any cuts visible near the ridgelines visible from the valley floor. Only fill for the proposed contours near ridgeline is proposed.

Reclamation Plan Amendment Findings:

The Zoning Administrator may approve a Minor Reclamation Plan Amendment if able to make all of the following findings listed in §4.10.370 Part I of the County Zoning Ordinance. Listed below are the individual findings in bold with a discussion in plain text relating to how the proposed project conforms to the respective finding.

A. That reclamation plan, or reclamation plan amendment, substantially complies with SMARA Sections 2772 and 2773, and any other applicable provisions;

Public Resources Code § 2772 and § 2773 requires that a reclamation plan be filed with the lead agency, which should be based upon the character of the surrounding area with site-specific criteria for evaluating compliance with the reclamation plan. The approved 2015 reclamation plan designated open space, grazing, and single-family residences as future end uses of the property. Hence, the minor reclamation plan amendment is consistent with SMARA Sections 2772 and 2773, and any other applicable provision.

B. That the reclamation plan, or reclamation plan amendment, substantially complies with applicable requirements of State regulations (Sections 3500-3505, and Sections 3700-3713);

In particular, California Code of Regulations (CCR) § 3704(d) requires that final reclaimed fill slopes "not exceed 2:1 (horizontal:vertical), except when site-specific geologic and engineering analysis demonstrate that the proposed final slope will have a minimum slope stability factor of safety that is suitable for the proposed end use, and when the proposed final slope can be successfully revegetated." The proposal only includes slopes less steep than 2:1. CCR § 3704(e) requires that permanent fill slopes "conform with the surrounding topography and/or approved end use." The proposed fill slopes both conform to surrounding natural slopes and allow for open space, grazing, and/or single-family residence land uses. The slope angles of the proposed contours are similar to slope angles of the downhill, natural hillside below. Therefore, the project complies with applicable State regulations.

C. That the reclamation plan, or reclamation plan amendment, and potential use of reclaimed land pursuant to the plan are consistent with this ordinance and the County's General Plan and any applicable resource plan or elements;

Open space, grazing (identified as Agriculture, Livestock in the County Zoning Ordinance), and single-family residences are allowable uses in the site's HS zoning district and are consistent with the site's General Plan designation as Hillsides.

D. That the reclamation plan, or reclamation plan amendment, has been reviewed pursuant to CEQA and all significant adverse impacts from reclamation of the surface mining operations are mitigated to a level of insignificance, or a Statement of Overriding Considerations has been adopted pursuant to CEQA; and

The prior CEQA analysis concluded that, although the upper slopes would be visible upon completion of the 1984 Reclamation Plan, the areas would be vegetated to mitigate any permanent visual impact from viewpoints in the urbanized area of the City of Milpitas. Thus, the prior plan would reduce the permanent impact of the effects of the quarrying to less than a significant level.

The current proposal includes slopes that are smaller in scale than shown in the 1984 Reclamation Plan. The current proposal includes a sloped berm that would (1) increase the hilltop by no more than 11-feet in height and (2) include slope angles similar to those downhill of the project area. The 1984 Reclamation Plan had much steeper cut slopes that totaled more than 200-feet in height.

The vegetation criteria are similar between the current proposal and the 1984 Reclamation Plan in that they would similarly mitigate any permanent visual impacts.

Therefore, the proposal would not result in any significant environmental impacts. The proposal has been reviewed with respect to all applicable regulations relating to public health and safety. (See Attachment A). The proposed modification of contours conform with surrounding terrain and would not be detrimental to the environment.

E. That the reclamation plan, or reclamation plan amendment, will restore the mined lands to a usable condition which is readily adaptable for alternative land uses.

The intended post-reclamation use possibilities are open space, grazing, and/or single-family residential, and the proposal facilitates these intended uses. The existing Reclamation Plan, as modified, will ensure that the mined lands will be fully reclaimed and adapted to the end use of open space, grazing, and/or single-family residence.

ADDITIONAL INFORMATION

At the January 17, 2019 hearing of the Zoning Administrator, public comments were received from an adjacent neighbor. The comments included the following alleged violations at the subject property:

- 1. Grading contours do not match the approved reclamation plan contours;
- 2. Two ponds that are not supposed to be there and are creating drainage problems;
- 3. Additional drainage issues that the neighbor wanted to discuss with enforcement staff;
- 4. Construction of a berm that is not permitted and that is further creating draining issues;
- 5. Earthwork outside of quarry activity and inconsistent with the approved contours;
- 6. People living in tents on the property and converting trucks into living quarters;
- 7. Excessive trash;
- 8. Potential hazard with the lack of lighting due to disconnected light poles along a common property line; and,
- 9. Overgrown vegetation.

After preliminary investigation and an email from Steve Beams, Senior Construction Inspector, dated February 4, 2019 (see Attachment O) regarding the alleged violations, the following issues have been addressed or require further investigation. The 2019 winterization inspection, which was scheduled in February 2019, but has yet to occur:

Response to Allegations:

- 1. Inspectors need to verify whether the contours match the approved 2015 Reclamation Plan Amendment.
- 2. The ponds existing on the property were approved to remain in previous Reclamation Plan Amendments.
- 3. Additional drainage maintenance issues were observed from the property boundary. Inspectors need to verify on-site drainage patterns.
- 4. Inspectors need to verify the construction of a berm on the site.
- 5. Staff is unable to verify allegations of earthwork outside the Reclamation Plan boundary at this time. Inspectors need to verify.
- 6. Inspectors need to verify whether tents or other unauthorized occupancy exists on the site.
- 7. Inspectors need to verify the removal of trash on site.
- 8. The light poles described in the public comments are located on the neighboring property. The 2018 Annual SMARA report noted that the 2015 Reclamation Plan Amendment requires the removal of light poles located within the quarry site. Those light poles have been removed.
- 9. According to the February 4, 2019 inspection report, some overgrown vegetation has been removed. The majority of overgrown vegetation pertains to the neighboring property owner's driveway access and concrete drainage swale.

In light of the alleged violations and inspections by County Staff, staff recommends that the item be continued in order to further investigate the issues.

PERMIT STREAMLINING ACT

Revised sets of plans were submitted on January 4, 2019 and on January 9, 2019, following requests for information by the County. Because the applicant submitted new information, the Permit Streamlining Act deadline for decision on the project is Sunday, March 10, 2019, which is 60 days after the receipt of new information. Also, the applicant agreed to allow the public hearing for this project to be February 11, 2019.

BACKGROUND

Serpa Quarry is a legal non-conforming use, established before zoning requirements related to surface mining were adopted in Santa Clara County. (See Attachment M – December 4, 1980 Letter from County.) A Use Permit was granted by the Planning Commission on November 6, 1957 for a rock crusher and appurtenant facilities at the existing quarry. (File No. 173.1804) The rock crusher and appurtenant facilities have since been removed from the site.

Serpa Quarry is not operating under an interim management plan and is not currently on the "AB 3098" list. Therefore, Serpa Quarry is currently precluded from selling sand, gravel, aggregates or other mined materials to state or local agencies.

1984 Reclamation Plan (June)

The quarry's original 1984 Reclamation Plan ("1984 Plan") was approved by the Planning Commission on June 7, 1984. (See Attachment F – 1984 Plan Documents.) The 1984 Plan was evaluated pursuant to CEQA and a Mitigated Negative Declaration ("1984 MND") was certified on June 7, 1984. The 1984 MND evaluated the entire project site and notably evaluated aesthetics and visibility from the urbanized areas of the City of Milpitas as follows:

"One of the purposes of this reclamation plan is to reduce any permanent adverse visual impact of this land use upon the surrounding environment and provide adequate mitigations measures to do so. The quarry is visible from most of the urbanized areas of the City of Milpitas and along 680 Freeway; it is also visible from Old Calaveras Road and from the westerly boundary of Ed Levin County Park. At the request of the County and Milpitas City Planning staff the applicant's engineer has prepared both cross-sections and visual perspectives of the quarry sites from three viewpoints in Milpitas. These locations are identified in the Milpitas General Plan as viewpoints from which to judge developments on the ridgelines east of the city's urbanized area. The locations are: the corner of Kennedy Drive and Park Victoria Avenue, Calaveras Boulevard and Hillcrest Drive, and Yosemite and Dempsey Drive. These cross-sections show that during the excavation operations, the quarry is and will continue to be visible from all three locations. The upper slopes and benched area will be visible upon completion of the project. These areas will be vegetated with native grasses, shrubs and trees to mitigate any permanent visual impact from the aforementioned viewpoints, the plan should reduce the permanent impact of the effects of the quarrying to less than a significant level." (See Attachment $G-1984\ MND)$

1984 Reclamation Plan (November)

The Planning Commission amended the reclamation plan on November 1, 1984 to extend the deadline for compliance with conditions of approval requiring the installation of a sedimentation basins and drainage improvements from October 15, 1984 to October 15, 1986. (See Attachment N – November 1984 Staff Report.) In 1984, the area planned to contain the sedimentation basins had not yet been excavated sufficiently to allow the construction of the basins and related drainage improvements. The sedimentation basins and drainage improvements have since been constructed.

2003 Use Permit

Modification of the existing Use Permit and Architecture and Site Approval ("2003 UP/ASA") was granted by the Planning Commission on December 4, 2003 to allow a concrete, asphalt, and soil recycling operation on the site of the existing quarry. A Mitigated Negative Declaration ("2003 MND") for the project entitled "Raisch Serpa Quarry Expansion" was certified on December 4, 2003 for the 2003 UP/ASA. (See Attachments H and I – 2003 Use Permit/Architecture and Site Approval and 2003 Mitigated Negative Declaration, respectively.)

2009 Reclamation Plan Amendment

The 2009 Minor Reclamation Plan Amendment ("2009 Amendment") was approved by the Architecture and Site Approval Committee on March 11, 2010. To fulfill CEQA requirements, approval of the 2009 Amendment relied on the 2003 MND. The 2009 Amendment superseded

the 1984 Plan, modified the final contours, and revised the list of plants to be used for revegetation. Another notable change in the 2009 Plan is that the detention pond and siltation basin are allowed to remain post-reclamation. Additionally, the 2009 Plan map shows a new limit of reclamation earthwork that does not include the far western portion of the site containing the detention pond and siltation basin. Subsequent amendments in 2011 and 2015 carried forward this alteration as a reduction of the reclamation plan boundary and excluded the western portion of the quarry from the "limit of reclamation." However, the Reclamation Phasing Plan maps in the 2011 Plan and 2015 Plan include the subject western portion as Phase 3 of reclamation. (See Attachment J – 2009 Amendment Documents.)

2011 Reclamation Plan Amendment

The 2011 Minor Reclamation Plan Amendment ("2011 Amendment") was approved by the Architecture and Site Approval Committee on March 8, 2012. The 2011 Amendment superseded the 1984 Plan and 2009 Amendment, and modified the final contours through the importation of fill material. (See Attachment K – 2011 Amendment Documents.)

2015 Reclamation Plan Amendment

The 2015 Minor Reclamation Plan Amendment ("2015 Amendment") was approved by the Architecture and Site Approval Committee on October 29, 2015. The 2015 Amendment superseded both the 1984 Plan and 2009 Amendment, modified final grading contours and revegetation seed mix, extended the reclamation termination date to September 1, 2018, and allowed the retention of existing perimeter fencing and internal roads. It is not clear whether the 2015 Amendment superseded the 2011 Amendment because the following language was used in both the 2011 Amendment and the 2015 Amendment (see Sheet 2 of Attachment L – 2015 Amendment Documents):

"A. EXISTING OPERATIONS & CONDITIONS, a. APPROVED RECLAMATION PLAN. The quarry is currently subject to the provisions of a Reclamation Plan approved by Santa Clara County and dated March 5, 1984. <u>Upon approval by Santa Clara County, this proposed Reclamation Plan will supersede the 1984 plan and 2009 amendment.</u>" (Emphasis added.)

The 2015 Amendment appears to have relied on both the 1984 MND (see Attachment L – October 29, 2015 Staff Report) and the 2003 MND (see Attachment L – Use of a Prior CEQA Documents, dated August 4, 2015 and October 21, 2015.)

Approval of the 2015 Plan included conflicting statements: Exhibit A of the Staff Report, entitled Conditions of Approval, states that "the end use of the quarry property following reclamation is Open Space." However, the 2015 Plan itself states that "the mining site will be reclaimed in a manner that anticipates an end use of private open space/grazing and single-family residences as permitted under existing Santa Clara County zoning regulations as subject to future approvals."

2018 Reclamation Plan Amendment

The application for this proposal was submitted on March 16, 2018. After an approved extension of the completeness review period, an "Incomplete Letter" was sent to the applicant on April 18, 2018, detailing the items that needed to be submitted in order to deem the application complete.

On July 9, 2018, the application was re-submitted, and subsequently deemed complete on August 8, 2018. The proposal was then sent to the California Division of Mine Reclamation ("DMR") for review. On August 31, 2018, DMR sent the County a letter indicating that DMR staff reviewed the submittal and that there were no comments from DMR regarding the Reclamation Plan Amendment.

RECLAMATION PROCESS

The Reclamation Plan will continue to be in effect for the remainder of the Reclamation boundary area until full closure of the quarry is complete via the following procedure:

- 1. Upon completion of reclamation, the property owner will prepare a request for closure along with an updated Financial Assurance Cost Estimate ("FACE") indicating that there are no outstanding reclamation liabilities.
- 2. Upon County concurrence, the County will provide DMR the following documents:
 - a. An inspection report stating that the mined land has been reclaimed in accordance with the approved reclamation plan;
 - b. A revised FACE prepared by the property owner and accepted by the County, indicating that there are no further outstanding reclamation liabilities to be included in the financial assurance; and
 - c. A statement by the County that the mined land has been reclaimed in accordance with the approved reclamation plan, that there are no outstanding reclamation liabilities, and recommending to DMR that the financial assurance be released.
- 3. DMR will have 45 days from the date of receipt of the documents to review and comment on them and to conduct their own inspection, if they deem necessary.
- 4. Within the 45 day period, DMR will notify the County of their concurrence that there are no outstanding reclamation liabilities on the mined land and that the financial assurance should be released.
- 5. Upon written concurrence of DMR that reclamation has been completed, the County will send the property owner a letter indicating that the mine site is officially closed, and releasing the financial assurances.
- 6. Once the site is closed and the financial assurances released, the reclamation plan has no ongoing effect and the landowners will have no continuing liability related to SMARA or the reclamation plan.
 - a. Reclamation standards will no longer be monitored or enforced by the County.
 - b. The landowners will be free to utilize the property however they see fit (consistent with normal land use requirements) and will no longer be subject to any of the requirements of the reclamation plan.

STAFF REPORT REVIEW

Prepared by: Christopher Hoem, AICP, Senior Planner

Reviewed by: Mark Connolly, Senior Planner & Deputy Zoning Administrator

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



USE OF A PRIOR CEQA DOCUMENT MITIGATED NEGATIVE DECLARATION

Pursuant to Section 15162 of the CEQA Guidelines, the County of Santa Clara has determined that the project described below is pursuant to or in furtherance of a Mitigated Negative Declaration which has been previously adopted and does not involve new significant impacts beyond those analyzed in the previous Mitigated Negative Declaration.

Record Number	APN(s)	
PLN18-2071	029-34-004	2/7/2019
roject Name Project Type		
Serpa Quarry 2018 Reclamation Plan Amendment	Minor Reclamation Plan	an Amendment
Owner	Applicant	
Gokulam, LLC	Vijay Datt, Gokulam,	LLC
Project Location	Entire Log by the	
2425 Old Calaveras Road, Milpitas		
Project Description	An experience of the second	

Minor Reclamation Plan Amendment to reduce the Reclamation Plan boundaries, modify contours, and extend the completion date to December 31, 2019.

Background and Summary of Findings

Per the California Environmental Quality Act (CEQA) of 1970 (as amended), all development permits processed by the County Planning Division which require discretionary approval are subject to environmental review. A new Negative Declaration or EIR is not required if a previous CEQA document has been prepared and adopted or certified which adequately address all the possible environmental impacts of the proposed project and (a) no substantial changes are proposed in the project which will result in new significant environmental effects, (b) no substantial changes have occurred with respect to the circumstances under which will result in the identification of new significant impacts, or (c) no new information is available which shows that the project will have new significant impacts or mitigation measures and alternatives which were previously found to be infeasible would now in fact be feasible (CEQA Guidelines 15162).

The Planning Division evaluated the project described above and has determined that none of the circumstances exist which would require additional environmental review. As such the environmental impacts of the project have been adequately evaluated in the Mitigated Negative Declaration adopted by the Planning Commission on June 7, 1984, for the project entitled "Serpa Quarry Reclamation" and that no further environmental review is required under the California Environmental Quality Act.

Prepared by: Christopher Hoem, Senior Planner	Signature	1/8/18 Date
Approved by: Rob Eastwood, Planning Manager	Signature	Date To Date

ATTACHMENT B

Preliminary Conditions of Approval

MINOR RECLAMATION PLAN AMENDMENT

Date:

February 11, 2019

Owner/Applicant:

Gokulam, LLC/Vijay Datt

Location:

3201 Old Monterey Road, Gilroy, CA 95020

File Number:

2071-18P

CEOA:

Prior CEQA – 1984 Serpa Quarry Reclamation Plan

Project Description:

Reduce the Reclamation Plan boundaries, modify contours, and extend the

completion date to December 31, 2019

If you have any question regarding the following preliminary conditions of approval, call the person whose name is listed as the contact for that agency. He or she represents a specialty or office and can provide details about the conditions of approval.

Agency	Name	Phone	E-mail
Planning	Christopher Hoem	(408) 299-5784	Christopher.Hoem@pln.sccgov.org

STANDARD CONDITIONS OF APPROVAL

Planning

- 1. Approval of this Reclamation Plan Amendment does not grant any land use entitlements for any future development, including, but not limited to single-family residences. All future development requires authorization and approval pursuant to applicable ordinances and laws.
- 2. Development, reclamation and maintenance of the project site shall take place in accordance with the 2018 Reclamation Plan Amendment (Attachment D, heretofore referred to as "Reclamation Plan"), received by the Planning Division on January 9, 2019.
- 3. All planned grading and reclamation activities must cease no later than December 31, 2019. After this date, only approved remedial reclamation activities (e.g. hydroseeding, revegetation, and approved remedial grading) are permitted within the Reclamation Plan boundaries. Planned grading and reclamation activities are those that are indicated on the Reclamation Plan. Approved remedial reclamation activities would be for unforeseen repairs, to be approved by the County Planning Division, that may become needed to achieve the slope stability, geometries and revegetation criteria shown on the Reclamation Plan.

- 4. No additional grading is permitted beyond the Reclamation Plan boundaries shown in the Reclamation Plan (Attachment D).
- 5. The mining site will be reclaimed in a manner that anticipates an end use of private open space/grazing and single-family residences as permitted under existing Santa Clara County zoning regulations as subject to future approvals.
- 6. Within 30 days following completion of the final grading, the owner shall submit a construction observation letter prepared by a certified engineering geologist verifying that the work has been completed in accordance with the Reclamation Plan.
- 7. The Director of Planning and Development shall cause the operation to be inspected pursuant to the California Public Resources Code, Section 2207.
- 8. The owner shall be responsible for the reasonable costs of the SMARA inspection and reasonable staff costs attributed to verification of compliance with the conditions of approval herein.
- 9. The premises shall be neatly and orderly maintained, and kept free from junk, trash, or unnecessary debris.
- 10. Weeds shall be cut annually and managed in compliance with the Reclamation Plan.
- 11. The site shall be kept in a reasonably dust-free condition.
- 12. The area proposed to be removed from the approved 2015 reclamation plan boundaries, as shown on the Reclamation Plan (Attachment D), may only be removed through the following process:
 - a. The property owner must request closure and submit an updated Financial Assurance Cost Estimate (FACE) indicating that there are no outstanding reclamation liabilities specifically for the areas outside the Reclamation Plan boundaries in Attachment D.
 - b. Upon County concurrence with the FACE, the County will provide the Division of Mine Reclamation (DMR) the following documents:
 - i. An inspection report stating that the area outside the Reclamation Plan boundaries in Attachment D has been reclaimed in accordance with the 2015 approved reclamation plan;
 - ii. A revised FACE prepared by the property owner and accepted by the County, indicating that there are no further outstanding reclamation liabilities for the areas outside the Reclamation Plan boundaries in Attachment D to be included in the financial assurance; and

- iii. A statement by the County that the area outside the Reclamation Plan boundaries in Attachment D has been reclaimed in accordance with the 2015 approved reclamation plan, that there are no outstanding reclamation liabilities, and recommending to DMR that the financial assurance be released.
- c. DMR will have 45 days from the date of receipt of the documents to review and comment on them and to conduct their own inspection, if they deem necessary.
- d. Within the 45-day period, DMR will notify the County of their concurrence that there are no outstanding reclamation liabilities on the area outside the Reclamation Plan boundaries in Attachment D and that the financial assurance should be reduced accordingly.
- e. Upon written concurrence of DMR that reclamation in those areas has been completed, the County will send the property owner a letter indicating that the financial assurances may be reduced accordingly.



Attachment C: Vicinity Map

Attachment D

RECLAMATION PLAN

AN AMENDMENT TO THE OCTOBER 29, 2015 RECLAMATION PLAN APPROVED BY THE SANTA CLARA COUNTY ARCHITECTURE AND SITE APPROVAL COMMITTEE

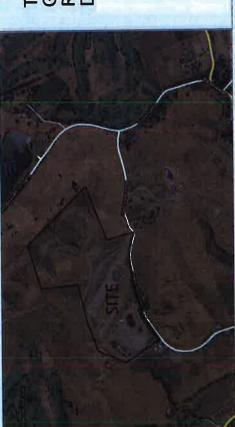
SERPA QUARRY - OLD CALAVERAS RD.

FOR

GOKULAM LLC

LOCATION MAP

Address: 2425 Old Calaveras Rd., Milpitas CA 95035



INDEX OF DRAWINGS

TITLE SHEET

GENERAL NOTES

RECLAMATION PLAN

DRAINAGE/EROSION CONTROL PLAN

Serpa Quarry Reclamation For Lands of Raisch

General Notes

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H. REMOVAL OF IMPROVEMENTS, MATERIALS & EQUIPMENT

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I. END USE PLAN

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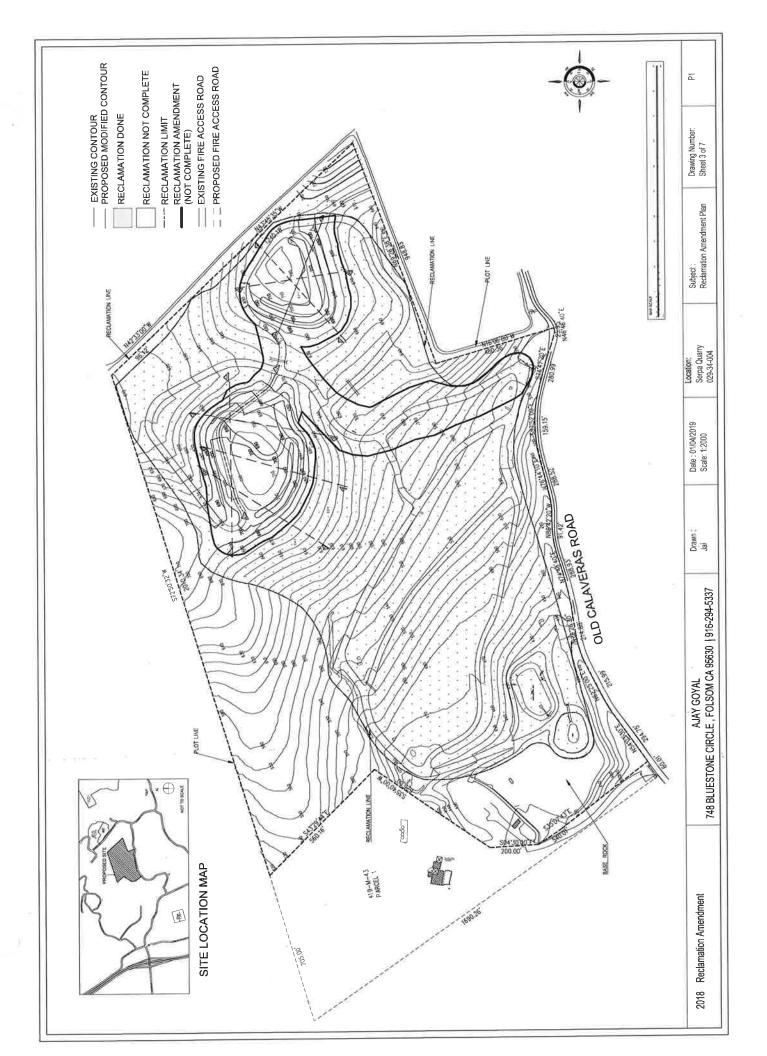
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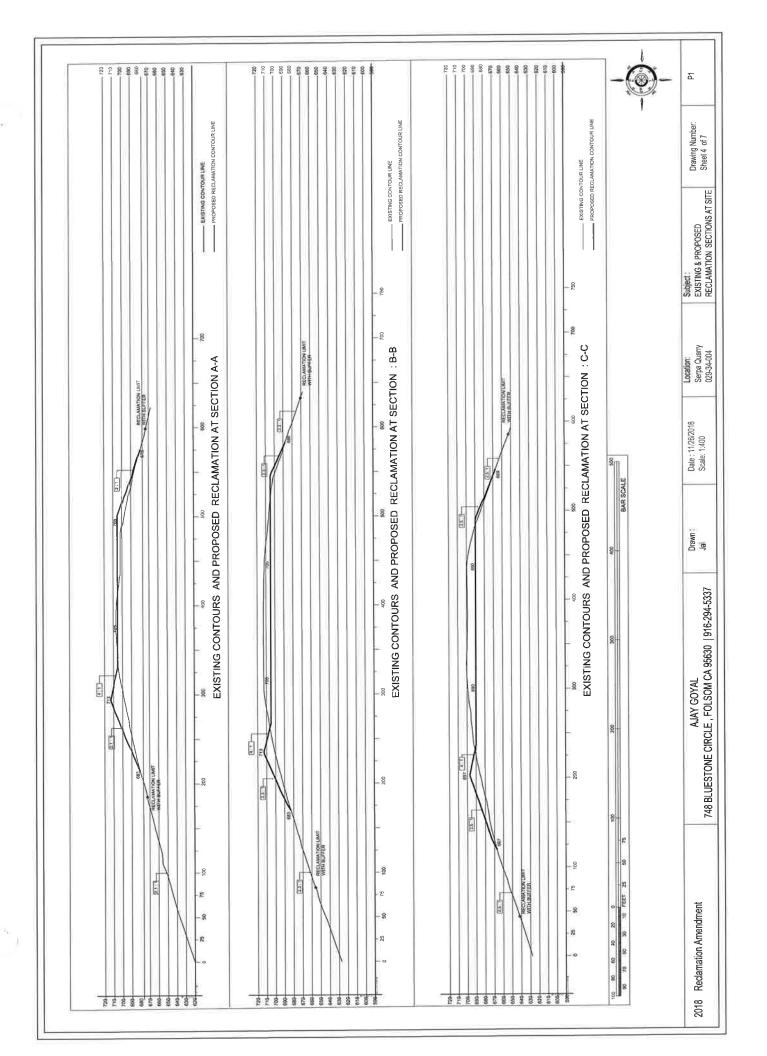
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03/14/2018 Partial closure; Minor grading revisions

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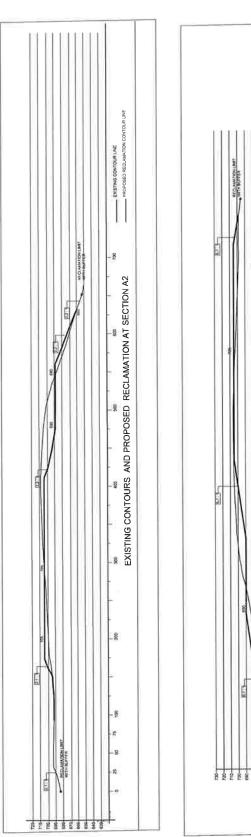
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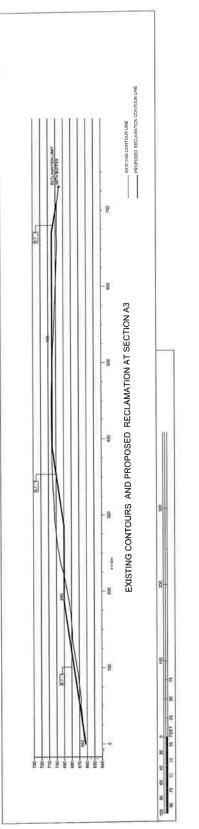




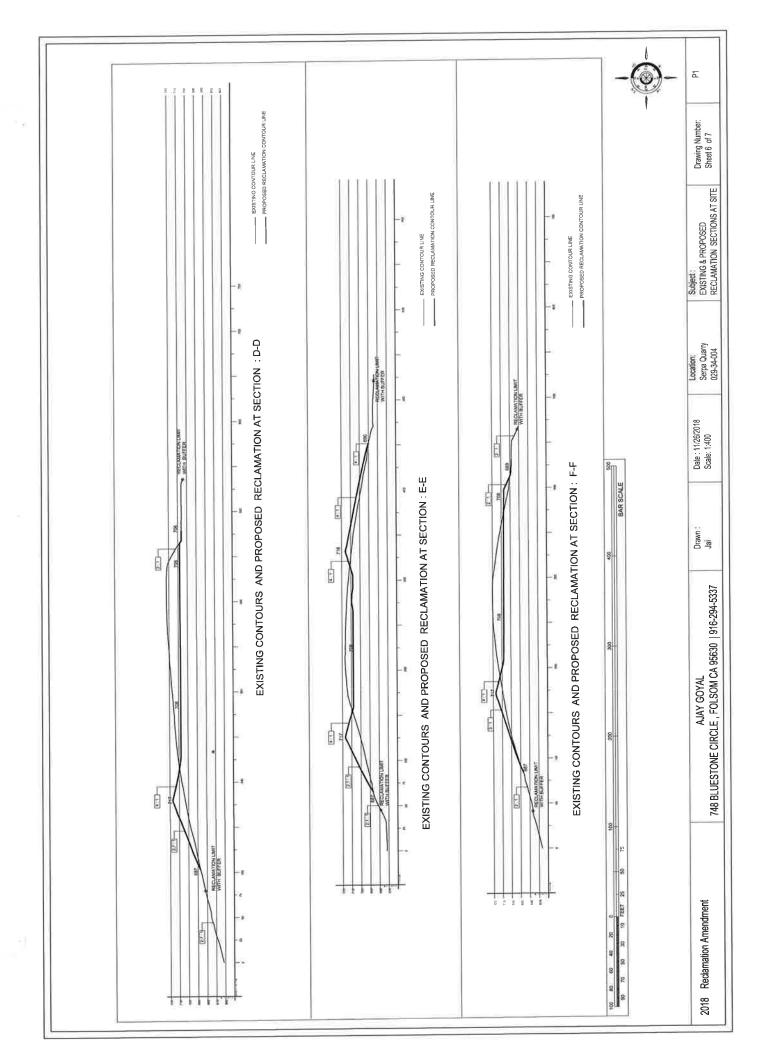


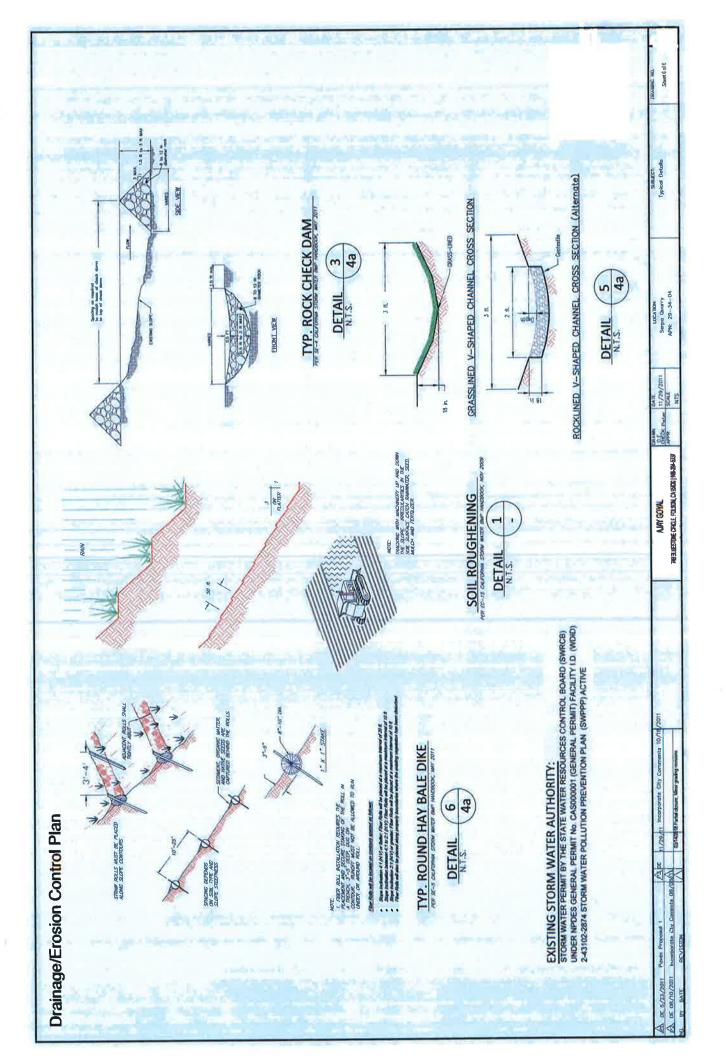
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Attachment E



Department of Conservation

Division of Mine Reclamation

801 K Street • MS 09-06

Sacramento, CA 95814

(916) 323-9198 • FAX (916) 445-6066

August 30, 2018

Mr. Christopher Hoem, AICP
Department of Planning and Development
County of Santa Clara
70 West Hedding Street, East Wing, 7th Floor
San Jose, CA 95110

RECLAMATION PLAN AMENDMENT SERPA QUARRY, CA MINE ID #91-43-0002 SANTA CLARA COUNTY, CALIFORNIA

Dear Mr. Hoem:

The Division of Mine Reclamation (DMR) reviewed the reclamation plan amendment for Serpa Quarry submitted by the County of Santa Clara (County). The applicant, Gokulam LLC, has proposed to amend their reclamation plan for the surface mining operation referenced above.

DMR staff reviewed the submittal and the mine file which included, but was not limited to, the following documents:

- The Gokulam LLC's letter to the County, dated July 7, 2018, summarizing proposed work and additional information.
- A "Geotechnical Response Letter and Fill Slope Stability Analysis" by Cleary Consultings, Inc., dated June 19, 2018.
- "Reclamation Amendment Plan" Map (sheet 3 of 7) by Ajay Goyal, dated July 9, 2018.
- County annual inspection reports for 2017 and 2018.

DMR has no comments related to the reclamation plan amendment.

If you have any questions about this letter, please contact Mr. Gezahegn Hora, Engineering Geologist, at 916-323-9226.

Sincerely

Beth Hendrickson, Manager Environmental Services Unit Paul Fry, Manager Engineering Geology Unit

cc: Mr.Kishore-Reddy Nandyala-Veera-Venkatalakshmi, Gokulam LLC, gokulam@ihf-usa.org

Attachment F

Planning Commission County Government Center, East Wing 70 West Hedding Street San Jose; California 95110 299-2521 Area Code 408

County of Santa Clara

Californ	ia RECLAMATION PL	AN APPROVAL DE BEINE			
File No:	2071-42-84-83P	JUN 22 1984			
Grantee:	RAISCH COMPANY	30N 22 1984 U			
Applicant:	SAME	PLANNING DEPARTMENT			
For:	Reclamation plan of an existing	TIMENT:			
•2 (= 127 II - _{1/2}					
Location:	cation: North side of Old Calaveras Road, between Evans Road and Ed Levin				
	County Park				
Reclamation	Act, and Section 36-4.3 of the Zoning	Section 2772 of the State Surface Mining and g Ordinance of the County of Santa Clara, the hereby grants approval subject to the following			
	See Exhibit "A" attached here	to and made a part hereof.			
		* ,			
	shall be effective onJune 23 ACCEPTANCE STATEMENT and has	2, 1984 provided that the grantee filed it with the Secretary of the Planning			
Lucas S. Stam	Sos, Secretary	June 7, 1984 Date			
ACCEPTANCE	E STATEMENT				
the schedule f	for periodic inspection, agrees to comply	al and the conditions therein set forth, including with all conditions of the approval, understands proval subject to revocation, and acknowledges			
Signature of Co	Grantee RAISCH COMPANY	June 21, 1984			
Signature of A	Applicant - RAISCH COMPANY	Date			
cc: Central P	Permit Office	PLEASE SIGN AND RETURN THIS FORM IN THE ENCLOSED ENVELOPE THANK YOU			

EXHIBIT "A"

CONDITIONS OF APPROVAL FOR RECLAMATION PLAN FOR SERPA QUARRY, FILE NO. 2071-42-84-83P

The following conditions are based on the environmental assessment for this project, and to comply with County and State requirements governing reclamation plans for surface mines. Those marked with an asterisk are necessary for mitigation of potential adverse impacts.

TO BE COMPLETED:

BY OCTOBER 15, 1984: A2, B10,

A. PLANS AND REPORTS

- 1. The following plans as prepared by Ruth and Going, Inc. are hereby made a part of the conditions of this permit.
 - (a) Sheet C-1: Reclamation Plan, dated March 15, 1984.
 - (b) Sheet C-2: Revegetation Plan, dated March 20, 1984.
 - (c) Quarry Cross-sections, April 4, 1984.
 - (d) Quarry Reclamation Phase Sketches, May 3, 1984
 - (e) Geologic report by Applied Soil Mechanics, Inc. dated September 6, 1983.
- *2. Comply with the conditions by Santa Clara Valley Water District, dated December 27, 1983. Obtain permit and install outfall into Los Coches Creek.
- 3. The applicant shall submit a report every two years for the life of the plan, which describes and evaluates compliance with conditions of the reclamation plan. Following the report, the County representative shall inspect site. The first report shall be submitted no later than June 1, 1985. City of Milpitas to be provided with copies of report. Report from the applicant shall include input from an engineering geologist.

B. RECLAMATION

1. All structures, equipment and stockpiles, shall be entirely removed from the excavation within six months after termination of operations on each phase. The premises shall be neat and orderly and free from junk, trash, vehicle parts, or unnecessary debris.

- *2. Final cut slopes shall be no closer than 25 feet distant from any property line. Final contours shall be in accordance with the plan agreed upon by the Planning Commission and the applicant and as recommended in the geologic report. Tops and toes of slopes to be rounded as shown on plans.
- *3. Existing barbed wire fencing shall be maintained along the easterly, northerly, and westerly property lines in areas adjacent to the final cut slopes. Permanent signs warning proximity of extreme slopes shall be posted along these fence lines.
- *4. Top soil portion of overburden shall be retained and stockpiled for use in revegetation process. This top soil shall be spread over surface area to provide soil for growth of plant material. Soil analysis to be performed prior to start of revegetation. Based on the soil analysis modification of the soil even by chemical or other means may be required to assure successful revegetation.
- *5. Reclamation shall be carried out regardless of extent of excavation of quarry areas. Should the quarries not be excavated to final stage reclamation shall be still completed to the extent possible in accordance with the plan. Revegetation shall occur within one winter season of completion of excavation within the particular phase level. In Phases II & III when excavation of a substantial portion of the upper slopes has been completed. Revegetation shall occur prior to winter rains.
- *6. Phasing of drainage installation and revegetation shall occur as outlined in reclamation phasing sketches submitted by engineer.
- *7. Existing vegetation along the Tularicitos Creek bordering the southerly portion of the property shall be retained. Berm along the creek to be revegetated as a portion of Phase I landscaping.
- 8. Prior to revegetation of Phases II & III an engineering geologist shall review the excavated area upon completion of each for: (1) compliance with reclamation plans; and (2) its adequacy from a geologic stability standpoint.
- *9. Revegetation of excavated areas shall take place as shown on revegetation plans and details sheet. The revegetation, hydro-seeding and container plants to be carried out in full, generally prior to November 1st in order to take advantage of warm days and rains for good germination.
- 10. No permanent water bodies shall remain as part of this reclamation plan, provide sedimentation basin and direct all drainage towards this basin.
 - (a) Provide drainage facilities for each Phase of reclamation as noted in sketches submitted.
 - (b) Siltation basins shall be cleaned out, when necessary, to provide adequate desilting areas for drainage waters.
- *11. No washing or mixing plants are being approved at this time.

RB:ad

County Government Center, East Wing 70 West Hedding Street San Jose, California 95110 (408) 299-2521

County of Santa Clara

California

STAFF REPORT

×6		P/C Meeting:	June /, 1984
x .	**	Prepared by:	Ransom Bratton
		Reviewed by:	Hugh H. Graham
	¥11	125	
FILE:2071-	42-84-83P	APPLICANT: A. J. Ra	isch Company
PROPOSAL:	Approval of Reclama	ation Plan for Serpa Quarry	
LOCATION: _	North side of Old Ca	laveras Road between Evans Ro	oad and Ed Levin County
	Park, Milpitas Urbar	Service Area	

RECOMMENDED ACTION ON ENVIRONMENTAL ASSESSMENT & PROJECT:

- 1. Approve the Negative Declaration on the project.
- 2. Approve the reclamation plan subject to the recommended conditions as contained in Exhibit "A".

FINDINGS SUPPORTING RECOMMENDATION: (Environmental Situation; General Plan Conformance; General Findings-Section 47-8; Specific Findings (if required for use)

- The proposed project would not have a significant effect on the environment if the recommended conditions of approval are included for mitigation of potential impacts.
- The proposed reclamation plan would place the quarry in compliance with Section 2772 of State Surface Mining and Reclamation Act, and County regulations regarding surface mining and land reclamation.
- The approval of the reclamation plan provides the County an opportunity to apply needed conditions for reclamation of the property following completion of this land use.

BACKGROUND

The subject property was granted a use permit for a rock crusher and appurtenant facilities at an existing quarry on November 6, 1957 by the Planning Commission (File No. 173.1804). Included in the conditions of approval were two conditions regarding reclamation:

- "e. A 1½:1 slope be maintained at all peripheral boundaries of the quarry.
- "f. If the quarrying operations is abandoned or closes for a period of one year, the permittee will uniformly slope the hill to remove the appearance of the unnatural steps."

It should be noted by the Commission that this approval is for the reclamation process associated with this quarry site and not the operational aspects of the quarrying activity. Consequently, the plans and conditions of approval are limited to the reclamation aspects of the sites land use. On July 13, 1982, the County Board of Supervisors adopted regulations that all quarries in the unincorporated County, which have been operating since January 1, 1976, obtain approval of a reclamation plan from the County. This Ordinance was in response to the requirement by passage of the Surface Mining and Reclamation Act in 1975 and subsequent amendment in 1980 by the State legislature.

Nearly 100% of the site will be quarried. The proposed reclamation plan calls for revegetation of the excavation area in four phases; with the reclamation taking place while the quarrying is still occurring. Each phase will be completed in five to seven years time, depending on the demand for materials. Estimated life of the quarrying operation is 20 to 25 years. The quarried area will be regraded and revegetated in three basic slope configurations. The elevation of the easterly portion will be lowered approximately 50 - 75 feet, however, a rolling topography with the same basic drainage pattern will be retained. The central area along with the northerly and southerly boundary areas will be quarried to final slopes with gradient of 1½:1 and 2:1, depending on the recommendation of the geologic report at a particular location. A single bench will be created at the 100 foot interval on this sloping area. The westerly and central portion will be graded to a nearly level condition with a slope of less than one percent. The central slope will be revegetated with a native shrub mixture along with trees.

The rolling upper slopes will be revegetated with a mixture of native grasses and grouping of trees native to the local area; the central benched area will be vegetated with a hydroseeding of native grasses and shrubs along with tree groupings; the central plot will be hydro-seeded with the grass mixture.

It is the operator's intention to excavate the westerly level portion first, then move easterly and northerly with the excavation in two phases (Phases II & III). The last phase will be the excavation of the easternmost portion, along with the final lowering of the central flat area. The completion portion of the 4th phase would be revegetation of the remaining areas as indicated on the revegetation plan, that being the eastermost area and the westerly flat portion, see map for location of phases.

The mined material is used for rock fill and is excavated by bulldozer. Crushing equipment is used intermittantly to process the harder Briones rock.

The City Council of Milpitas reviewed this reclamation proposal at their April 17, 1984 meeting and were satisfied with the plan.

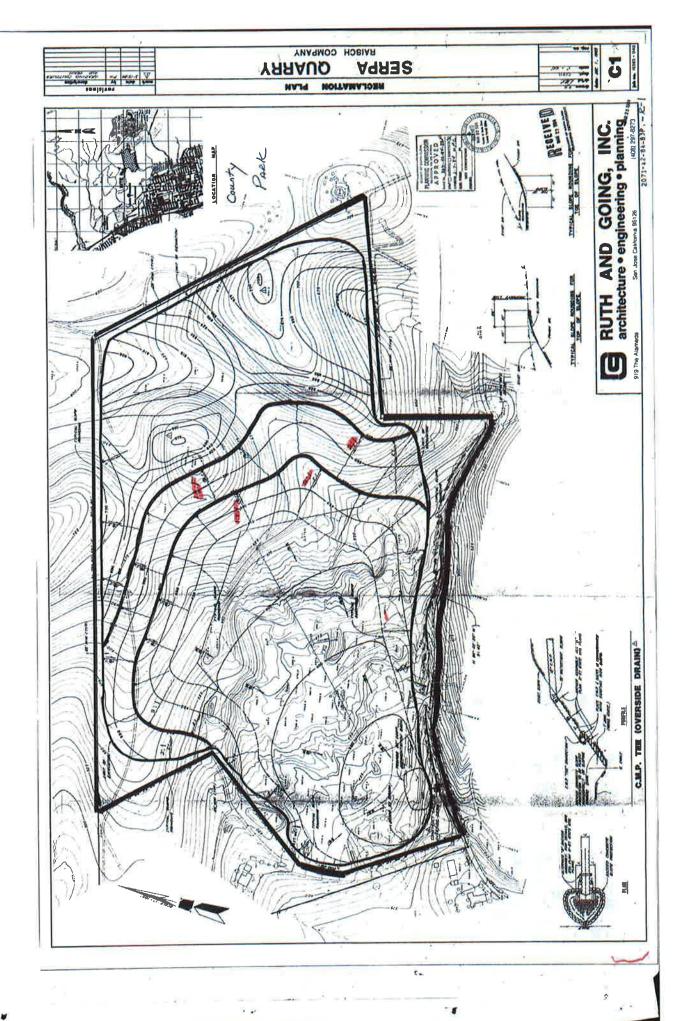
CONSEQUENCES OF NEGATIVE ACTION

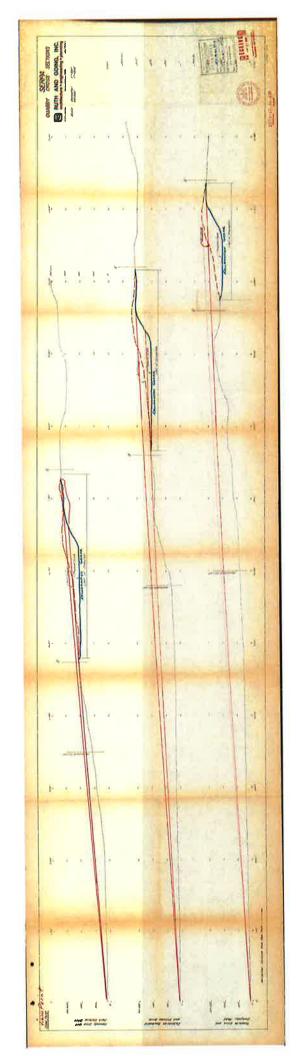
- The quarry would remain in non-compliance with County and State Surface Mining and Land Reclamation regulations.
- The applicant would have to resubmit an application for approval of a reclamation plan. It is mandatory by State law for this land use to have a reclamation plan approved by the lead agency, (County of Santa Clara).

RB:ad

ad#6.6 2071/STR/RB

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Attachment G

County Government Center, East Wing 70 West-Hadding Street (Elsan Jose Gelfornia 95110

County of Santa Clara

California

Filing Dates

,		NOTICE (OF DETERMINATION		JUN 181984
то:	County Clerk County of Sant	a Clara	Secretary of Resour 1416 Ninth Street, F Sacramento, CA 9	Room #311	ty Clerk Hara County
SUBJEC	CT: Filling of N	Notice of Deterr	mination.		v
Project	Title				File Number
RA	ISCH COMPANY		æ	2071 42	84 83P
State C	learinghouse Num nitted to Clearing	nber ghouse)	County Contact Pe	rson	Telephone No.
			Hugh Graham	(408)	299-2521
North Road	Location side of Old C and Ed Levin C Description		AP	N(s) 29-34-4	
Project	•	lan for an ex	isting surface mine		,
Impact	to advise that the roved the above owing determina Report or Negarianta Clara Coun	tive Declaration	County Canada Comect on June 7, 1999 the above described project anning.	(Dato) (oject. The approval n	decision-maker) e) and has made e Environmental hay be examined
1.	The project -	will,	will not, have a	significant	effect on the
2.	→ A Nega provisio	tive Declaration	was prepared for this p	oroject purs	suant to the
		Mitigation meas the project.	sures have been made a c	condition of	approval of
3.	An Env	ironmental Impa it to the provision	act Report has been prepons of CEQA.	pared for th	is project
,		Mitigation meas	sures have been made a c	ondition of	approval of
	1	A statement of coroject pursuant	overriding consideration to the provisions of CE	was adopt	ed for this

January 30, 1984 ad #1-1;NOT/DETER/HG

County of Santa Clara

Calif	ENVIRONMENTAL ASSESSMENT				
File No.	2071-42-84-83P		Sponsor: A. J. Raisch Company		
Date:	May 10, 1984		Project: Serpa Quarry Reclamation		
Prepare	by: Ransom Bratton		Plan		
Reviewe	d by: Hugh H. Graham.				
RECOM	MENDED ENVIRONMENTAL DETER				
	significant effect on the environmen	ect is wi	ithin a class of projects determined not to have a		
×	environment, or, although the prenvironment, there will not be a si added to the project. (In this case.	oposed p gnificant if mitiga	project could not have a significant effect on the project could have a significant effect on the effect in this case if the mitigation measures are ation does not occur through: (1) a change in plans; applicant, an EIR would be required).		
	ENVIRONMENTAL IMPACT REPORT IS REQUIRED. The proposed project may have significant effects on the environment. These significant effects, as determined by the Initial Study and other sources, will be evaluated in an EIR.				
	ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED				
	Land Use/General Plan		Safety		
X	Geologic		Air Quality		
	Resources/Parks		Noise		
X	Waste/Sewage/Water Quality	X	Aesthetic		
X	Flora and Fauna		Energy		
	Transportation		Historical/Archaeological		
	Housing		Public Services & Utilitles		

DISCUSSION (continued on back)

Staff Conclusions

The proposed reclamation plan can be carried out without adverse permanent impacts on the environment. The reclamation plan's conditions of approval being established by the Planning Commission will provide adequate protection for surface waters, slope stability, vegetation, and aesthetic environmental aspects and to public health and safety. No environmental factors were found which were incapable of mitigation by conditions of approval. There will be a considerable period when the active quarry face will be visible from off the property. However, this visual impact is being mitigated to less than significant by the project's reclamation plan. There is a community benefit from approval of this reclamation plan as there is currently no such plan for this active quarry site. A Negative Declaration is recommended for this project.

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Environmental Setting

The quarry is located in the western foothills of the Diablo Range east of the urbanized area of Milpitas. The local terrain has slopes averaging less than 50 percent, (2:1 gradient). The vertical relief on the site is 260 feet. A northwest-trending ridge traverses the easterly portion of the site. The south branch of Tularicitos Creek flows along the south perimeter of the site in a narrow V-shaped channel which is covered by a riparian association of shrubs and trees. The remainder of the site's vegetation consists of grasses along with a few isolated shrubs and trees. The surrounding lands are vacant, with grasses on the hillslopes and a few trees and shrubs in the canyons. Bordering the site to the east is Ed Levin County Park, to the north open grazing land, to the south an abandoned quarry, and to the west two residences. The southwesterly one-third of the site has been the active quarry area for the past 25 years.

Background and/or Project Description

The proposal is for approval of a reclamation plan for an existing quarry under the provisions of Section 36-4.3 of the Zoning Ordinance. As the result of passage of the State Mining and Reclamation Act in 1975 and revised surface mining regulations by the County in July 1982 all quarries active since 1976 must obtain approval of reclamation plans. This quarry had a use permit granted for a rock crusher and appurtenant facilities at an existing quarry on November 6, 1957. This use permit contains almost no conditions regarding reclamation of the property upon completion of mining activity as this approval was prior to the date the County adopted quarry standards, which was 1961. (See Background sections of Staff Report for the two conditions which dealt with reclamation).

The excavation will be carried out in four phases; each phase taking from five to seven years depending on the demand for materials. Phase I consists of excavation of the existing quarry area to nearly final grade. The north and southerly periphery of the quarry will be landscaped. Phase II excavation area is to the east of Phase I and Phase III to the north of Phase I area. As the upper benches in each Phase are completed, revegetation will be carried out, so that reclamation will be occurring simultaneously with the excavation in the total quarry. Phase IV area is located in the most easterly portion of the site and borders Ed Levin Park; upon completion, Phase IV area will be landscaped and the remaining processing facilities in Phase I area will be removed and rehabilitation completed for the site.

The reclamation plan calls for revegetation of the upper rolling area with native grasses and trees, the cut slope and benched area with native grasses, shrubs, and trees, and the lower flats with native grasses and a few isolated tree groups. The grasses and shrubs will be carried out by a hydro-seeding method.

Discussion of Impacts

Geologic

A geologic report dated September 6, 1983, has been prepared for the property by the firm of Applied Soil Mechanics, San Jose. The results of the report have been used in preparation of the reclamation plan by the project's engineers and planners, Ruth and Going, Inc., San Jose.

The Tularicitos structural block, on which the site is situated is bordered by the Calaveras on the northeast and Hayward fault zones to the southwest. The easternmost trace of the Hayward Fault zone, the Hayward Fault, is located about 1,200 feet southwest of the site. The Calaveras Fault zone is located 2.5 miles northeast of the site. Both of these faults are considered to be active.

At the present time, mining operations are limited to the southwest portion of the site in the Phase I quarry area. Benches will be excavated into rocks of Monterey formation in the lower portion of the quarry and into Briones formation upslope and to the northeast. The quarry's final cut slope gradients are based on recommendations of the engineering geologists. They state that the bedrock which will be exposed in the cuts will have high infiltration capacity and low erosion potential and that the revegetation being proposed for these slopes will be an adequate mitigation measure to control erosion. The engineering geologists state that stability problems due to groundwater accumulations are not anticipated for the finished cut slopes being recommended and that installation of drainage facilities along with the revegetation plan will reduce potential of erosion from the project during excavation and following completion of quarrying activities.

2. Resource/Parks

This quarry will provide approximately seven million tons of materials principally for the local area. The mined material is used for rockfill. Some of the harder materials from the Briones Formation will be crushed, presumably for road base.

The quarry is bordered on the east by Ed Levin County Park. The quarry is visible from Old Calaveras Road and will be visible from a limited area along the westerly boundary of the Park. The excavated area is set back 25 feet from the Park boundary and will slope away from the Park. The upper area of the excavation will have a rolling terrain, lower, but similar to that of the existing topography.

The revegetation process will provide new plant species of higher quality than what now exists on the site. There will be no adverse impact on the scenic quality of the area when the revegetation plan is completed and plantings take hold.

3. Water Quality

One of the main purposes for a reclamation plan is to insure that no drainage off-site causes degradation of surface waters adjacent to the site during and following completion of quarrying activities. The plan follows recommendations of the engineering geologist regarding the need for benching of cut slopes exceeding fiftyfeet in order to provide diversion of any excess waters to sediment basins. The plan also provide for erosion control landscaping to protect the newly created slopes. These should adequately mitigate the impact of the mass surficial exposures created The phasing plan provides for installation of new by the quarrying process. vegetation as soon as each level is excavated; all phases will have interim drainage control measures in addition to newly planted vegetation. All but a small portion in the northeast portion of the quarry drains into a tributary of Tularicitos Creek. No new area will be added this drainage basin. Sedimentation basins will be installed to intercept waters from the quarry site prior to reaching the creek. Consequently, the quarry sites reclamation plan will have no negative impact on the area's surface waters.

4. Flora and Fauna

The quarry is hilly terrain vegetated with grasses and very few trees except along Tularicitos Creek. The vegetation has been removed from the southwest one-third of the quarry site. Except for the setback area, and along the creekbank all of the site will be quarried. As soon as quarrying is completed in each particular area the revegetation process will take place. New vegetation will be established in the fall season as that portion of the quarried is finished so that there will be reestablishment of vegetation while excavation is continuing in other portions of the quarry. The natural habitat will be restored once the quarry activity is completed. The addition of selected species of trees in the buffer areas along the Levin Park boundary, the Old Calaveras Road, and on the upper slopes of the site, will have a beneficial effect on the surrounding area's environment.

5. Aesthetic

One of the purposes of this reclamation plan is to reduce any permanent adverse visual impact of this land use upon the surrounding environment and provide adequate mitigations measures to do so. The quarry is visible from most of the urbanized areas of the City of Milpitas and along 680 Freeway; it is also visible from Old Calaveras Road and from the westerly boundary of Ed Levin County Park. At the request of the County and Milpitas City Planning staff the applicant's engineer has prepared both cross-sections and visual perspectives of the quarry sites from three viewpoints in Milpitas. These locations are identified in the Milpitas General Plan as viewpoints from which to judge developments on the ridgelines east of the city's urbanized area. The locations are: the corner of Kennedy Drive and Park Victoria Avenue, Calaveras Boulevard and Hillcrest Drive, and Yosemite and Dempsey Drive. These crosssections show that during the excavation operations, the quarry is and will continue to be visible from all three locations. The upper slopes and the benched area will be visible upon completion of the project. These areas will be vegetated with native grasses, shrubs and trees to mitigate any permanent visual impact from the aforementioned viewpoints. The plan should reduce the permanent impact of the effects of the quarrying to less than a significant level.

RB:ad

ad#6.6 2071/83P/EIR

81

Attachment H

Planning Commission
County Government Center, East Wing
70 West Hedding Street
San Jose, California 95110
(408)299-5770

COUNTY OF SANTA CLARA CALIFORNIA

USE PERMIT

File No:

2071-42-84-02P

Permittee:

Albert and Jean Raisch

Applicant:

Raisch Products

For:

Modification of an existing Use Permit/Architectural and Site Approval to

allow concrete, asphalt, and soil recycling operation on the site of an existing

quarry.

Location:

North side of Calaveras Road at/between Evan and Downing

Address:

2122 Old Calaveras Road, Milpitas, CA.,

Having made the findings required by Article 5.65 of the Revised Zoning Ordinance of the County of Santa Clara, the Planning Commission hereby grants a permit for the specified use subject to the following conditions and the specific findings required:

1. Comply with Use Permit conditions of approval, Exhibit A.

2. Comply with the conditions of Architectural & Site Approval, Exhibit B.

Note: Cost of any monitoring required to assure project compliance with conditions of approval and environmental mitigations will be borne by the permittee. Failure to comply may result in revocation, modification or reaffirmation hearing. Granting of entitlement will be contingent upon payment of outstanding fees owed to the Santa Clara County Planning Office.

This permit shall be effective on December 19, 2003 provided that: 1.) No appeal has been filed before that date and; 2.) Permittee has signed the ACCEPTANCE STATEMENT and has filed it with the Secretary of the Planning Commission. If any use for which a use permit has been granted is not established within one-year of the date of delivery of the permit, the permit shall be deemed automatically revoked.

Michael M. Lopez, Secretary

Date

ACCEPTANCE STATEMENT

The undersigned understands and accepts this permit and the conditions therein set forth, agrees to comply with all conditions of the permit, understands that failure to comply therewith will render the permit subject to revocation and acknowledges receipt of the copy of this permit.

Signature by Permittee Applicant

Date

Within fifteen (15) calendar days after the date of decision of the Planning Commission, any person dissatisfied with such decision may file with the Board of Supervisors, an appeal from such decision. At the time of filing of an appeal the appellant shall pay a filing fee of eight hundred ninety one dollars (\$891) at the County Planning Office.

Revised 09/04/03

Attachment I

Proposed Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et sec.) that the following project will not have a significant effect on the environment.

File Number	TAZ	APN(s)	Date	
2071-42-84-02P-02A-02EA	92	029-34-004	October 22, 2003	
Project Name Raisch Serpa Quarry Expansion Owner		Project Type	THE RESERVE OF THE RE	
		Use Permit and Archit	ectural & Site Approval	
		Applicant		
Raisch Products		Raisch Products		

Project Location

The property is a 78.93-acre parcel located at 2124 Old Calaveras Road outside of the City of Milpitas, and is approximately 1-mile east of Interstate-680.

Project Description

This application is for a Use Permit and Architectural & Site Approval for the proposed expansion of the Serpa Quarry, an existing surface mine to include a recycling facility. The applicant seeks approval to allow the recycling and processing of concrete, asphalt, and porcelain products. The recycled materials would be delivered to the site and processed using the same equipment used to crush and segregate the native materials harvested on-site. The recycled aggregate would then be sold on-site. The proposed recycling operation would not increase the number of employees on-site; and the recycling operation would not result in additional hours of operation.

Address where document may be obtained:

Santa Clara County Planning Office

70 West Hedding Street, East Wing, 7th Floor

San Jose, CA 95110

Purpose of Notice

The purpose of this notice is to inform you that the County Planning Staff has recommended that a Negative Declaration be approved for this project. Action is scheduled on this proposed Negative Declaration before the County of Santa Clara Planning Commission on December 4, 2003 in the County Government Center, Board of Supervisors Chambers . If the Negative Declaration is approved, the decision may be protested by filing an appeal with the Planning Office. It should be noted that the approval of a Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.

Public Review Period: Begins: October 22, 2003

Ends: November 22, 2003

Public Comments regarding the correctness, completeness, or adequacy of this negative declaration are invited and must be received on or before the hearing date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the County of Santa Clara Planning Office, Development Review Section, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-2454. Oral comments may be made at the hearing. A file containing additional information on this project may be reviewed at the Planning Office. When requesting this file, please refer to the file number appearing at the top of this form.

Responsible Agencies sent a copy of this document

California Department of Conservation, California Office of Mine Reclamation, City of Milpitas

Basis for Negative Declaration Recommendation

County of Santa Clara Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, finds that the proposed project could not have a significant effect on the environment, or, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case since mitigation measures have been added to the project.

A service Additionally to the Assessment

This finding is based in the following considerations (see note below):

Aesthetics

 The project site is located on a scenic vista which may be visible from certain portions of the valley floor. However, the recycling component of the quarry will be located in the same area as the stockpiles of other materials and will not constitute a new or more significant visual impact. The addition of the recycling operation will not substantially degrade the existing visual quality of the project site or its surroundings.

Biological Resources

2. According to the Department of Fish and Game's Natural Diversity Database, no rare, threatened, or endangered species are located on or in the vicinity of the project site. In addition, the site is not located in a critical habitat area as identified in the Santa Clara County General Plan. Three creeks are located within the vicinity of the project site; Tularcitos Creek runs on the adjacent side of Old Calaveras Road along the project site and will be approximately 500 feet from the recycling stockpile; Arroyo de los Coches is approximately 2,400 feet south of the project site and Calera Creek is approximately 4,200 feet north of the project site. None of these creeks will be impacted as a result of the proposed project. Implementation of the project will not impact sensitive plant or wildlife communities

Hazards & Hazardous Materials

3. The quarry regularly uses hazardous materials for their operation; the addition of the recycling operation may require the quarry to increase the use of the same types of hazardous materials; however, the hazardous materials are already used on-site and the limited quantity of recycled materials would require only an incremental increase in the use of hazardous materials. The County Hazardous Materials Compliance Division (HMCD) reviewed the proposed project and also did not issue any land development requirements.

The quarry operator has created and implemented a "Hazardous Materials Management Plan (HMMP) and Emergency Response Plan," which was prepared by a state registered environmental assessor. The plan catalogs the types of hazardous materials used on-site, lists the inventory of emergency equipment on-site, details emergency procedures and lists the emergency duties that employees are trained for. The HMMP is reviewed by County HMCD staff and the facility is subject to on-site inspections by HMCD staff to ensure that all hazardous materials are propertly stored and that all emergency response procedures are in place.

Noise

4. The noise levels associated with the recycling operation will not exceed the existing noise levels. The portable crusher used to crush the virgin materials is the same crusher which will be used for the recycled materials. The crushing of the recycled materials will not create an additional source of noise and will not be louder than the crushing of the virgin materials.

Transportation/ Traffic

5. The proposed project will cause an increase in traffic trips to and from the site, however, the estimated number of additional trips is insignificant. The additional traffic will be solely the trucks traveling to and from the site to drop off materials to be recycled. Once the recyclables have been crushed, customers of the quarry would be offered a choice between raw or recycled materials. Based on the amount of materials the quarry will recycle each year, it is estimated that the increase of traffic will be approximately 3 truck trips per day. The addition of 3 truck trips per day will not significantly impact the roadway system. The project has been conditioned by the County Department of Roads and Airports, to either construct street and drainage improvements for a portion of the site's frontage along Old Calaveras Road, or, to enter into a deferred improvement agreement with the County.

County of Santa Clara, Ca Planning Office * **lopment Review Section**

Note: An asterisk identifies those measures necessary to mitigate or avoid significant environmental effects. A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Negative Declaration is approved, in accord with the requirements of section 21081.6 of the Public Resources Code.

Prepared by: Zachary Goldberg, Planner II

Approved by: Derek Farmer, Planner III

Signature

INITIAL STUDY

Environmental Checklist and Evaluation for Santa Clara County

Project Title:	Raisch Serpa Quarry Expansion	Date: October 22, 2003					
File Number:	2071-42-84-02P-02A-02EA	APN(s): 029-34-004					
500' Map #:	21	Zoning: A-d2					
GP Designation:	Milpitas	USA: Milpitas					
Project Type:	Use Permit and Architectural & S	se Permit and Architectural & Site Approval					
Applicant's Name:	Raisch Products	Phone #: 408.227.9222					
Applicant's Address:	99 Pullman Way, San Jose, CA 9	95111					
The second second second	是是一个人,但是一个人的。 第一个人的人的人们是一个人的人们的人们的人们的人们的人们的人们的人们的人们们们们们们们们们们们们们们						

Project Description

This application is for a Use Permit and Architectural & Site Approval for the proposed expansion of the Serpa Quarry, an existing surface mine to include a recycling facility. The Serpa Quarry is an existing surface mine that was previously issued a Use Permit in 1957 authorizing rock crushing equipment at the quarry. The applicant seeks approval to allow the recycling and processing of concrete, asphalt, and porcelain products. The recycled materials would be delivered to the site and processed using the same equipment used to crush and segregate the native materials harvested on-site. The recycled aggregate would then be sold on-site. The proposed recycling operation would not increase the number of employees on-site; and the recycling operation would not result in additional hours of operation.

Currently on-site there are four areas used to stockpile the aggregate materials, an exiting sediment pond, an existing extraction area, and an area used to house the portable crusher (when it is on-site). The proposed expansion would consist of a new stockpile area used to store the recycled raw materials. The proposed area for the recycled materials stockpile is adjacent to the area where the portable crusher is operated on-site.

Environmental Setting and Surrounding Land Uses

The site is in a mountainous portion of the eastern Santa Clara Valley. The subject property is a 78.93-acre parcel located on Old Calaveras Road, and is approximately 1-mile east of Interstate-680 in an unincorporated area of the County outside of the City of Milpitas. Surrounding uses include Ed Levin County Park to the east, ranches, and open space. (Pleaser refer to the attached map.)

Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement.)

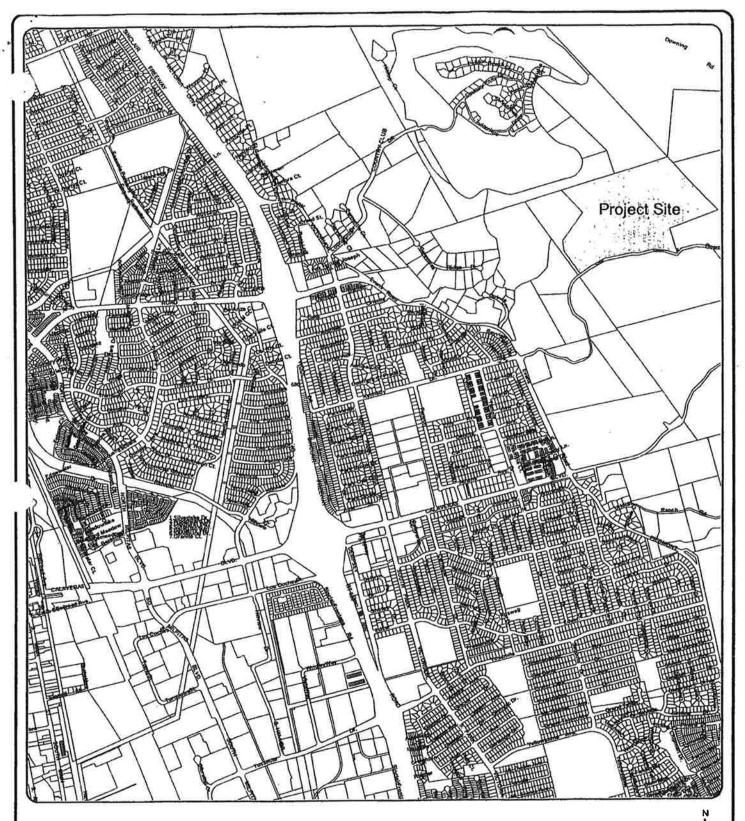
Dept. of Conservation, Office of Mine Reclamation, City of Milpitas



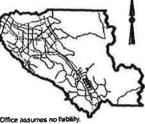
COUNTY OF SANTA CLARA PLANNING OFFICE

The environmental factors checked below would be potentially affected by this project, involving at least one impact as indicated by the checklist on the following pages.

ENVI	RONMENTAL FACTORS POTENTIA	LLY AFFECTED									
☐ Aesthetics	☐ Agriculture Resources	☐ Air Quality									
⊠ Biological Resources	☐ Cultural Resources	Geology / Soils									
	Hydrology / Water Quality	✓ ☑ Land Use									
☐ Noise	Population / Housing	☐ Public Services									
⊠ Resources / Recreation		☐ Utilities / Service Systems									
☐ Mandatory Findings of Significance											
DETERMINATION: (To be completed by the Lead Agency)											
On the basis of this initial eva	duation:										
I find that the proposed NEGATIVE DECLARATION	project COULD NOT have a significant e N will be prepared.	effect on the environment, and a									
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.											
I find that the proposed ENVIRONMENTAL IMPAC	project MAY have a significant effect on TT REPORT is required.	the environment, and an									
I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.											
potentially significant effects DECLARATION pursuant to	proposed project could have a significant (a) have been analyzed adequately in an e applicable standards, and (b) have been a ECLARATION, including revisions or mi othing further is required.	earlier EIR or NEGATIVE voided or mitigated pursuant to that									
Signature 2 7 Signature 2 (zuldbig		/o/21/03 Date									
Printed name		For									

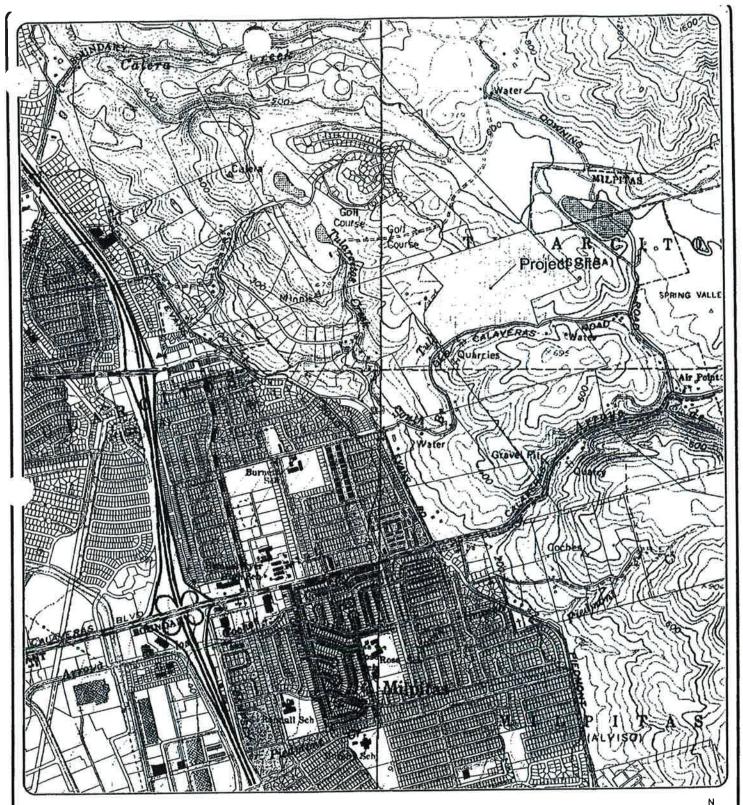


Serpa Quarry Recycling File #2071-02P-02A



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This map was created by the Santa Clara County Planning Office. The Geographic Information System files were compiled from various sources. While deemed reliable, the Planning Office assumes no liability.



Serpa Quarry Recycling File #2071-02P-02A



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This map was created by the Sania Clara County Planning Office. The Geographic Information System files were compiled from various sources. While deemed reliable, the Planning Office assumes no liability

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific analysis).
- 2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4. "Negative Declaration: Less than Significant With Mitigation Incorporated "applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section O "Earlier Analyses," may be cross-referenced).
- 5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7. Supporting Information Sources: A source list is attached, and other sources used or individuals contacted should be cited in the discussion.
- 8. Lead agencies should address the questions from the checklist that are relevant to a project's environmental effects.
- 9. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

Λ	AESTHETICS		IMP			
Α.	ALOTTICTION					
wo	ULD THE PROJECT:	YES			NO	
Fiel	estions relating to the California Department of a & Game "de minimus impact finding" for the tificate of Fee Exemption are listed in italics.	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCES
a)	Have a substantial adverse effect on a scenic			×		2,3,4, 6a,17f
,	vista? Substantially damage scenic resources along				\boxtimes	3, 6a, 17f
b)	a designated scenic highway?			П	\boxtimes	2,3
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?		<u> </u>			3,4
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			LJ.	⊠	3,4
e)	If subject to ASA, be generally in non- compliance with the Guidelines for				\boxtimes	11
	Architecture and Site Approval? If subject to Design Review, be generally in	П	П		\boxtimes	3,4,12
n	non-compliance with the Guidelines for Design Review Approval?	_	_	_	_	
g)	Be located on or near a ridgeline visible from the valley floor?			⊠		2,17n

DISCUSSION:

The project site is located on a scenic vista which may be visible from certain portions of the valley floor. However, the recycling component of the quarry will be located in the same area as the stockpiles of other materials and will not constitute a new or more significant visual impact. The addition of the recycling operation will not substantially degrade the existing visual quality of the project site or its surroundings.

B.	AGRICULTURE RESOURCES					
to th	determining whether impacts to agricultural resource ne California Agricultural Land Evaluation and Site aservation as an optional model to use in assessing	Assessment N	lodel (1997) (prepared by	lead agend the Californi	ies may refer ia Dept. of
			IMP	ACT		
WC	OULD THE PROJECT:		YES		NO]
*Questions relating to the California Department of Fish & Game "de minimus impact finding" for the Certificate of Fee Exemption are listed in Italics.		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCE
a)	Convert 10 or more acres of farmland classified as prime in the report Soils of Santa Clara County to non-agricultural use?				M	3,23,24,26
b)	Conflict with existing zoning for agricultural use?				\boxtimes	9,21a
c)	Conflict with an existing Williamson Act Contract?				\boxtimes	1
d)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				×	3,4,26

The Serpa Quarry has been operating on the subject property since 1957; since this time, the site has undergone extensive grading. The property is not suitable for any type of agriculture. The project does not consist of land suitable for farming; therefore, the proposed project will not result in the conversion of farmland to a non-agricultural use. Furthermore, the property is not under a Williamson Act Contract and the property is not zoned for an agricultural use. The inclusion of a recycling operation at the quarry will not impact agricultural resources.

C.	AIR QUALITY										
Wh	Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.										
			IMP	ACT		· ,					
WC	OULD THE PROJECT:		YES		NO						
Fisl	uestions relating to the California Department of the & Game "de minimus impact finding" for the prtificate of Fee Exemption are listed in italics. Colembally Significant With Mitigation Impact I		No Impact	SOURCE							
a)	Conflict with or obstruct implementation of the applicable air quality plan?				\boxtimes	5,28					
ь)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				\boxtimes	5,29					
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				⊠	5,29					

d)	Expose sensitive receptors to substantial		— _U —	×	5,29
e)	pollutant concentrations? Create objectionable odors or dust affecting a substantial number of people?		☒		5,21, 29, 47

The recycling component of the quarry will result in the creation of dust, which may affect people in the vicinity of the project site. However, the dust created form the recycled materials will be a marginal increase in the dust created from the on-going quarry operations and will result in a less than significant impact. The quarry operator will handle the dust from the recycled materials in the same manner as they handle the dust from the raw materials to ensure that any dust created will be properly suppressed; stockpiles and areas used by heavy machinery are consistently sprayed with water to ensure that dust does not become a problem on or off site.

Standard dust control measures as stipulated by County Land Development Engineering and the Bay Area Air Quality Management District will be employed to ensure that any air quality impacts remain insignificant.

D.	D. BIOLOGICAL RESOURCES							
wo	ULD THE PROJECT:		YES		NO			
"Questions relating to the California Department of Fish & Game "de minimus impact finding" for the Certificate of Fee Exemption are listed in italics.		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCES		
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				⊠	1, 7, 17b, 17o,		
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?					3,7, 8a, 17b, 17e, 33		
c)	Have a substantial adverse effect on federally protected wetlands as defined by section 404 of the Clean Water Act (Including, but not limited to, marsh, vernal pool, coastal, etc.) or tributary to an already impaired water body, as defined by section 303(d) of the Clean Water Act through direct removal, filling, hydrological interruption, or other means?			□ □	⊠	3, 7, 17n, 32		
d)	Interruption, or other means? Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				⊠	1,7, 17b, 17o		

e)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?		Ø	3,4
	Conflict with any local policies or ordinances protecting biological resources: i) Tree Preservation Ordinance [NS-1203.107]? ii) Wetland Habitat [GP Policy, R-RC 25-30]? iii) Riparian Habitat [GP Policy, R-RC 31-41]?			1,3,31 3, 8a 3, 8a,

According to the Department of Fish and Game's Natural Diversity Database, no rare, threatened, or endangered species are located on or in the vicinity of the project site. In addition, the site is not located in a critical habitat area as identified in the Santa Clara County General Plan. No tree removal is proposed in conjunction with this application. Three creeks are located within the vicinity of the project site; Tularcitos Creek runs on the adjacent side of Old Calaveras Road along the project site and will be approximately 500 feet from the recycling stockpile; Arroyo de los Coches is approximately 2,400 feet south of the project site and Calera Creek is approximately 4,200 feet north of the project site. None of these creeks will be impacted as a result of the proposed project. Implementation of the project will not impact sensitive plant or wildlife communities.

_		IMPACT				
WC	OULD THE PROJECT		YEŞ		NO	
*Questions relating to the California Department of Fish & Game "de minimus impact finding" for the Certificate of Fee Exemption are listed in italics.		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCE
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines?				×	3, 16, 19, 40, 41
b)	Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5 of the CEQA Guidelines?					3, 19, 40, 41,
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?					2,3,4,,40,41
d)	Disturb any human remains, including those interred outside of formal cemeteries?				⊠	2, 40,41
e)	Change or affect any resource listed in the County Historic Resources Database?				\boxtimes	16

DISCUSSION:

The California Historical Resources Information Center has reviewed the proposed project and identified the project site as an area having a low possibility of containing historical resources. Due to the nature of the land use, the soils on site have been previously disturbed and any archaeological, historical, or palaeontological resources would have been uncovered. Furthermore, the recycling operation will not require grading into native soils and the discovery

of archaeological, historical, or palaeontological resources is not expected. Therefore, further study of the project area for historical resources is not warranted.

In the event that human skeletal remains are encountered, the applicant is required by County Ordinance No. B6-18 to immediately notify the County Coroner. Upon determination by the County Coroner that the remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of section 7050.5 of the Health and Safety Code and the County Coordinator of Indian affairs. No further disturbance of the site may be made except as authorized by the County Coordinator Of Indian Affairs in accordance with the provisions of state law and this chapter. If artifacts are found on the site a qualified archaeologist shall be contacted along with the County Planning Office. No further disturbance of the artifacts may be made except as authorized by the County Planning Office.

F.	GEOLOGY AND SOILS		IMP	ACT		19
MO	ULD THE PROJECT:		YES		NO	
'Qu	nestions relating to the California Department of n & Game "de minimus impact finding" for the tificate of Fee Exemption are listed in italics.	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCE
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines				×	6, 17L, 43
	 and Geology Special Publication 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? 					6, 17c,18b 6, 17c, 17n, 18b
b)	iv) Landslides? Result in substantial soil erosion or the loss of				\boxtimes	6, 17L, 118b 6, 2, 3
c)	topsoil? Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				⊠	2, 3, 17c, 23, 24, 42
d)	Be located on expansive soil, as defined in the report, Soils of Santa Clara County, creating substantial risks to life or property?					14,23, 24,
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	_				3,6, 23,24,
f)	Cause substantial compaction or over-covering of soil either on-site or off-site?				⊠	3, 6

g) Cause substantial change in topography or unstable soil conditions from excavation, grading, or fill?				Ø	2, 3, 6, 42	
--	--	--	--	---	-------------	--

The easternmost portion of the parcel is located within a County Landslide Hazard Zone, which is also a State Landslide-prone Seismic Hazard Zone. However, the proposed recycling operation would be located within the western portion of the parcel and would not impact the Hazard Zone. The County of Santa Clara Geologist has reviewed the project proposal and determined that further geologic analysis is not required.

G.	HAZARDS & HAZARDOUS MATERIALS					
			IMPACT			
WO	ULD THE PROJECT		YES		NO	
Fist	estions relating to the California Department of & Game "de minimus impact finding" for the tificate of Fee Exemption are listed in italics.	Potentially Significant Impact	Significant With Skinificant Impact Incorporated		No impact	SOURCE
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			Ø		1, 3, 4, 5
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			⊠		2, 3, 5
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?				⊠	46
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				⊠	47
е)	For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				⊠	3, 22a
Ŋ	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				×	3
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				Ճ	5, 48

h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires including where wildlands are adjacent to urbanized areas or where residences are				×	4
i) j)	intermixed with wildlands? Provide breeding grounds for vectors? Proposed site plan result in a safety hazard (i.e., parkint plants), access, closed	A)			X	1, 3, 5 3
k)	community, etc.)? Involve construction of a building, road or septic system on a slope of 30% or greater?					1, 3, 17n
1)	Involve construction of a roadway greater than 20% slope for a distance of 300' or more?	0		Δ.		1, 3, 17n

The quarry regularly uses hazardous materials for their operation; the addition of the recycling operation may require the quarry to increase the use of the same types of hazardous materials; however, the hazardous materials are already used on-site and the limited quantity of recycled materials would require only an incremental increase in the use of hazardous materials. The County Hazardous Materials Compliance Division (HMCD) reviewed the proposed project and also did not issue any land development requirements.

The quarry operator has created and implemented a "Hazardous Materials Management Plan (HMMP) and Emergency Response Plan," which was prepared by a state registered environmental assessor. The plan catalogs the types of hazardous materials used on-site, lists the inventory of emergency equipment on-site, details emergency procedures and lists the emergency duties that employees are trained for. The HMMP is reviewed by County HMCD staff and the facility is subject to in-site inspections by HMCD staff to ensure that all hazardous materials are propertly stored and that all emergency response procedures are in place. A copy of the HMMP can be reviewed in the project file at the County of Santa Clara Planning Office.

The County Fire Marshal's Office reviewed the project proposal and did not issue any land development requirements.

Н.	HYDROLOGY AND WATER QUALITY					
			IMP	ACT		
W	OULD THE PROJECT:		YES		NO	
Fis	uestions relating to the California Department of th & Game "de minimus impact finding" for the rtificate of Fee Exemption are listed in italics.	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCE
a)	Violate any water quality standards or waste discharge requirements?				×	34, 36
b)					⊠	3, 4
c)	-					3, 17n
d)	Substantially after the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Note policy regarding flood retention in watercourse and restoration of riparian vegetation for West Branch of the Llagas.)				⊠ =	3
е)	Create or contribute increased impervious surfaces and associated runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				⊠	1, 3, 5, 36, 21a
f)	Otherwise substantially degrade water quality?				\boxtimes	1, 3, 5
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X	3, 18b, 18d
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?					3, 18b, 18d
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?					2, 3, 4
j)	Be located in an area of special water quality concem (e.g., Los Gatos or Guadalupe Watershed)?				\boxtimes	4, 6a,
k)	Be located in an area known to have high levels of nitrates in well water?					4

Н.	HYDROLOGY AND WATER QUALITY (cont.)				
-			IMP	ACT		
*Questions relating to the California Department of Fish & Game "de minimus impact finding" for the Certificate of Fee Exemption are listed in italics.			YES	NO		
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCE
1)	Result in a septic field being constructed on soil where a high water table extends close to the natural land surface?			0	×	3
m)	Result in a septic field being located within 50 feet of a drainage swale; 100 feet of any well, water course or water body or 200 feet of a reservoir at capacity?			U	₩	1,3

The recycling operation will not result in the development or construction of any buildings which would create impermeable surfaces capable of producing additional storm water runoff. The creation of a stockpile for the recycled materials will not result in a substantial alteration of existing drainage pattern. The quarry is an existing use operating under storm water permits from the State Water Resources Control Board, which ensure that adequate water quality is maintained and that storm water runoff from the site does not impact lands in the vicinity of the project.

_	LAND LICE			A		
<u> </u>	LAND USE		IMP	ACT		
WO	ULD THE PROJECT:	***	YES	NO		
*Questions relating to the California Department of Fish & Game "de minimus impact finding" for the Certificate of Fee Exemption are listed in italics.		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCE
a) b)	Physically divide an established community? Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			8	X	2, 4 8a, 9, 18a
c)	 Conflict with special policies: i) San Martin &/or South County? ii) Los Gatos Specific Plan or Lexington Watershed? iii) New Almaden Historical Area/Guadalupe 					1, 3, 8a, 20 1, 3, 8a, 22c 1, 8a
	Watershed?iv) Stanford?v) City of Morgan Hill Urban Growth				\boxtimes	8a, 21 8a, 17a
	Boundary Area? vi) West Valley Hillsides Preservation Area?				\boxtimes	1, 8a

The subject property is located within the sphere of influence, general plan, and urban service area of Milpitas, and is currently zoned A-d2. A-d2 is zoned exclusively agriculture (A) with a Milpitas Hillsides combining district (-d2). The intent of this zoning is to maintain the predominantly natural appearance of the Milpitas hillside areas. The quarry is an existing, vested surface mine, which means no land use authorization was issued by the County, and that the County recognizes it as a legal, non-conforming use. The County previously issued a Use Permit in December 1957, authorizing rock crushing equipment at the quarry. A Use Permit for the concrete, asphalt, and porcelain recycling would effectively replace or modify this previous authorization. This proposed Use Permit would not constitute a major modification of the use.

The City of Milpitas was referred the project proposal and issued no comments.

J.	NOISE					
			IMPA	CTS		
WC	OULD THE PROJECT:		YES		NO	1
Fis	uestions relating to the California Department of h & Game "de minimus impact finding" for the rtificate of Fee Exemption are listed in Italics.	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significan) Impact	No Impact	SOURCE
a)	Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		О		×	8a, 13, 22a, 45
b)	Result in exposure of persons to or generation of excessive groundbome vibration or groundbome noise levels?					13
c)	Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?					1, 2, 5
d)	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				×	1, 2, 5
е)	For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				⊠	1, 5, 22a
Ŋ	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				⊠	1, 3, 5,

The noise levels associated with the recycling operation will not exceed the existing noise levels. The portable crusher used to crush the virgin materials is the same crusher which will be used for the recycled materials. The crushing of the recycled materials will not create an additional source of noise and will not be louder than the crushing of the virgin materials.

The project shall conform to the County Noise Ordinance. The County Noise Ordinance (Section B11-192) sets maximum exterior noise levels for land use categories, and compliance with these specifications will ensure that the neighboring properties are not significantly impacted.

K.	POPULATION AND HOUSING					
			IMP	ACT		
wc	OULD THE PROJECT:		YES	NO		
*Questions relating to the California Department of Fish & Game "de minimus impact finding" for the Certificate of Fee Exemption are listed in italics.		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impaci	SOURCE
a)	Induce substantial growth in an area, either				\boxtimes	1, 3, 4
	directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	n and sol		u 5.	_	4.0.04
b)	Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?				⊠	1, 2, 3, 4

DISCUSSION:

The addition of the recycling operation at the existing quarry will not induce growth in the area of displace housing or people.

		IMP	ACT	
WOULD THE PROJECT:		YES		NO
*Questions relating to the California Department of Fish & Game "de minimus impact finding" for the Certificate of Fee Exemption are listed in italics.	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No impact

a)	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	3 8 F1			Saic -
1	i) Fire Protection?	П		\boxtimes	1, 3, 5
1	ii) Police Protection?			$\overline{\boxtimes}$	1, 3, 5
1	iii) School facilities?			\boxtimes	1, 3, 5
1	iv) Parks?			\boxtimes	1, 3, 5
1	v) Other public facilities?			\boxtimes	1, 3, 5

Currently, the subject property is developed with a base rock quarry; the addition of the recycling operation will be a minor part of the quarry operations and will not necessitate an increased demand on governmental facilities. Therefore, the proposed project would not impact public services.

			IMP	ACT		
WOULD THE PROJECT:	WOULD THE PROJECT:		YES		NO	
*Questions relating to the Californ Fish & Game *de minimus impact Certificate of Fee Exemption are li	finding" for the	Potentially Significant Impaci	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCE
Result in the loss of availability mineral resource that would b to the region and the residents	e of future value					1, 2, 3, 6, 44
b) Result in the loss of availability important mineral resource re- delineated on a local general plan, or other land use plan?	y of a locally- covery site as					1, 2, 3, 6,8a
 Increase the use of existing no regional parks or other recreat such that substantial physical the facility would occur or be a 	tional facilities deterioration of				\boxtimes	1, 2, 4, 5
 Include recreational facilities of construction or expansion of nacilities which might have an effect on the environment? 	r require the ecreational				⊠	1, 3, 4, 5
Be on, within or near a public wildlife reserve, or trail or affect future recreational opportunities	t existing or			\boxtimes		17h, 21a
f) Result in loss of open space of priority for acquisition in the "P 20/20" report?					×	27

DISCUSSION:

The subject property is adjacent to Ed Levin County Park and the Bay Area Ridge Trail – Diablo Range. The recycling operation at the facility is not expected to generate significant increases in

traffic levels and no increase in noise levels, which could result in impacts to the park or trail. Therefore, the project will not result in impacts related to Ed Levin County Park or the Bay Area Ridge Trail.

The County Parks and Recreation Department has reviewed the proposed project and determined that the project will not impact the Trails Element of the Parks and Recreation Chapter of the 1999 General Plan.

_	TRANSPORTATION / TRAFFIC	T	IMP	ACT		SOURCE
wo	ULD THE PROJECT:		YES		NO	
Fisl	restions relating to the California Department of h & Game "de minimus impact finding" for the tificate of Fee Exemption are listed in italics.	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	_
a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio, or congestion at intersections)?					1, 4, 5, 6, 7, 49, 53
o)	Exceed, either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways?	-	_			6, 49, 50, 53
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				⊠	5, 6, 7, 53
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			. 0	⊠	3, 5, 6,7, 53
e)	Result in inadequate emergency access?				⊠	1, 3, 5, 48, 5
n)	Result in inadequate parking capacity?			日	⊠ ⊠	52, 53
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus tumouts, bicycle racks)?				_	8a, 21a
h)	Not provide safe access, obstruct access to nearby uses or fail to provide for future street right of way?			×		3, 6, 7, 53

DISCUSSION:

The proposed project will cause an increase in traffic trips to and from the site, however, the estimated number of additional trips is insignificant. Normal traffic at the facility is dependant upon the level of construction and development in the region which requires aggregate base rock. The additional traffic will be solely the trucks traveling to and from the site to drop off materials to be recycled. Once the recyclables have been crushed, customers of the quarry would be offered a choice between raw or recycled materials. Based on the amount of materials the quarry will recycle each year, the applicant has estimated that the increase of traffic will be

approximately 3 truck trips per day. The addition of 3 truck trips per day will not significantly impact the roadway system.

The project has been conditioned by the County Department of Roads and Airports, to either construct street and drainage improvements for a portion of the site's frontage along Old Calaveras Road, or, to enter into a deferred improvement agreement with the County.

0.	UTILITIES AND SERVICE SYSTEMS					
			IMP	ACT		
WC	WOULD THE PROJECT:		YES		NO	
*Questions relating to the California Department of Fish & Game *de minimus impact finding* for the Certificate of Fee Exemption are listed in italics.		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCE
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				×	1, 3, 5,
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?					1, 3, 5, 21a, 38
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?					1, 3, 5
d)	Require new or expanded entitlements in order to have sufficient water supplies available to serve the project?				⊠	1, 3, 5, 21,
ө)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				⊠	1, 3, 5
f)	Not be able to be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				×	1, 3, 5
g)	Be in non-compliance with federal, state, and local statutes and regulations related to solid waste?				\boxtimes	5, 6
h)	Employ equipment which could interfere with existing communications or broadcast systems?					1, 3, 5

DISCUSSION:

Implementation of the project would not exceed wastewater treatment requirements, require new or improved wastewater or solid waste facilities, be in non-compliance with any statutes or regulations relating to solid waste, nor would it employ equipment that would introduce interference into any system. The proposed project is a marginal increase of an existing use and will not result in any impacts to utilities and/or service systems.

-		IMPACT				
*Questions relating to the California Department of Fish & Game "de minimus impact finding" for the Certificate of Fee Exemption are listed in italics.		YES			NO	
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	SOURCE
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce				⊠ _.	1 to 53
o)	the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? Does the project have impacts that are individually limited, but cumulatively	,.		22 		1 to 53
c)	considerable ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			0	⊠	1 to 53

The project does not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. As previously discussed in the biological resources section of this initial study, there are no rare or endangered species on or in vicinity of the site. The project would not significantly degrade the quality of the environment, have substantial adverse effects on human beings directly or indirectly, or have any cumulatively considerable impacts. The project will result in incremental increases in traffic levels, however, this increase will be insignificant and will not result in environmental impacts.

The applicant shall be required to adhere to all conditions, guidelines, and recommendations set forth by the County Planning Office, Land Development Engineering Office, Environmental Health, Fire Marshal's Office, Roads and Airports, and the County Geologist regarding the development standards of the proposed project.

) Initial Study Source List*

- 1. Environmental Information Form
- 2. Field Inspection
- Project Plans
- 4. Planner's Knowledge of Area
- 5. Experience With Other Projects of This Size and Nature
- County Expert Sources: Geologist, Fire Marshal, Roads & Airports, Environmental Health, Land Development Engineering, Parks & Recreation, Zoning Administration, Comprehensive Planning, Architectural & Site Approval Committee Secretary
- Agency Sources: Santa Clara Valley Water
 District, Santa Clara Valley Transportation
 Authority, Midpeninsula Openspace Regional
 District, U.S. Fish & Wildlife Service, CA Dept. of
 Fish & Game, Caltrans, U.S. Army Core of
 Engineers, Regional Water Quality Control Board,
 Public Works Depts. of individual cities, Planning
 Depts. of individual cities,
- 8a. Santa Clara County (SCC) General Plan
- 8b. The South County Joint Area Plan
- 9. SCC Zoning Regulations (Ordinance)
- 10. County Grading Ordinance
- SCC Guidelines for Architecture and Site Approval
- 12. SCC Development Guidelines for Design Review
- County Standards and Policies Manual (Vol. I Land Development)
- Table 18-1-B of the Uniform Building Code [1994 version]
- 15. Land Use Database
- 16. Santa Clara County Heritage Resource (including Trees) Inventory [computer database]
- 17. GIS Database
 - a. SCC General Plan Land Use, and Zoning
 - b. Natural Habitat Areas & Riparian Plants
 - c. Relative Seismic Stability
 - d. Archaeological Resources
 - e. Water Resources & Water Problems
 - f. Viewshed and Scenic Roads
 - g. Fire Hazard
 - h. Parks, Public Open Space, and Trails
 - i. Heritage Resources
 - J. Slope Constraint
 - k. Serpentine soils
 - State of California, Alquist-Priolo Earthquake Fault Zones, and County landslide & fault zones
 - m. Water Problem/Resource
 - n. USGS Topo Quad, and Liquefaction
 - o. Dept. of Fish & Game, Natural Diversity Data
 - p. FEMA Flood Zones
 - Base Map Overlays & Textual Reports (GIS)
- 18. Paper Maps
 - a. SCC Zoning
 - b. Barclay's Santa Clara County Locaide Street
 Atlas
 - c. Color Air Photos (MPSI)
 - d. Santa Clara Valley Water District Maps of Flood Control Facilities & Limits of 1% Flooding
 - e. Soils Overlay Air Photos
 - f. "Future Width Line" map set

19. CEQA Guidelines [Current Edition]

Area Specific: San Martin, Stanford, and Other Areas

San Martin

20a.San Martin Integrated Design Guidelines
20b.San Martin Water Quality Study
20c.Memorandum of Understanding (MOU) between
Santa Clara County & Santa Clara Valley Water District

Stanford

21a. Stanford University General Use Permit (GUP), Community Plan (CP), Mitigation and Monitoring Reporting Program (MMRP) and Environmental Impact Report (EIR)

21b. Stanford Protocol and Land Use Policy Agreement

Other Areas

22a.ALUC Land Use Plan for Areas Surrounding Airports [1992 version]

22b.Los Gatos Hillsides Specific Area Plan 22c.County Lexington Basin Ordinance Relating to Sewage Disposal

<u>Soils</u>

23.USDA, SCS, "Soils of Santa Clara County
24.USDA, SCS, "Soil Survey of Eastern Santa Clara
County"

Agricultural Resources/Open Space

- 25. Right to Farm Ordinance
- 26. State Dept. of Conservation, "CA Agricultural Land Evaluation and Site Assessment Model"
- Open Space Preservation, Report of the Preservation 2020 Task Force, April 1987 [Chapter IV]

Air Quality

- 28. BAAQMD Clean Air Plan (1997)
- 29. BAAQMD Annual Summary of Contaminant Excesses & BAAQMD, "Air Quality & Urban Development Guidelines for Assessing Impacts of Projects & Plans" [1999]

Biological Resources/ Water Quality & Hydrological Resources/ Utilities & Service Systems"

- 30. Site-Specific Biological Report
- 31. Santa Clara County Tree Preservation Ordinance No. Ns-1203.107
- 32. Clean Water Act, Section 404
- 33. Riparian Inventory of Santa Clara County, Greenbelt Coalition, November 1988
- 34.CA Regional Water Quality Control Board, Water Quality Control Plan, San Francisco Bay Region [1995]
- Santa Clara Valley Water District, Private Well Water Testing Program [12-98]
- SCC Nonpoint Source Pollution Control Program, Urban Runoff Management Plan [1997]
- 37.County Environmental Health / Septic Tank Sewage Disposal System Bulletin "A"
- 38.County Environmental Health Department Tests and Reports

Initial Study Source List*

39.Calphotos website: http://www.elib.cs.berkeley.edu/photos

Archaeological Resources

- 40 State Archaeological Clearinghouse, Sonoma State University
- 41. Site Specific Archaeological Reconnaissance Report

Geological Resources

- 42. Site Specific Geologic Report
- 43. State Department of Mines and Geology, Special
- 44. State Department of Mines and Geology, Special Report #146

Noise Noise

45. County Noise Ordinance

Hazards & Hazardous Materials
46.Section 21151.4 of California Public Resources Code

- State Department of Toxic Substances, Hazardous Waste and Substances Sites List
- 48. County Office of Emergency Services Emergency Response Plan [1994 version]

Transportation/Traffic

- Transportation Research Board, "Highway Capacity Manual", Special Report 209, 1995.
- SCC Congestion Management Agency, "2000 Monitoring and Conformance report"

51. Official County Road Book

- 52. County Off-Street Parking Standards
- 53. Site-specific Traffic Impact Analysis Report

*Items listed in bold are the most important sources and should be referred to during the first review of the project, when they are available. The planner should refer to the other sources for a particular environmental factor if the former indicate a potential environmental impact.

Attachment J

County of Santa Clara Architectural and Site Approval Committee

Hearing Date: March 11, 2010 File No.: 2071-42-84-09P

CHIVED ING OFFIC

Issued to:

Serpa Quarry

For:

Minor Reclamation Plan Amendment for Serpa Quarry (California Mine ID #1

43-0002).

Location:

Scott Creek Road, Milpitas

Applicant is hereby granted an MINOR RECLAMATION PLAN AMENDMENT PERMIT under the provisions of Chapter 4.10.360(I)(1) of the Zoning Ordinance. This permit is made pursuant to the application on file with the Architectural and Site Approval Committee, and is subject to the following conditions:

See Exhibit A attached hereto and made a part hereof.

This approval was granted by the Architectural and Site Approval Committee at its meeting of March 11, 2010.

Pamela T. Wu, ASA Secretary

This permit shall be effective on March 26, 2010 provided no appeal has been filed before that date. A building permit must be issued on or before March 26, 2015, or this approval and permit becomes void, unless an extension application is filed and approved.

Acceptance:

The undersigned understands and accepts this Permit and the conditions therein set forth, agrees to comply with all conditions of this Permit, understands that failure to comply therewith will render the Permit subject to revocation, and acknowledges receipt of the permit.

Signature of Permittee & Date

3-22-2010

This Permit subject to the conditions stated therein, shall not be deemed to be granted until the conditions of acceptance have been executed by the applicant and a copy thereof filed with the Secretary of the Architectural and Site Approval Committee. Within fifteen (15) calendar days after the Architectural & Site Approval Committee's final decision on an application, any person dissatisfied with the Committee's action has the right to file an appeal to be heard by the Planning Commission. At the time the appeal is filed the appellant shall pay a filing fee in an amount established by the Board of Supervisors. Contact the County Planning Office for the appeal form and fee schedule.

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



3/16/2010

A.G. & Jean Raisch 15581 Toyon Drive Los Gatos, CA 95030

FILE NUMBER:

2071 - 42 - 84 - 09P

SUBJECT:

Use Permit

SITE LOCATION:

Old Calaveras Road

ACTION/AGENDA DATE: 3/11/2010

Dear Mr. Raisch:

Enclosed are the final conditions of approval, associated with the above-referenced file number, approved by the Architecture and Site Approval Committee (ASA) at its meeting. This approval is valid for 60 months and will expire on March 26, 2015.

If you have any questions regarding this matter, please contact me at (408) 299-5775 to discuss by telephone or to schedule an appointment.

Please sign and return buff colored ASA approval form to the Planning Office.

Sincerely,

Pamela T. Wu ASA Secretary

Enclosure

cc: Gary Rudholm Bryan Raisch PO Box 1392 Los Gatos CA 95301

County of Santa Clara Architectural and Site Approval Committee

Hearing Date: March 11, 2010 File No.: 2071-42-84-09P

Issued to:

Serpa Quarry

For:

Minor Reclamation Plan Amendment for Serpa Quarry (California Mine ID #91-

43-0002).

Location:

Scott Creek Road, Milpitas

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The undersigned understands and accepts this Permit and the conditions therein set forth, agrees to comply with all conditions of this Permit, understands that failure to comply therewith will render the Permit subject to revocation, and acknowledges receipt of the permit.

Signature of Permittee & Date

This Permit subject to the conditions stated therein, shall not be deemed to be granted until the conditions of acceptance have been executed by the applicant and a copy thereof filed with the Secretary of the Architectural and Site Approval Committee. Within fifteen (15) calendar days after the Architectural & Site Approval Committee's final decision on an application, any person dissatisfied with the Committee's action has the right to file an appeal to be heard by the Planning Commission. At the time the appeal is filed the appellant shall pay a filing fee in an amount established by the Board of Supervisors. Contact the County Planning Office for the appeal form and fee schedule.

Exhibit A

Conditions of Approval

File 2071-42-84-09P Serpa Quarry Reclamation Plan Amendment March 11, 2010

Planning

1-

- 1. The amended reclamation plan provides for final reclamation of the property commonly referred to as the Serpa Quarry, where mining operations have ceased.
- 2. Closure Date: March 31, 2015.
- 3. The end use of the quarry property following reclamation is privately owned hillside open space.
- Within 30 days from the date of this reclamation plan amendment, submit one hard copy and one copy on compact disk in portable document format (PDF) of final plans with the signature and stamp by the responsible engineer. The engineer shall sign and stamp each sheet.
- 5. The stockpile of ground glass shown on the plan shall be removed, or shall be used as fill materials in keeping with the recommendations set forth in a letter from Cleary Consultants, Inc., dated September 28, 2007.
- Landscaping and re-vegetation of the quarry site shall take place in accordance
 with the approved amended reclamation plan. Re-vegetation shall commence
 between September and November of each year in those locations of the mine
 where final elevations are established.
- 7. An annual report shall be submitted to the Secretary of ASA for the life of the reclamation of the quarry, plus three years that describes and evaluates the effectiveness of the establishment of the re-vegetated areas. This report is to be prepared by a qualified biologist and submitted by November 1 of each year. The first such report shall be submitted no later than November 1, 2011.
- All paved surfaces shall have their pavement removed. The underlying area shall be scarified and amended with appropriate soil amendments to support the re-vegetation material.
- 9. Within 30 days following completion of the grading necessary for each of the phases identified on Sheet 6 of the reclamation plan drawings, submit a construction observation letter from the responsible engineer certifying the

grading is complete, compacted, and engineered consistent with the approved reclamation plan.

- 10. The Director of Planning and Development shall cause the operation to be inspected not less than once in any calendar year pursuant to Public Resources Code, section 2207. The inspection is to be conducted by a state-registered geologist, civil engineer, architect, or forester, or other designated individual who is experience in land reclamation.
- 11. The landowner, or mine operator shall be responsible for the reasonable costs of the inspection.
- 12. The premises shall be maintained neat and orderly, free from junk, trash or unnecessary debris. Weeds shall be cut as frequently as necessary to eliminate fire hazards.
- 13. The on-site roads shall be maintained during reclamation shall be kept in a reasonably dust-free condition. In order to minimize dust, the on site roads shall watered or chemically treated during the dry season.

Geology

10 Her 14.

Submit an Engineering Geologist's Reclamation Plan Review Letter that supplements (as needed) Applied Soil Mechanics' geologic investigation report (dated 9-13-1983) and verifies that the recommendations presented therein (or new recommendations) have been incorporated into the plans.

The operator shall provide a Construction Observation Letter from a certified engineering geologist (CEG) that the recommendations from the letter report by Cleary Consulting, dated September 28,2007, regarding use of the ground glass stockpile as fill placed on the site for final reclamation purposes were implemented. This letter shall be signed by the CEG who observes the construction.

Land Development Engineering

- 16. Submit a final drainage plan, signed and stamped by the engineer in charge, to control the drainage and ensure the drainage onsite gets to the detention and desiltation basins prior to leaving the site. Because there are various swales shown leaving the site without treatment. The final plan include, as necessary, treatment and velocity calculations demonstrating adequate length and size if the swales to be used for treatment.
- 17. Submit a final the erosion control plan with the final drawings that show waddles and silt fences are to be installed on contour with approximately five to ten feet of vertical fall between barriers, to ensure they are effective.

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



STAFF REPORT
Architecture & Site Approval Committee
March 11, 2010
Item #1

2071-42-84-07P Serpa Quarry

Minor Reclamation Plan Amendment to modify the final contours of a previously approved reclamation plan, and to revise the list of plants to be used for re-vegetation.

Staff Recommendation:

Approval of the Reclamation Plan Amendment

Property Owner:

A. G. and Jean Raisch

Address:

2425 Old Calaveras Road, Milpitas

Location:

N side of Old Calaveras Road, btw. Evans Road and Downing Road

Current Zoning:

HS-d2 (Hillsides; Design Review (Milpitas Hillsides))

Supervisorial District:

#3

Assessor Parcel No:

029-34-004

Staff report prepared:

March 5, 2010

Prepared by:

Gary Rudholm, Senior Planner

PROJECT DESCRIPTION

A minor reclamation plan amendment, as allowed under Santa Clara County Zoning Ordinance §4.10.360(I)(1), to an existing reclamation plan originally approved in 1984. The proposed amendment would change the final contours of the reclaimed quarry site from the previously approved configuration. The change is due to termination of excavation of minerals from the site. The amendment would also change the list of plant materials to be used for re-vegetation of the property. The proposed end use of the land will remain privately owned open space.

RECOMMENDED ACTIONS

Actions Concerning Proposal

It is recommended that the Architectural & Site Approval Committee:

Approve the Minor reclamation plan amendment per §4.10.360(I)(1), subject to compliance with the following conditions of approval listed in the attached Exhibit A.

REASONS FOR RECOMMENDATION

Reasons for Actions Concerning Environmental Determination

The Santa Clara County Planning Commission approved a Mitigated Negative Declaration on June 7, 1984, for the original reclamation plan. The Planning Commission also approved a Negative Declaration for a modification to a Use Permit to allow recycling on the property on December 4, 2003. No changes to the reclamation plan are proposed that would affect the conclusions of the 1984 or the 2003 environmental assessment and negative declaration, and no new information surfaced that would require additional analysis. For these reasons, the use of the prior CEQA document has been approved for the proposed minor reclamation plan amendment.

Reasons for Actions Concerning Proposal

- A. The modification involves minor changes to the previously approved reclamation plan. The change is the result of the property owner terminating extraction of minerals from the site. Because material would no longer be excavated, the final contours established by the approved reclamation plan cannot be achieved.
- B. The modification provides for reducing the step slopes created from excavation, providing for stable slopes through importing fill material, which would be engineered to permanently remain in place.
- C. The re-vegetation palette would provide for re-planting of grasses species that are native, or compatible with the native vegetation and appropriate to the project site's location.

BACKGROUND

The Serpa Quarry was an active mine since the 1950s. In 1976 the State Legislature adopted the Surface Mine and Reclamation Act (SMARA). Under SMARA active mine sites must have an approved reclamation plan adopted by the local lead agency, which in this case is the County of Santa Clara. In compliance with SMARA, the County approved a reclamation plan for Serpa Quarry on June 7, 1984. Because this was a working mine up until recently, reclamation of the land did not commence.

In 1957 the County issued a Use Permit authorizing the quarry to have rock-crushing equipment on the site. The Planning Commission later modified the Use Permit in December 2003 to authorize recycled materials to be brought on site and processed. Among the materials authorized for recycling was glass, which the mine operator crushed and blended with native minerals (those excavated on site) to create a marketable product. As a result of this recycling activity a stockpile of ground glass exists on the site. The mine operator provided a letter from a geologist that evaluates the feasibility of using the stockpiled glass as part of the fill material needed under the amended reclamation plan. The geologist determined that it would be feasible to use the ground glass, and provided recommendations for incorporating the ground glass with the fill to avoid a potentially unstable situation.

The amendment to the reclamation plan will effectively close the operation, reclaim the land to remove the appearance of any visible scar to the land, will ensure proper engineering of the drainage of the site, and will provide for appropriate vegetation of the site with success criteria for planting consistent with industry standards.

EXHIBITS

- A. Proposed Conditions of Approval, Reclamation Plan Amendment
- B. Petition for Use of Prior CEQA Document
- C. Correspondence from the State Office of Mine Reclamation dated March 4, 2010

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

Administration Development Services Fire Marshal Planning
Phone: (408) 299-6740 (408) 299-5700 (408) 299-5760 (408) 299-5770
Fax: (408) 299-6757 (408) 279-8537 (408) 287-9308 (408) 288-9198



USE OF A PRIOR CEQA DOCUMENT MITIGATED NEGATIVE DECLARATION

Pursuant to Section 15162 of the CEQA Guidelines, the County of Santa Clara has determined that the project described below is pursuant to or in furtherance of a Negative Declaration which has been previously adopted and does not involve new significant impacts beyond those analyzed in the previous Negative Declaration.

File Number	APN(s)	Date
2071-42-84-09P	029-34-004	12/21/09
Project Name	Project Type	
Reclamation Plan Amendment for the Serpa Quarry	industrial	
Owner	Applicant .	
A.G. & Jean Raisch - Serpa Quarry	Same	
Project Location		
2425 Old Calaveras Road Milpitas		
Project Description		
Reclamation Plan Amendment for the Serpa Quarry.		

Per the California Environmental Quality Act (CEQA) of 1970 (as amended), all development permits processed by the County Planning Office which require discretionary approval are subject to environmental review. If a previous CEQA document has been prepared and adopted or certified which adequately address all the possible environmental impacts of the proposed project, a new negative declaration or EIR is not required unless (a) substantial changes are proposed in the project which will result in new significant environmental effects, (b) substantial changes have occurred with respect to the circumstances (background conditions) which will result in the identification of new significant impacts, or (c) new information is available which shows that the project will have new or more intensive significant impacts or new mitigation measures and alternatives which were previously found to be infeasible (in the prior CEQA document) would now in fact be feasible (CEQA Guidelines 15162).

The Planning Office evaluated the project described above and has determined that none of the circumstances exist which would require additional environmental review. As such the environmental impacts of the project have been adequately evaluated in the Mitigated Negative Declaration adopted by the Planning Commission on December 4, 2003 for the project entitled "Raisch Serpa Quarry Expansion" and that no further environmental review is required under the California Environmental Quality Act,

Approved by:	Calleon Loda	12/21/09
Colleen A. Oda, Planner III	Signature	Date

County	of	Santa	Clara	 Department of Planning 	and Development
County	Ψ-			 Planning Office 	

PETITION FOR USE OF PRIOR CEQA DOCUMENT

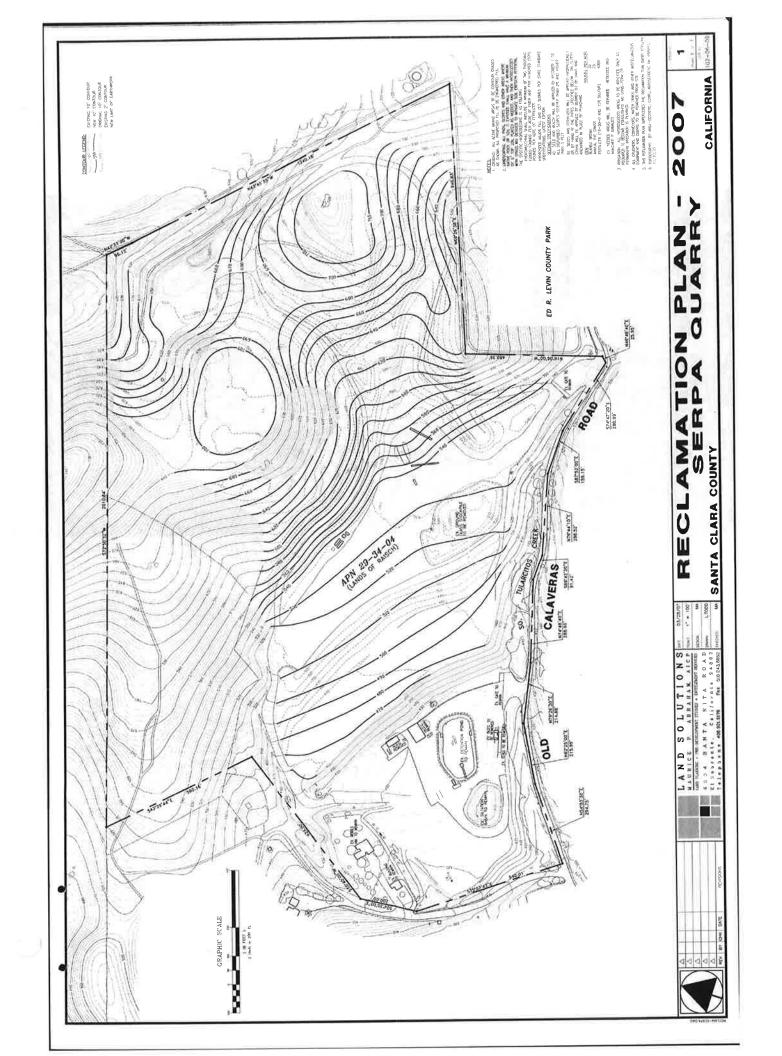
Use of a prior Negative Declaration or Environmental Impact Report (EIR) may be appropriate. Petitioner must show that a previous Negative Declaration or EIR has been prepared that adequately addresses the impacts of the proposed project and (a) no substantial changes have occurred or (b) no new information of substantial importance has become available since the preparation of the previous document. If you believe your project qualifies, complete and sign this "Petition for Use of Prior CEQA Document" form. Unless your petition is rejected by the Planning Office staff, you will not need to file for an environmental assessment.

[To facilitate review, please include copy of the referenced prior CEQA document with this petition.] The undersigned hereby requests use of the prior CEQA document entitled: "PROPOSED NEGATIVE DECLARATION", OCTOBER 22, 2003 which was prepared for File #: 2071-42-84-02P - OZA-OZEA. and approved/certified by the COUNTY OF SANTA CLARA (jurisdiction) DEREK FARMER (decision-maker) on 10/21/03 to evaluate the potential environmental impacts of the proposed project. 1. Nature of Proposed Project (variance, rezoning, etc.): RECLA MATION MODIFICATION 2. Project Location: 2122 OLD CALAVERAS ROAD, MILPITAS, CA 95035 3. Proposed Project Description (include physical dimensions and proposed use): _STOP HARVESTING NATIVE MATERIAL FROM THE LAND AND RECLAIM THE SITE. 4. County Assessor's Parcel Number: 029-34-004 5. Does the proposed project differ in any way from the project evaluated in the prior CEQA document (Negative Declaration or Environmental Impact Report [EIR])?(Yes) No If yes, describe those differences: THE PROTECT WAS EVALUATE NEXYCABLE MATURIAL CONCRETE AND ASPHALT) AND CONTIMUE HAMIESTING NATIVE MATERIAL FROM THE SITE OF MORE THAN AGGREGATE, THIS PROPOSED THE PRODUCTION OF RECLAMATION RESTORES THE LAND WITH THE ENVIRONMENT.

2071-09P

COUNTY OF SANTA CLARA PLANNING OFFICE

6. Have substantial changes occurred with respect to the circumstances under which the proposed
project will be undertaken? (Examples would be a substantial deterioration in the air quality, discov-
ery of a rare or endangered species, or a landslide where the project is located, etc.) Yes
If yes, please describe:
7. Has new information of substantial importance to the project become available which was not and could not have been known at the time of the approval/certification of the previous document? The new information must show one or more of the following:
(a) The project will have one or more significant effects not discussed previously;(b) Significant effects previously examined will be substantially more severe than shown in
the previous document; (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; or (d) Mitigation measures or alternatives which were not previously considered in the document would substantially lessen one or more significant effects on the environment.
Yes (No) If yes, please describe:
Certification: I hereby certify that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. If any of the facts represented here change, it is my responsibility to inform the County of Santa Clara Date: 12/11/03 Signed: Print Name & Address: E.A. RECENTIAL RO, PE. 99 Pour man way.
Print Name & Address:
SAN JOSE, CA 95111
For Staff Use
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Approved Denied Staff Person: Osllan L.Oda
Joines Joines

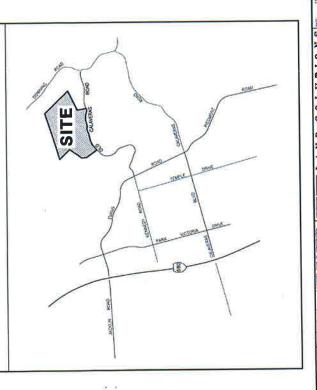


AN AMENDMENT TO THE MARCH 4, 1984 RECLAMATION PLAN APPROVED BY THE SANTA CLARA COUNTY PLANNING COMMISSION

- OLD CALAVERAS ROAD SERPA QUARRY

OF RAISCH LANDS

MAP LOCATION



INDEX OF DRAWINGS

DRAWINGS	SHEET NO.
TITLE SHEET	1
GENERAL NOTES	2000 COLONIA STANDARD COLONIA STANDARD
EXISTING TOPOGRAPHIC PLAN	8
RECLAMATION PLAN	7
DRAINAGE / EROSION CONTROL PLAN	ಕ್ತ
DRAINAGE / EHOSION CONTROL DETAILS A	95
RECLAMATION PHASING PLAN	9
A SECTIONS	7
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SERPA QUARRY RECLAMATION FOR LANDS OF RAISCH SHEET TITLE

SANTA CLARA COUNTY

CALIFORNIA

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c. EQUIPMENT. All equipment used in the mining and reclamation operations shall be removed from the site prior to or upon completion of the linia phase of re-respectation.

4. IERAINATION DATE. December 31, 2013.

(END (EX DAM)

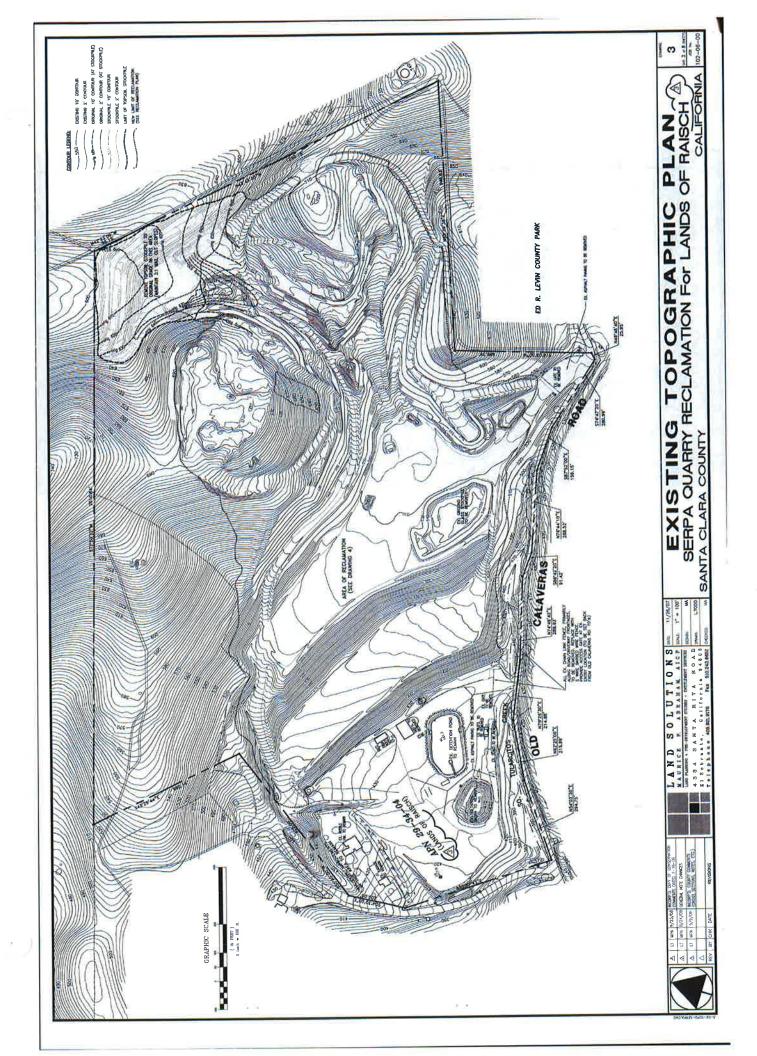
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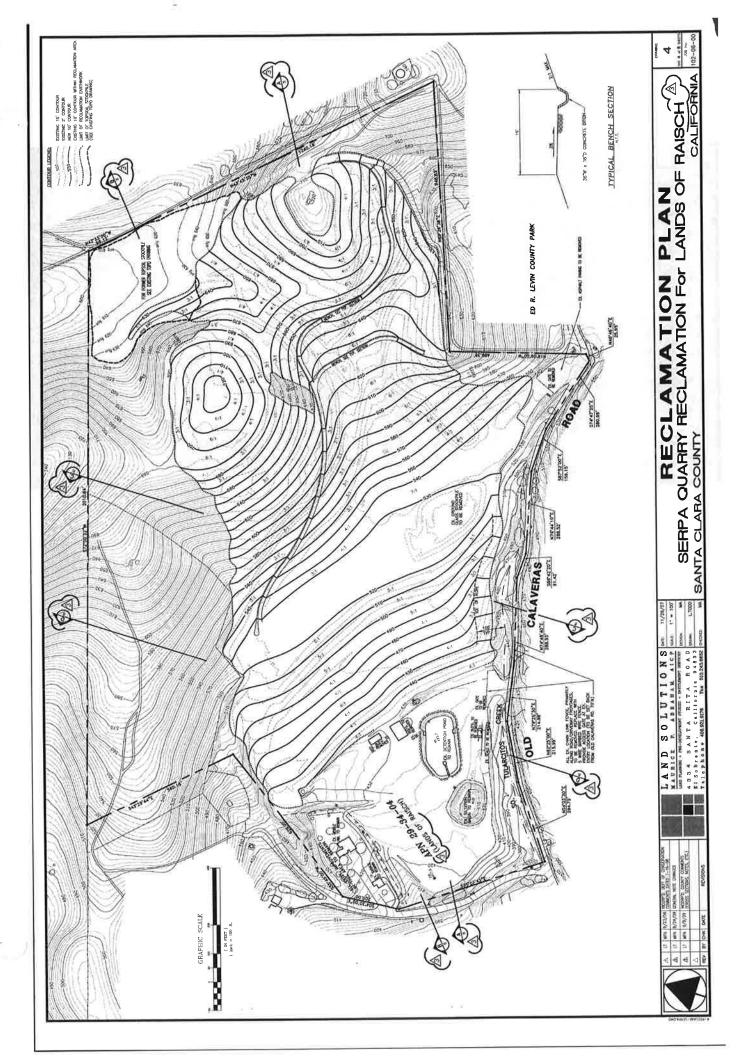


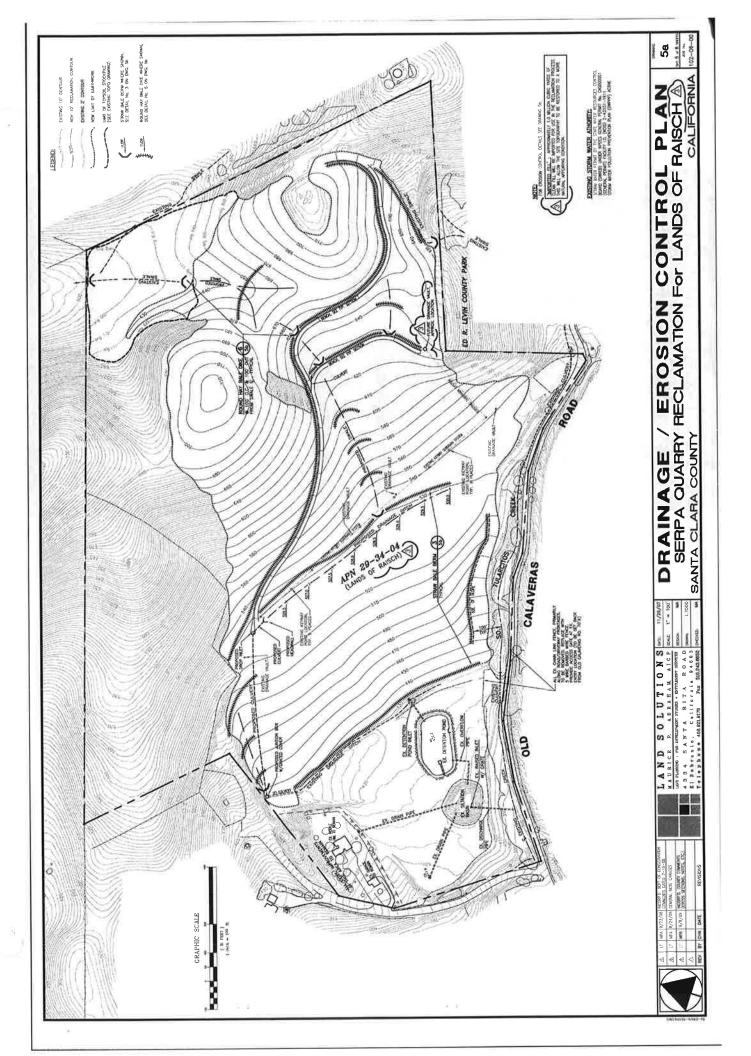
SERPA QUARRY RECLAMATION FOR LANDS OF RAISCH NOTES GENERAL

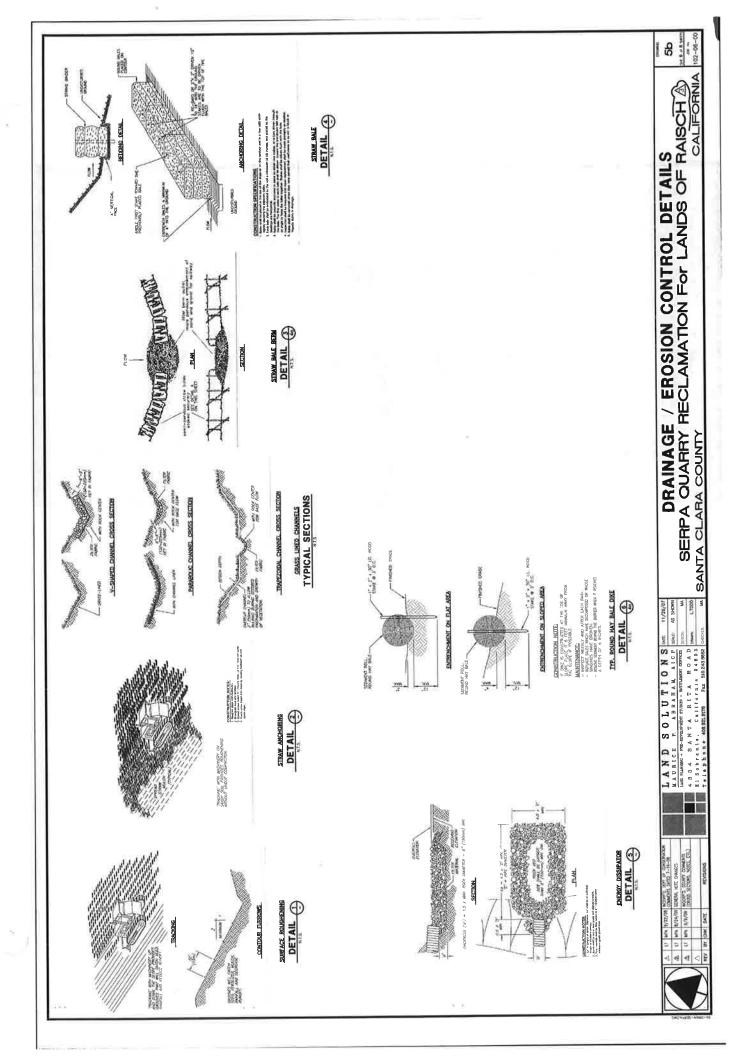
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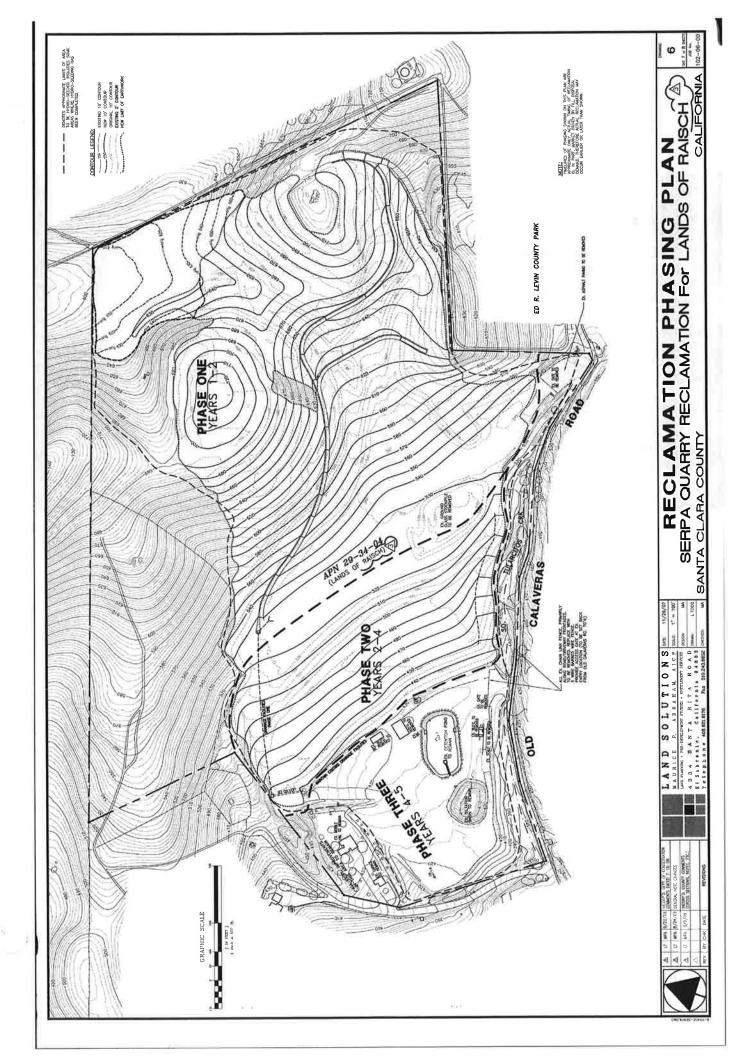
SANTA CLARA COUNTY

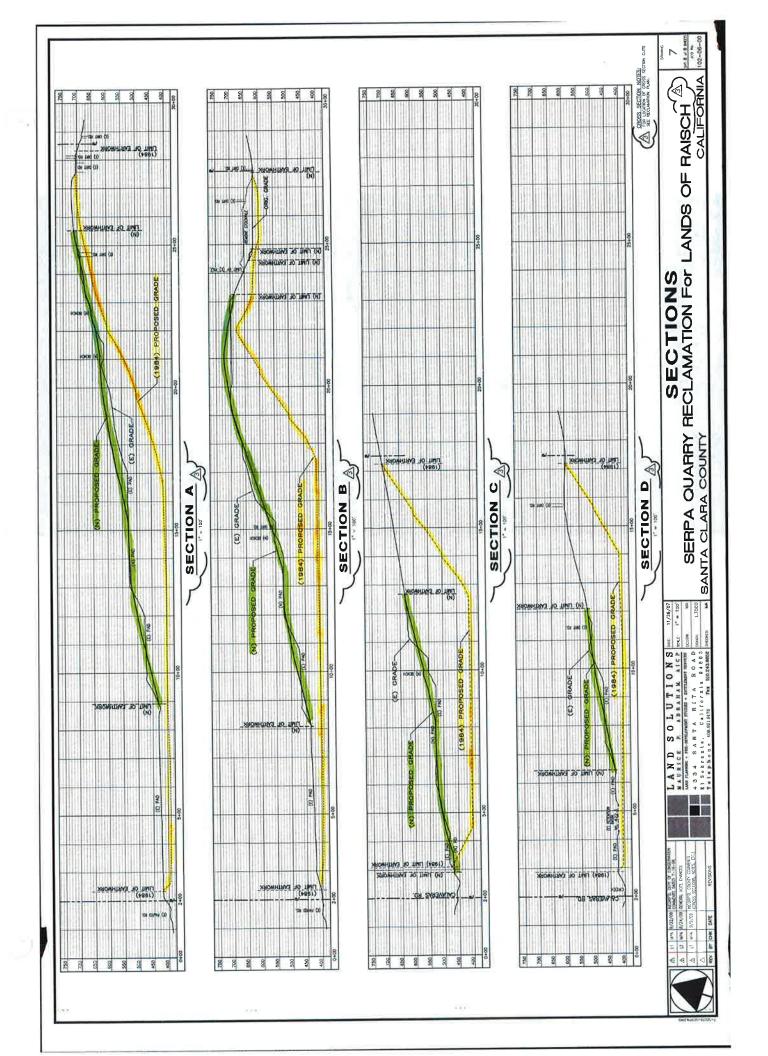












Attachment K

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



3/9/2012

Peter Lemon Graniterock Po Box 50001 Watsonville CA 95077

FILE NUMBER:

2071 - 42 - 84 - 11P

SUBJECT:

Use Permit / Reclamation Plan Amendment

SITE LOCATION:

2122 Old Calaveras Road, Milpitas

DATE RECEIVED:

ACTION/AGENDA DATE: 3/8/2012

12/15/2011

Dear Mr. Lemon:

Enclosed are the final conditions of approval, associated with the above-referenced file number, approved by the Architecture and Site Approval Committee (ASA) at its March 8, 2012 meeting.

Please note that any person dissatisfied with this decision may file an appeal within 15 calendar days after the final decision. All appeals regarding this application shall be filed at the County Planning Office and shall require the current filing fee. If you have any questions regarding this matter, please contact me at (408) 299-5775 to discuss by telephone or to schedule an appointment.

Please sign and return buff colored ASA approval form to the Planning Office.

Sincerely,

ela T Wu, AICE ASA Secretary

Enclosure

County of Santa Clara Architectural and Site Approval Committee

Please Sign and Return to:

County Planning Office Attn: ASA Secretary

70 W. Hedding St., E.W. 7th. Floor

San Jose CA 95110

Hearing Date: March 8, 2012

File No.: 2071-42-84-11P

Issued to:

Serpa Quarry / Graniterock

For:

Reclamation Plan Amendment for Serpa Quarry

(California Mine ID #91-43-0002).

Location:

2122 Old Calaveras Road, Milpitas

Applicant is hereby granted an MINOR RECLAMATION PLAN AMENDMENT PERMIT under the provisions of Chapter 4.10.360(I)(1) of the Zoning Ordinance. This permit is made pursuant to the application on file with the Architectural and Site Approval Committee, and is subject to the following conditions:

See Exhibit A attached hereto and made a part hereof.

This approval was granted by the Architectural and Site Approval Committee at its meeting of March 8, 2012.

Pamera T. Wu, ASA Secretary

This permit shall be effective on March 19, 2012 provided no appeal has been filed before that date.

Acceptance:

The undersigned understands and accepts this Permit and the conditions therein set forth, agrees to comply with all conditions of this Permit, understands that failure to comply therewith will render the Permit subject to revocation, and acknowledges receipt of the permit.

3/13/12

Signature of Permittee & Note

This Permit subject to the conditions stated therein, shall not be deemed to be granted until the conditions of acceptance have been executed by the applicant and a copy thereof filed with the Secretary of the Architectural and Site Approval Committee. Within fifteen (15) calendar days after the Architectural & Site Approval Committee's final decision on an application, any person dissatisfied with the Committee's action has the right to file an appeal to be heard by the Planning Commission. At the time the appeal is filed the appellant shall pay a filing fee in an amount established by the Board of Supervisors. Contact the County Planning Office for the appeal form and fee schedule.

Exhibit A

Conditions of Approval

File 2071-42-84-09P-11P Serpa Quarry Reclamation Plan Amendment March 8, 2012

Planning

- The amended reclamation plan provides for final reclamation of the property commonly referred to as the Serpa Quarry, where mining operations have ceased.
- 2. Closure Date: March 31, 2015.
- 3. The end use of the quarry property following reclamation is privately owned hillside open space.
- Within 30 days from the date of this reclamation plan amendment submit to the Planning Office one copy of the engineered plans on compact disk in portable document format (PDF) with the signature and stamp by the responsible engineer. The engineer shall sign and stamp each sheet.
- The stockpile of ground glass shown on the plan shall be removed, or shall be used as fill materials in keeping with the recommendations set forth in a letter from Cleary Consultants, Inc., dated September 28, 2007.
- Landscaping and re-vegetation of the quarry site shall take place in accordance
 with the approved amended reclamation plan. Re-vegetation shall commence
 between September and November of each year in those locations of the mine
 where final elevations are established.
- 7. An annual report shall be submitted to the Secretary of ASA for the life of the reclamation of the quarry, plus three years that describes and evaluates the effectiveness of the establishment of the re-vegetated areas. This report is to be prepared by a qualified biologist and submitted by November 1 of each year. The first such report shall be submitted no later than November 1, 2012.
- All paved surfaces shall have their pavement removed. The underlying area shall be scarified and amended with appropriate soil amendments to support the re-vegetation material.
- Within 30 days following completion of the grading necessary for each of the phases identified on Sheet 6 of 7 of the reclamation plan drawings, submit a construction observation letter from the responsible engineer certifying the

grading is complete, compacted, and engineered consistent with the approved reclamation plan.

- The Director of Planning and Development shall cause the operation to be inspected not less than once in any calendar year pursuant to Public Resources Code, §2207. The inspection is to be conducted by a state-registered geologist, civil engineer, architect, or forester, or other designated individual who is experience in land reclamation.
- 11. The landowner, or mine operator shall be responsible for the reasonable costs of the inspection. The land owner or mine operator shall be responsible for the reasonable staff costs attributed to verification of compliance with the conditions of approval contained herein.
- 12. The premises shall be maintained neat and orderly, free from junk, trash or unnecessary debris. Weeds shall be cut as frequently as necessary to eliminate fire hazards.
- 13. The on-site roads shall be maintained during reclamation shall be kept in a reasonably dust-free condition. In order to minimize dust, the on site roads shall be sprayed with water or chemically treated during the dry season.

Geology

14. The operator shall provide a Construction Observation Letter from a certified engineering geologist (CEG) that the recommendations were implemented from the letter report on file by Cleary Consulting, dated September 28, 2007, regarding use of the ground glass stockpile as fill placed on the site for final reclamation purposes. This letter shall be signed by the CEG who observes the construction.

Land Development Engineering

Plan Review and Format Process:

15. Provide wet signed copy of the plans to Land Development Engineering by the Civil Engineer in responsible charge.

Soils and Geology:

Submit a plan review letter by the Project Geotechnical Engineer certifying that the geotechnical issues identified in the above geotechnical report been mitigated on the improvement plan. This letter shall be submitted to and reviewed by Land Development Engineering.

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



STAFF REPORT Architecture & Site Approval Committee March 8, 2012 Item #1

2071-42-84-11P Serpa Quarry

Minor Reclamation Plan Amendment to modify the final contours of a previously approved reclamation plan for the Serpa Quarry.

Staff Recommendation: Approval of the Reclamation Plan Amendment

Property Owner:

A. G. and Jean Raisch

Address:

2425 Old Calaveras Road, Milpitas

Location:

N side of Old Calaveras Road, btw. Evans Road and Downing Road

Current Zoning:

HS-d2 (Hillsides; Design Review (Milpitas Hillsides))

Supervisorial District:

#3

Assessor Parcel No:

029-34-004

Staff report prepared:

February 28, 2012

Prepared by:

Gary Rudholm, Senior Planner

PROJECT DESCRIPTION

A minor reclamation plan amendment, as allowed under Santa Clara County Zoning Ordinance §4.10.360(I)(1), to an existing reclamation plan originally approved in 1984 and amended by the Architecture and Site Approval Committee on March 11, 2010. The proposed amendment would change the final contours of the reclaimed quarry site from the previously approved configuration.

RECOMMENDED ACTIONS

Actions Concerning Proposal

It is recommended that the Architectural & Site Approval Committee:

Approve the Minor reclamation plan amendment per §4.10.360(I)(1), subject to compliance with the conditions of approval listed in the attached Exhibit A.

REASONS FOR RECOMMENDATION

Reasons for Actions Concerning Environmental Determination

The Santa Clara County Planning Commission approved a Mitigated Negative Declaration on June 7, 1984, for the original reclamation plan. The Planning Commission also approved a Negative Declaration for a modification to a Use Permit to allow recycling on the property on December 4, 2003. No changes to the reclamation plan are proposed that would affect the conclusions of the 1984 or the 2003 environmental assessment and negative declaration, and no new information surfaced that would require additional analysis. For these reasons, the use of the prior CEQA document has been approved for the proposed minor reclamation plan amendment, and no action by the Architecture & Site Approval Committee is required.

Reasons for Actions Concerning Proposal

- A. The modification involves minor changes to the previously approved reclamation plan. The proposed plans are substantially similar to those previously approved by the Architecture and Site Approval Committee on March 11, 2010. The 2010 change was the result of the property owner terminating extraction of minerals from the site. The proposed amendment would allow the mine operator to import more material onto the site than was authorized by the 2010 amendment.
- B. The modification would reduce steep slopes created from excavation during past mineral extraction, and would provide stable slopes by importing fill material that would be engineered to permanently remain in place.
- C. The re-vegetation palette would provide for re-planting of plant species that are native, or compatible with the native vegetation and appropriate to the project site's location.

BACKGROUND

The Serpa Quarry was an active mine since the 1950s. In 1976 the State Legislature adopted the Surface Mine and Reclamation Act (SMARA). Under SMARA active mine sites must have an approved reclamation plan adopted by the local lead agency, which in this case is the County of Santa Clara. In compliance with SMARA, the County approved a reclamation plan for Serpa Quarry on June 7, 1984. Because this was a working mine up until recently, reclamation of the land did not commence.

In 1957 the County issued a Use Permit authorizing the quarry to have rock-crushing equipment on the site. The Planning Commission later modified the Use Permit in December 2003 to authorize recycled materials to be brought on site and processed. The Use Permit remains valid, although the recycling operations are comparatively smaller than they have been in previous years.

Approximately three years ago the property owner decided to cease mineral extraction at the Serpa Quarry. For this reason, the final contours envisioned by the 1984 reclamation plan could not be achieved. The County advised the mine operator at the time, Raisch Products, that an amendment to the reclamation plan was required. Raisch submitted a proposal and, following review of the application as required under the County Zoning Ordinance and SMARA, the Architecture and Site Approval Committee approved the reclamation plan amendment on March 11, 2010. The design of the 2010 reclamation plan involves importing fill material that would fill areas where excavation occurred, and establish finished contours similar to the original ground.

In 2011 Granite Rock Company, who took over operations of the Serpa Quarry in December 2010, proposed another amendment to the reclamation plan that would modify the final contours shown on the previous approval, and allow additional material onto the site as part of the engineered fill. The end result will be substantially the same as that of the previously approved reclamation plan amendment. The amended plan will effectively close the mine operation, reclaim the land to remove the appearance of any visible scar to the hillsides, will ensure proper engineering of the drainage of the site, and will provide for appropriate vegetation on the property in compliance with success criteria for planting consistent with industry standards.

EXHIBITS

- A. Proposed Conditions of Approval, Reclamation Plan Amendment
- B. Petition for Use of Prior CEQA Document
- C. Correspondence from the State Office of Mine Reclamation dated February 8, 2012

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

Administration Development Services Fire Marshal Planning
Phone: (408) 299-6740 (408) 299-5700 (408) 299-5760 (408) 299-5770
Fax: (408) 299-6757 (408) 279-8537 (408) 287-9308 (408) 288-9198



USE OF A PRIOR CEQA DOCUMENT MITIGATED NEGATIVE DECLARATION

Pursuant to Section 15162 of the CEQA Guidelines, the County of Santa Clara has determined that the project described below is pursuant to or in furtherance of a Negative Declaration which has been previously adopted and does not involve new significant impacts beyond those analyzed in the previous Negative Declaration.

File Number	APN(s)	Date
2071-42-84-11P	029-34-004	7/18/11
Project Name	Project Type	
Modification (Amendment) of the Serpa Quarry reclamation plan	industrial	3
Owner	Applicant	4.
Jean Raisch – Serpa Quarry	Graniterock	
Project Location	(*)	and the second s
Project Location 2425 Old Calaveras Road Milpitas		

Per the California Environmental Quality Act (CEQA) of 1970 (as amended), all development permits 'processed by the County Planning Office which require discretionary approval are subject to environmental review. If a previous CEQA document has been prepared and adopted or certified which adequately address all the possible environmental impacts of the proposed project, a new negative declaration or EIR is not required unless (a) substantial changes are proposed in the project which will result in new significant environmental effects, (b) substantial changes have occurred with respect to the circumstances (background conditions) which will result in the identification of new significant impacts, or (c) new information is available which shows that the project will have new or more intensive significant impacts or new mitigation measures and alternatives which were previously found to be infeasible (in the prior CEQA document) would now in fact be feasible (CEQA Guidelines 15162).

The Planning Office evaluated the project described above and has determined that none of the circumstances exist which would require additional environmental review. As such the environmental impacts of the project have been adequately evaluated in the Mitigated Negative Declaration adopted by the Planning Commission on December 4, 2003 for the project entitled "Raisch Serpa Quarry Expansion" and that no further environmental review is required under the California Environmental Quality Act,

Approved by: Colleen A. Oda, Planner III	Colleen & Oda	7/18/11
Conton A. Oda, Franco III	Signature	Date



RECLAMATION PLAN PLAN
AN AMENDMENT TO THE MARCH 16, 2010 RECLAMATION PLAN APPROVED BY THE SANTA CLARA COUNTY PLANNING COMMISSION

SERPA QUARRY - OLD CALAVERAS RD

LANDS OF RAISCH

LOCATION MAP



INDEX OF DRAWINGS

RAINAGE/EROSION CONTROL PLAN TYPICAL DETAILS.....RECLAMATION PHASING PLAN SENERAL NOTES. *ECLAMATION PLAN*



Serpa Quarry Reclamation For Lands of Raisch

General Notes

A. EXISTING OPERATIONS & CONDITIONS

The Sarpa Querry is a long-standing operation, the presence of which precises the creation at the State's Surface Mining and Reclamation Ad.

- APPROVED RECLAMATION PLAN. The quarry is currently subject to the provisions of a Reclamation Plan
 approved by Samb Charty and dathed Manch S. 1964 and the Mance Reclamation Plan Permit September 19, 2009
 amendment. Upon approved by Santa Chart Chart Chart Charterian Plan will supersecte the 1964 plan and
- STATUS OF MINNS OPERATION. Making of the site has been discontinued because the cost of production in
 player than the market value of the aggregate, given the quarry location and proximity to other suppliers. Reclaimation of
 the site is accordance with the current County-approved Reclaimation Plan is underway, pursuant to approved of the
 proposed Reclaimation.
 - NATURE OF PLANNED RECLAMATION

The reclamation will willibe approximately (15 million tone (1.0 million cubic yearts) of importand manning. This materials will be usificated to achieve feeting of grottes there. It is fasting access to code and deep glades that have analysed from peet market access will be fasted to excended the properties of the service of the serv

IMPORTED MATERIALS MANAGEMENT

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CAM 17 and TPH analysis.

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Tribbum histum (Inoculated), Rose Clover

Luptivia nanus (Inoculated), Sity Lupine

Festuca megalura, Zomo Fescue

- b. FILL imported fit will be visually and sentor imported for hexarcicos materials upon arrival at the sibe. Vertex configuration of hermat siberty of execution mind also be reveled prior to chample. Fit material will free be tooked to include all assessment desmy for this placement (see EATHWHOTK).
- CRUSHED BOTTLE CILASS, Previously imported creative bedre glass will be mixed the fill methods as a
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 Consultance, Nr., As further recommended, the glass fragment should be unthronly behavior than the life natively behavior than the life comprehent, and a found not be behavior within the product of the furthered ill grades. All such work will be observed and,
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 complained with the Classy recommendations.
 - D. EARTHWORK

Charing and State Emergention. Price to earthwork operations, the proposed construction areas should externed of
all debandroam materials and deservations including preventions, concerns personnella, concrete states, foundations, behind
utilises and boson or compressible bandlit maintains. Hower mauting from the removal or undergreated behands and according to the remarking from the removal or undergreated deviations that
the encapturement for engineered III.

Any remaining vegetation within areas to be gracied should be attitude to sufficient despits to remove all authors vegetation and organic lieten intend. Any problem of locus, and or deshie laden materials should be removed from the sits or stockgled for fater use in techsospol areas.

- Sackgrade Presentation. After the construction areas have been channel, subspect and excernated to the required
 grades, the recoved soil record to examined as continued more recompleted to the requirements for
 above the laboratory established deprime mediate content and its increase conditioned soil that it fortunish
 above the laboratory established deprime mediate content and then be conspected to the requirements of explorered (iii.
 Additional on-ale soil and imported (iii. on then be placed and compected.)
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 - c. Fig December and Compaction. The order soft hands you crossed these thin 3 percent by weight to you december with the reported block and two local file. The netwest should not contain notes or kings greater than 6 holdes in praises demonstration and have no trace than 15 years kings than 2.5 holdes.

Mently graded (iii stopes and cut aloopes are to be planted with ereston resistant vegotation prior to the white following correlation. Engineered (it should be compated to at least 50 percent relative composition. Fill instantal should be spread and compated it is not exceeding 5 inches in un-compated trickness.

d. Pleasment of Ell 201 Stoges. Fill maintain to be placed on stopes steeper than 6:1 (inclinated to vertical) should be nontroovedly happed that first understanded maintains that should represent the property of the pr

E NATIVE TOPSOIL MANAGEMENT

a. The amount of top but its non-enabling. Therefore, upon correlation of earnsy operations satisfact to the start of Recognition, a size despite to the start of Recognition, a size despite to the start of with the early size involved to the other to the pict of conformation with the early amount of an enable to being into conformation.

An east slope draimage vault will be installed as shown on sheet 5a at such time 24 earthwork progress

at this location permits its construction.

See Section F of the notes for applicable hydro-seeding requirements.

Surface roughering will occur prior to hydroseeding per EC-15 of the California Storm Water BMP Handbook, Nov. 2009.

Should further subsurface springs be discovered in the course of reclamation earthwork adolytiles,
operator shall motify the project georeticational engineer. This geotecturisties engineer plain import the site
concidence and make recommendations for any recessary subsurface chains or other militation. The quarry
operator shall then implement those recommendations as part of the reclamation program.

H, REMOVAL OF IMPROVEMENTS, MATERIALS & EQUIPMENT

- Signe Condents, New catedoors is not and its stores should be no simpor tran its (potancial to writes). An it is stores should be conclud and becomes back to be feet design page in -1.0°. Cut wises should be amonded at the tap is induces should by their the news produce stat. Bove should, and enclose thould be expected on the every greater shown of-map lets feet written and immogration of such sees and odd by produce.
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 - p. <u>Explorationy Bodhogs</u>. All bodhygs, shall be abondoned in accordance with applicable leves.

F. REVEGETATOWN

- All arrest to be re-vegetation shall have feat stopes graded to takly uniform graded to prevent excessive furrowing.
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- At pack, strops and other disturbed areas where topical has been placed shall be hydroneoded. Incorporated the his hydroseod mix shall be some shrub seeds to provide for future euccession growth.
 - Hydroseed whall be placed on all disturbed slopes by October 15 as fallows
 - Lbs/Acre Eschscholzia californica, California Poppy EROSION CONTROL HYDROSEED MIX Botanical Name, Common Name Bromus mollis, Blando Bromo

c. EQUIPNENT. All equipment used in the mining and reclamation operations shall be removed from the site prior to or upon completion for the final phase of re-vegetation. MATERUALS. All surplus materials and debris shall be removed from the alte prior to final re-vegetation and disposed of in a manner appropriate to the materials and consistent with local, state and federal statutes.

TERMINATION DATE, March 31, 2015;

I. END USE PLAN

IMMEDIATE END USE. The mining also will be reclaimed in a manner that annicipates an end use of
private open specification and aimplicitantly recidences as permitted under existing Santa Clara County
zoning regulations as subject to future approveds.

CVANER ACKNOWLEDGEMENT. The underrigned owner of the subject property, by the signature below, acknowledges full knowledge and understanding of the proposed end use of said property.

IMPROVEMENTS. All existing improvements installed by and utilized in the minking operation will be enrowed from the site forch to first in-respetation. These improvements include certain, buildings, lighting and enrounded into poles and wiring, asphall and concrete paived surfaces, and security fencing and galles.

SHOWN ABOVE GROPOWER CONTROLLED RELEASE 12-8-8 500 Lbs/Acre WOOD CELLULOSE FIBER MULCH M-BINDER ORGANIC STABILIZER GROPOWER PLUS 5-3-1 SEED MIX

外名物 c. OWNER: Ralach

- Seeded area, if damaged will be repaired and re-seeded. Success Criteria for Vegetation:
- . Grasslands: 90% cover of grasses and forbs, with at least 3 species per 100 m2 (1,076 eq. \hbar).

Weed Cover, should amount to no more than 5% in any 100 m2 area (1,076 aq. R.).

G DRAINAGE AND EROSION CONTROL

- The Many operation is under the State Regional Water Control Board GRWCB) NPDES General Permit
 No.CASDC0001. An approved Starm Water Polludon Prevention Plan (SWPPP), is in effect under WDID 2-431022-874. The encision control measures are to be operable during the rating season, October 1 - April 15. Eroelon control
 teathers and plenting are to be complete by October 1.
- Enabor control measures shall be maintained until disturbed areas are stabilised. Changes to the plan shall be
 made as required to meal field conditions or as required by the governing agency. All changes shall be approved by the
 governing agency prior to the commercement of work.
- During the rainy season, pared areas shall be hapt clear of earth materials and debrie. The site shall be maintained so as to ministrate seatement (aden runoff to any strom drain system and to Tuterchas Creek.
- The acidaty detantion pond and sediment bash will remain as permanent holities on the site to act as forg-term section of downstream restrict quite. The market page, the service was the service of the site has been accomplished and occapied as complete by Serial Clean County, After that their, his property owner will assure responsiblely for the malestratives of the lacities.
 - Districting of the sist will be accomplished by providing conducted districting evaluate in the finish grading and by
 construction of a new districting data that most packed data Recolamond bith. The new districting district will correct
 to an existing estatings data that discharges water this the entiting destination proof and several existing. Sectionary
 waters are the districtinged into the existing Calainerse Creek via an underground pipeline.
 - The proposed drainage ditch will be per EC-9 of the California Storm Water BMP Handbook, Nov. 2009.
- Plaentile will be pland at on level confours spaced as followe par SE-5 of the California Storm Water BMP Handbook, Nov. 2009
- ha a.a.. Stope inclination 4:1 (04/3) or faither. Fiber Rode will be placed as a mushrum instread of 20 ft.
 h. a.a.b., Stope inclination between 4:1 Vol. 21 (14/1) Fiber Rode will be placed as a mushrum internal of 15 it.
 h. a.a.b. Stope inclination between 4:1 Vol. 21 (14/1) Fiber Rode will be placed at a mushrum internal of 10 ft.
 h. a.a.d. Fiber inclination 2:1 (4/4) or greater fiber Rode will be placed at a mushrum internal of 10 ft.
 h. a.a.d. Fiber Rode will also be placed along property boundaries where the entiring verplation has been distribled.



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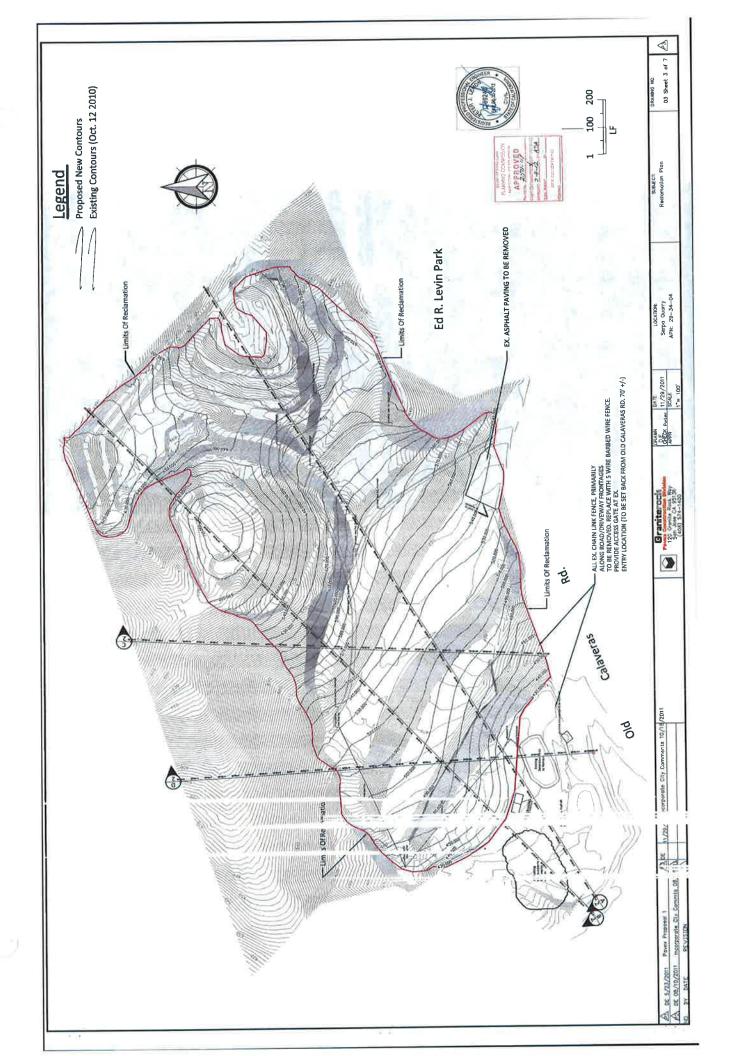
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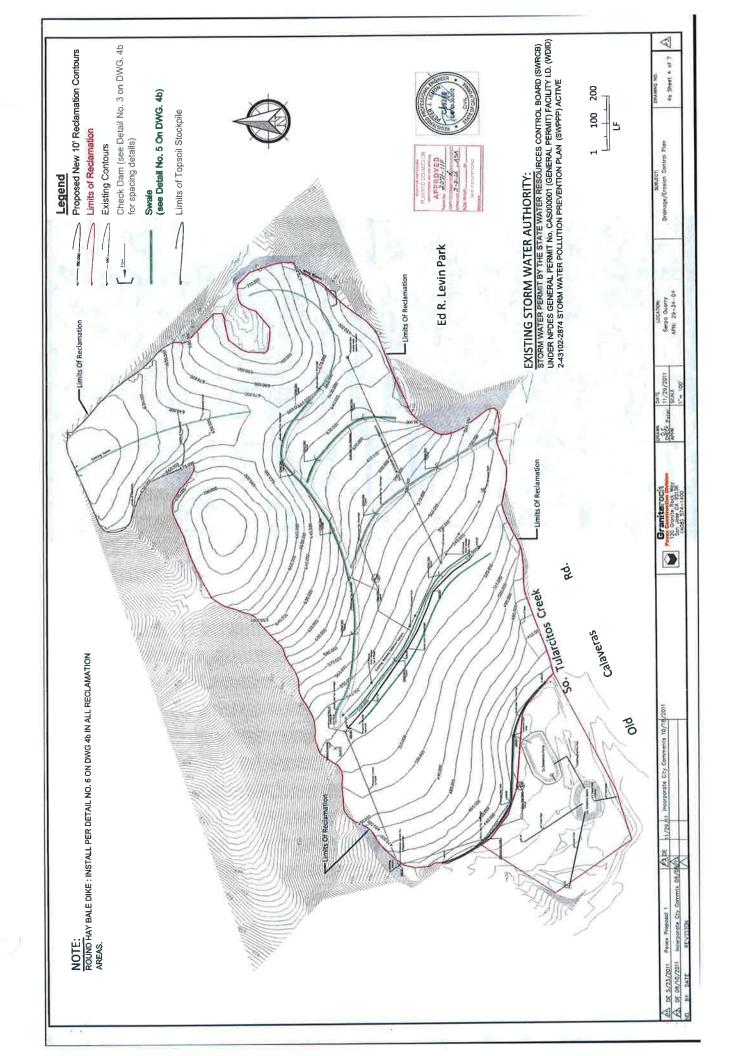
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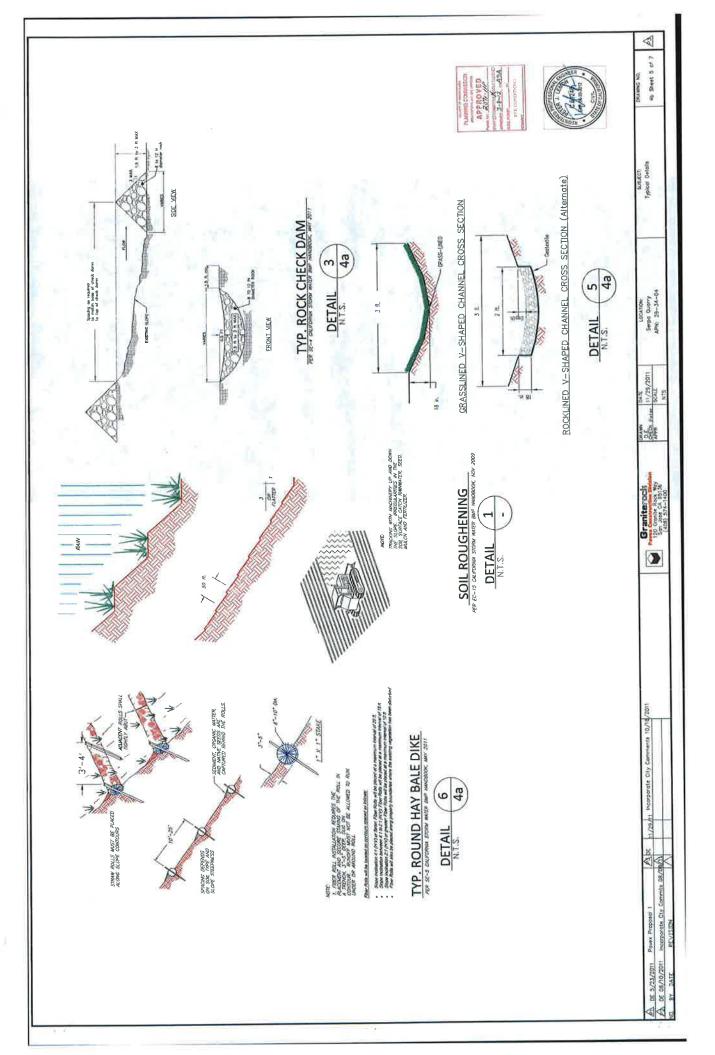
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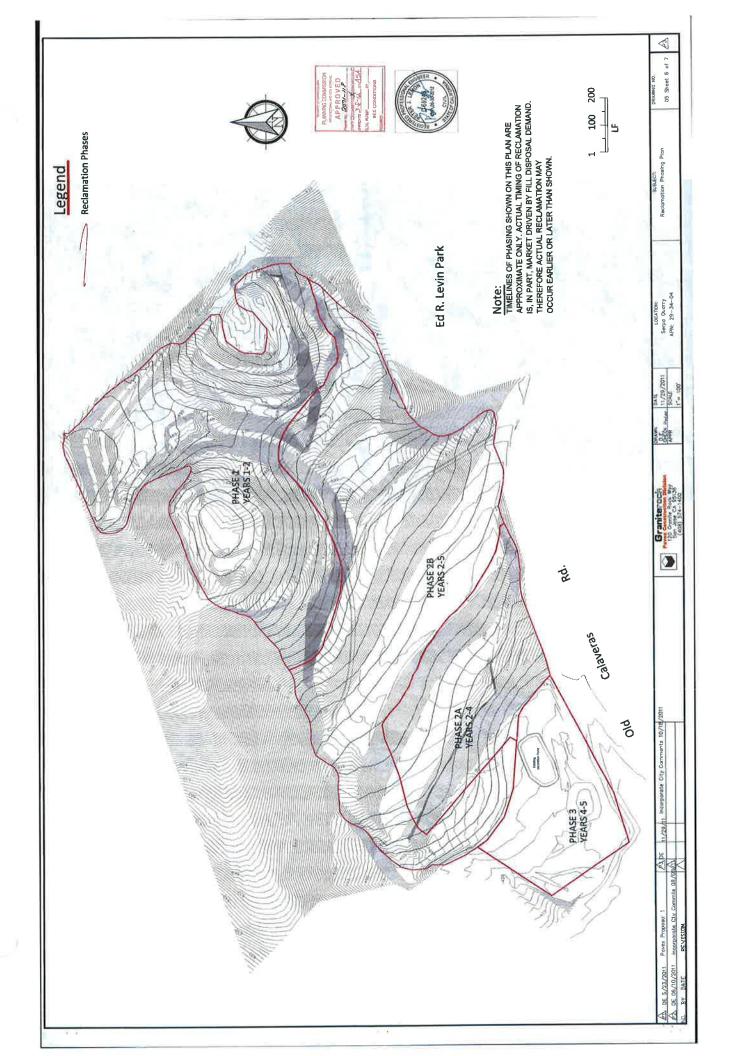
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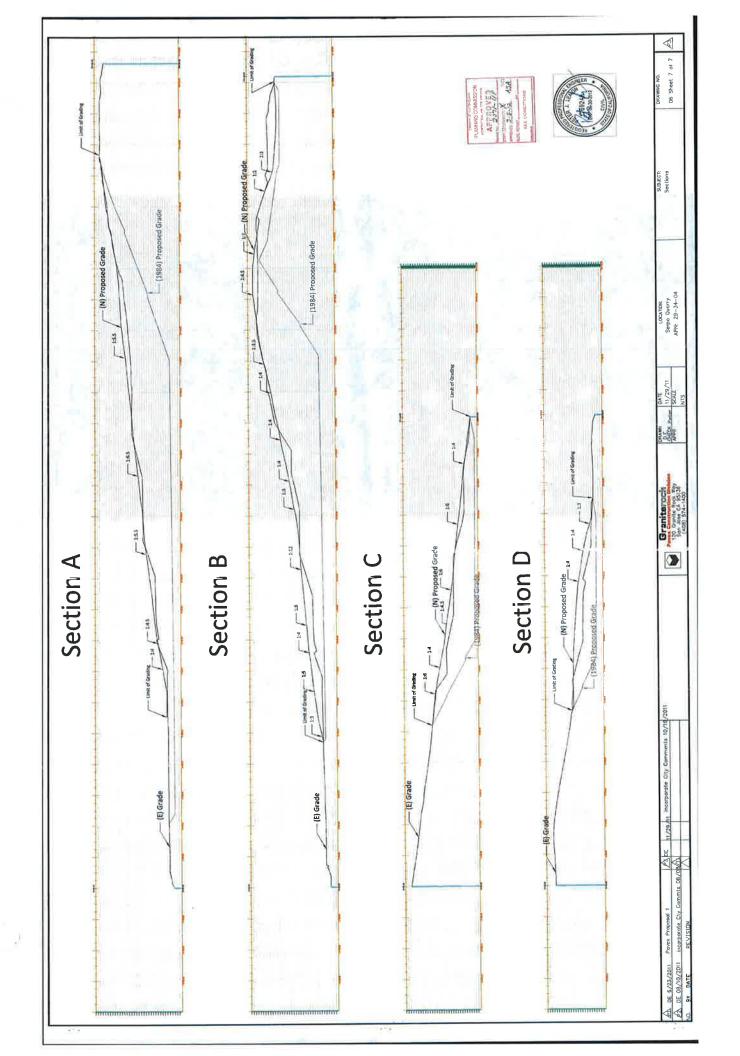
02 Sheet 2 of 7











Attachment L

Department of Planning and Development Planning Office

County Government Center, East Wing, 7th Floor 70 West Hedding Street San Jose. Callfornia 95110-1705 (408) 299-5770 FAX (408) 288-9198 www.sccplanning.org



10/30/2015

Gokulam LLC 21740 Olive Ave. Cupertino, CA 95014

FILE NUMBER:

2071 - 42 - 84 - 15P

SUBJECT:

Use Permit for Reclamation Plan Amendment

SITE LOCATION:

Old Calaveras Road

DATE RECEIVED:

4/17/2015

ACTION/AGENDA DATE: 10/29/2015

Dear Gokulam LLC:

Enclosed are the final conditions of approval, associated with the above-referenced file number, approved by the Architecture and Site Approval Committee (ASA) at its October 29, 2015 meeting. This approval is valid until September 1, 2018. Before this date, the conditions of approval must be completed and a building permit issued.

Please note that any person dissatisfied with this decision may file an appeal within 15 calendar days after the final decision. All appeals regarding this application shall be filed at the County Planning Office and shall require the current filing fee. If you have any questions regarding this matter, please contact me at (408) 299-5775 to discuss by telephone or to schedule an appointment.

Please sign and return buff colored ASA approval form to the Planning Office.

Sincerely,

Pamela T. Wu, AICP

ASA Secretary

Enclosure

cc:

Graniterock Company

120 Graniterock Way

San Jose, CA 95136

County of Santa Clara Architectural and Site Approval Committee

Hearing Date: October 29, 2015 File No.: 2071-15P Serpa Quarry / Graniterock Issued to: Reclamation Plan Amendment for Serpa Quarry (California Mine ID #91-43-0002). 2122 Old Calaveras Road, Milpitas Location:

Applicant is hereby granted an MINOR RECLAMATION PLAN AMENDMENT PERMIT under the provisions of Chapter 4.10.360(I)(1) of the Zoning Ordinance. This permit is made pursuant to the application on file with the Architectural and Site Approval Committee, and is subject to the following conditions:

See Exhibit A attached hereto and made a part hereof.

This approval was granted by the Architectural and Site Approval Committee at its meeting of October 29, 2015.

Pamela T. Wu, ASA Secretary

2015 KN

This permit shall be effective on November 13, 2020 provided no appeal has been filed before that date.

Acceptance:

For:

The undersigned understands and accepts this Permit and the conditions therein set forth, agrees to comply with all conditions of this Permit, understands that failure to comply therewith will render the Permit subject to revocation, and acknowledges receipt of the permit.

1066. Fel Ry 1/29/2015

Signature of Permittee & Date

This Permit subject to the conditions stated therein, shall not be deemed to be granted until the conditions of acceptance have been executed by the applicant and a copy thereof filed with the Secretary of the Architectural and Site Approval Committee. Within fifteen (15) calendar days after the Architectural & Site Approval Committee's final decision on an application, any person dissatisfied with the Committee's action has the right to file an appeal to be heard by the Planning Commission. At the time the appeal is filed the appellant shall pay a filing fee in an amount established by the Board of Supervisors. Contact the County Planning Office for the appeal form and fee schedule.

EXHIBIT A

Conditions of Approval

File 2071-15P Serpa Quarry Reclamation Plan Amendment October 1, 2015

Planning Division (contact Marina Rush 408-299-5784 for any questions regarding the following conditions)

- 1. The amended reclamation plan provides for final reclamation of the property commonly referred to as the Serpa Quarry, were mining operations ceased in 2008.
- 2. Closure date: September 1, 2018
- 3. The end use of the quarry property following reclamation is Open Space.
- 4. Within 30 days from the date of this amendment submit to the Planning Office one copy of the engineered plans on compact disk in a pdf format with the signature and stamp by the responsible licensed engineer; the engineer shall sign and stamp each sheet.
- The stockpile of ground glass shown on the plans was removed as part of the current reclamation activities and shall not be replaced with new import.
- Landscaping and re-vegetation of the quarry site shall take place in accordance with the
 approved amended reclamation plan. Re-vegetation shall commence between September
 and November of each year in the locations of the mine were final elevations are
 established.
- 7. An annual report evaluating the revegetation conditions and weed management shall be prepared by a botanist or qualified biologist, shall be submitted to the County Planning Office no later than December 1 of each year until the mine is certified as closed. The first such report shall be submitted by December 1, 2015.
- 8. All paved surfaces shall be removed. The underlying area shall be scarified and amended with appropriate soil amendments to support re-vegetation material.
- 9. Within 30 days following completion of the site final grading, land owner shall or mine operator submit a construction observation letter prepared by certified engineering geologist certifying the grading is complete, compacted and engineered consistent with the approved reclamation plan.
- 10. The Director of Planning and Development shall cause the operation to be inspected not less than once in any calendar year pursuant to the California Public Resources Code, Section 2207.
- 11. The land owner or mine operator shall be responsible for the reasonable costs of the SMARA inspection. The land owner or mine operator shall be responsible for the

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



STAFF REPORT
Architecture and Site Approval Committee
October 29, 2015

Item # 3

Contact: Marina Rush, Planner III (408) 299-5784, marina.rush@pln.sccgov.org

File: 2071-15P Serpa Quarry

Minor Amendment to the Serpa Quarry Reclamation Plan to modify the final grading contours, revegetation seed mix, reclamation termination date to September 1, 2018, and allow retention of the existing perimeter fencing and internal haul road.

Applicant:

Hector Corona, Granite Rock Co. Gokulam, LLC, Shrish Kulkami

Owner:
Address:

2425 Old Calaveras Road, Milpitas

APN:

029-34-004

RECOMMENDED ACTIONS

It is recommended that the Planning Commission:

- A. Accept the Use of Prior CEQA, Mitigated Negative Declaration (June 14, 1984).
- B. Grant approval of the Minor Amendment to the Serpa Quarry Reclamation Plan for the following changes:
 - a. Final contours as depicted on 2015 Reclamation Plan;
 - b. Change the seed mix for the revegetation;
 - c. Extend the termination date from March 31, 2015 to September 1, 2018; and
 - d. Allow the retention of the safety fencing and internal road.

PROJECT DESCRIPTION

Mine operator is requesting to amend the current Serpa Quarry Reclamation Plan (Mine ID #91-43-0002) to modify the final contours of the fill slope. The quarry ceased mining materials in 2006 and has imported clean fill to complete reclamation work. Due to lack of available offsite materials for fill, this proposal will modify the final contours to use only existing onsite material, and create

a 75 to 350 foot wide, gentle sloping bench at 4:1 inclination at the 460 to 470 feet elevation on the lower southwestern portion of the property.

The amendment will also modify the revegetation seed pallet to create more favorable conditions for cattle grazing, as noted on new Sheet 2 of 7 Reclamation Plan Amendment, extend the reclamation plan date to September 1, 2018, and to retain the existing perimeter fencing for site security and an internal road to assist for future fire protection purposes on the property as grassland on the vacant parcel.

There is no expansion or reinitiating of mining activities on the site or modification to the reclamation plan area boundary. The proposed amendment is consistent with the County Zoning Ordinance, Section 4.10.370.I.3a for Minor Reclamation Plan Amendments allowing minor changes to improve slope designs and improve revegetation success. This proposal is consistent with the intent of Minor Reclamation Plan Amendments.

REASONS FOR RECCOMENDATION

1) Actions Concerning Environmental Determination

The Santa Clara County Planning Commission approved a Mitigated Negative Declaration on June 7, 1984. This 2015 Reclamation Plan Amendment modifies the final grading contours to improve slope stability, revegetation seed mix to be more conducive for cattle grazing, extends the reclamation completion date to March 2018 to ensure completion of the reclamation activities, and retains the site perimeter fencing and interior haul road. These changes will help ensure final reclamation of the site in accordance with the timeframe prescribed by the Reclamation Plan. The changes are consistent with County Zoning Ordinance regarding Surface Mining, Section 4.10.370.I.3a, minor in nature, and within the scope of the prior Mitigated Negative Declaration. For these reasons, the use of the prior CEQA document is accepted and no action by the Architecture and Site Approval Committee is required.

2) Actions Concerning Proposal

- a) The reclamation plan amendment substantially complies with SMARA Sections 2772 and 2773, and any other applicable provision.
- b) The reclamation plan amendment substantially complies with applicable requirements of State regulations (Sections 3500-3505, and Sections 3700-3713).
- c) The reclamation plan amendment and potential use of reclaimed land pursuant to the plan are consistent with the County Zoning Ordinance, the County's General Plan and any applicable resource plan or elements.
- d) The reclamation plan amendment has been reviewed pursuant to CEQA and all significant adverse impacts from reclamation of the surface mining operations are mitigated to a level of insignificance, or Statement of Overriding Consideration has been adopted pursuant to CEQA.

e) The reclamation plan amendment will restore the mined lands to a usable condition which is readily adaptable for alternative land uses.

BACKGROUND

The Serpa Quarry was an active mine since the 1950's. In 1957, the county issued a Use Permit authorizing the quarry to have rock-crushing equipment on the site. In 1976, the State Legislature adopted the Surface Mine and Reclamation Act (SMARA) and pursuant to SMARA active mine sites must have an approved reclamation plan adopted by the local lead agency. The County approved a reclamation plan for Serpa Quarry on June 7, 1984. Subsequently, the Planning Commission modified the Use Permit in December 2003 to authorize recycling of concrete and asphalt materials on site, and in 2010 the 1984 Reclamation Plan was amended to modify the final contours due to the cessation of the mineral extraction and allow importing of fill material.

Presently, the reclamation work is primarily completed, the slopes are at final grades, site is hydroseeded with a large portion of the quarry site already achieving vegetation standards, mining related structures have been removed, and the recycling operations ceased in November 2014. As proposed, this amendment will ensure the mine reclamation work, final grading and revegetation, will be completed and site monitoring until the site is deemed closed.

The financial assurance cost estimate (FACE) was modified June 2015 to reflect the remaining reclamation activities, including erosion control maintenance, drainage grading, hydroseeding, and vegetation monitoring to a total amount of \$39,770.64,. The financial assurance mechanism (FA) held by the County is a cash deposit in the amount of \$150,063.83. The County is not proposing any change to the financial mechanism at this time.

PUBLIC OUTREACH

Noticing was conducted in accordance with the County Zoning Code, Section 5.20.110.

STAFF REPORT REVIEW

Reviewed by: Kavitha Kumar, Interim Principal Planner

Approved by: Rob Eastwood, Planning Manager

Attachments Included with this Staff Report:

Attachment A - Modified Conditions of Approval

Attachment B - Use of Prior CEQA Document and 1984 Negative Declaration

Attachment C – Correspondence from the California State Office of Mine Reclamation (June 10, 2015)

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



USE OF A PRIOR CEQA DOCUMENT CONSISTENCY WITH GENERAL PLAN EIR

Pursuant to Section 15183 of the CEQA Guidelines, the County of Santa Clara has determined that the project described below is a subdivision map and rezoning action that is consistent with the applicable General Plan for which an Environmental Impact Report was previously certified, and no circumstances exist that would warrant additional environmental review.

File Number	APN(s)	Date	
2071-15P	029-34-004	10/21/2015	
Project Name	Project Type		
Serpa Quarry Reclamation Plan Amendment	industrial		
Owner	Applicant		
Gokulam, LLC	Graniterock, Hector Corona		
Project Location			
2425 Old Calaveras Road, Milpitas		8	
Project Description			
Amendment to the reclamation plan to modify the fermination date to September 1, 2018, and allow re	final grading contours, revege etention of the existing perime	tation seed mix, reclamation eter fencing and internal haul	

Per the California Environmental Quality Act (CEQA) of 1970 (as amended), all development permits processed by the County Planning Office which require discretionary approval are subject to environmental review. Section 15183 of the CEQA Guidelines, if a previous CEQA document has been prepared and adopted or certified which adequately address all the possible environmental impacts of the proposed project, a new negative declaration or EIR is not required unless (a) substantial changes proposed in the project which will result in new significant environmental effects, (b) substantial changes have occurred with respect to the circumstances (background conditions) which will result in the identification of new significant impacts, or (c) new information is available which shows that the project will have new or more intensive significant impacts or new mitigation measures and alternatives which were previously found to be infeasible (in the prior CEQA document) would not in fact be feasible.

The Planning Office has evaluated the project described above and determined that none of the circumstances exist which would require additional environmental review. As such the environmental impacts of the project have been adequately evaluated in the Mitigated Negative Declaration adopted by the Planning Commission on December 4, 2003 for the project entitled "Raisch Serpa Quarry Expansion" and that no further environmental review is required under the California Environmental Quality Act.

Approved by: Marina Rush, Planner III

Signature

Date

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



USE OF A PRIOR CEQA DOCUMENT MITIGATED NEGATIVE DECLARATION

Pursuant to Section 15162 of the CEQA Guidelines, the County of Santa Clara has determined that the project described below is pursuant to or in furtherance of a Negative Declaration which has been previously adopted and does not involve new significant impacts beyond those analyzed in the previous

File Number	APN(s)	Date	
2071-42-84-15p	029-34-004	8/4/2015	
Project Name	Project Type		
Amendment to the Reclamation Plan, Serpa Quarry	industrial		
Owner	Applicant		
Gokulam LLC	Hector Corona, Granite Rock Co.		
Project Location			
2425 011 C 1 D 1 Mileites	TEN-		

2425 Old Calaveras Road, Milpitas

Project Description

Amendment to the Serpa Quarry Reclamation Plan to: (a) modify the final contours to adjust for lack of adequate fill material; (b) extend termination date to March 2018; (c) change seed mix for future cattle grazing; (d) allow current fencing to stay for site security; and (e) retain access road for fire protection.

Background and Summary of Findings.

Per the California Environmental Quality Act (CEQA) of 1970 (as amended), all development permits processed by the County Planning Office which require discretionary approval are subject to environmental review. If a previous CEQA document has been prepared and adopted or certified which adequately address all the possible environmental impacts of the proposed project, a new negative declaration or EIR is not required unless (a) substantial changes are proposed in the project which will result in new significant environmental effects, (b) substantial changes have occurred with respect to the circumstances (background conditions) which will result in the identification of new significant impacts, or (c) new information is available which shows that the project will have new or more intensive significant impacts or new mitigation measures and alternatives which were previously found to be infeasible (in the prior CEQA document) would now in fact be feasible (CEQA Guidelines 15162).

The Planning Office evaluated the project described above and has determined that none of the circumstances exist which would require additional environmental review. As such the environmental impacts of the project have been adequately evaluated in the Mitigated Negative Declaration adopted by the Planning Commission on December 4, 2003 for the project entitled "Raisch Serpa Quarry Expansion" and that no further environmental review is required under the California Environmental Quality Act,

Approved by: Marina Rush, Planner III

Signature

8-3-2015

Date

AN AMENDMENT TO THE MARCH 16, 2010 RECLAMATION PLAN APPROVED BY THE SANTA CLARA COUNTY PLANNING COMMISION

SERPA QUARRY - OLD CALAVERAS RD

LANDS OF RAISCH

LOCATION MAP

Address: 2122 Old Calaveras Rd., Milpitas CA 95035



INDEX OF DRAWINGS

DRAINAGE/EROSION CONTROL PLAN PYPICAL DETAILS......RECLAMATION PHASING PLAN RECLAMATION PLAN TITLE SHEET
GENERAL NOTES SECTIONS..





F. 12 2071-15P

Serpa Quarry Reclamation For Lands of Raisch

General Notes

- ence of which predates the creation at the State's Surface Mining A EXISTING OPERATIONS & CONDITIONS
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IMPORTED MATERIALS MANAGEMENT

All imported wolls will require testing and certification that they are free of hazardous materials. Testing meth CAM 17 and TPH analysis.

- 3 TOPSOL, incorded booted, if requested, will be visually imposted upon amount at the size, it will stook be composited studies over. Supporting the size of the size where they will not descripted studies or expense of the size where they will not descript output in rectangle or studies and where the liquid will be in veillandly close primarily to where it will standard the studies of the properties of the size of the s
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D. EARTHWORK

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E. SEQUIPED PROCESSOR, After the construction were have been channel, chapped and extravited to the indicated gradual and construction and an expensive the vice reposed has been been assembled to be depicted as a depicted as the contraction of the channel as the contraction of the contraction of the representation of expression follows designed on these beautiful and compaction.

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e. Fill Parcentet and Computer. The law with when yet inquiric content of less than 3 percent by weight angular with the transfer and the first than the transfer of the first than the transfer of the first than the f mathe composition. Fill material should be spread and

Engineered Ril should be compared to at wast 80 percent compared in titles not exceeding 8 inches in un-compared

resistant vegetation prior to the winter follow Newly graded fill skipes and cut stopes are to be planted with erosion construction

d. Pleasment of Tot on Books. Fill exceeded to the proced of incern above that if I chicactist to vended should be a consistent by the proced of incern above that if I chicactist to be a consistent to vended involved the second of the I chicactist bedoom the second of the I chicactist bedoom the second of the I chicactist bedoom in edition. By second of the I chicactist bedoom to define the I chicactist bedoom to desire the I chicactist of the I chicactist of the I chicactist bedoom to be a chicactist of the I chicactist of the I chicactist of the I chicactist of I chicactist of the I chicactist of I chicactist

E NATIVE TOPSOIL MANAGEMENT

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An east slope drainage vault will be installed as shown on sheet 5e at such time as earthworlf progress
at this location permits its construction

See Section F of the notes for applicable hydro-seeding requiren

i. Surface roughering will occur prior to hydroseeding per EC-15 of the California Storm Water BMP. Handbook: Nov. 2009.

Should turner substantion sporting be discovered in the counter of reclamation estimated activities, against it are need to the project geodectical are reset in 10 geodestractical are observed to the conditions are in make recommendations for any processory autounities defined not elementative to the order integration. The quarry operator shall from implement those recommendations as part of the reclamation program.

- Qual Cabeller, New customers in not and it stopes about the ordinates than 3.1 (politicals) in widthin. All distinges about the context and amount takes in the loss deeps pages on U.D. Cat takes whealth in capeal in the true for realization of supplier to the context and account and account to the context and account to the contex
 - Southorn Deservage. Previous of surfaces water altered not be permitted submant to the acceptant. President extracts gradients altered by any control of the bay of all out suppose and fit adoptes or surface; sections should be inscribed for charge search from the bay of all out suppose and fit adoptes or surface; sections should be inscribed for the surface.

9 Exploratory Borings. All borings, what be abandoned in accordance with applicable terms.

F. REVEGETATON

All areas to be the received area from from from the provided to sessed in seed germination and establishme.

near-rouvestiENTS. All achiding improvements installed by and utilized in the maining operation will be
removed from the site prior to final re-legigation. These improvements include certain, buildings, lighting and
communication poles and wints, asphall and concrete pavest surfaces, and security fencing and gates.
Except as shown on the plants to remain.

H REMOVAL OF IMPROVEMENTS MATERIALS & EQUIPMENT

 MATERIALS. All surplus materials and debris shall be nervoyed from the site prior to final re-vegetation and disposed of in a manner appropriate to the materials and consistent with local. state and frederial standard. EQUIPMENT All equipment used in the mining and reclamation operations shall be removed from the

 MANEDIATE END USE. The mining also was be reclaimed in a manner that amorphases an end use of powers opin speedynaming and surjectioning readerines as permitted under existing. Sentia Clara County zoning regulations as subject to future approvales. OWNER ACKNOWLEDGEMENT. The understand of the subset property, by the signature balow, actnowledges Na vinceracyce and understanding of the proposed and use of said property.

ENDOSE HORY also prior to or upon completion for the limit phase of re-vegetation. TEHMINATION DATE Manual 2016 March 31, 2016

- All pacts, stopes and other disturbed areas where more law point is easy law. In information incorporated into proceed mix shall be some strick sends to provide for shall as some strick sends.
- Hydroseci shall be placed on all disturbed skipse by October 15 as follows: EROSION CONTROL HYDROSEED MAX Trifidian admirances, Asia Sakahor Dazi in generat, Printe Ordanipus Trifidian Interas, Rose Chor Trifician advense, Notified Haffaggan Trifidian advenses. Geos Sakahori Trifidian phoduliforus, Print Glad GRO-POWER PULS 5-1
 GRO-POWER CONTROLLED RELEASE 12-8-8 1/0
 WOOD CELLULOSE FIBER MALCH Diffee majore, 78 Nov Perin Deplant Factors Mic. 60 Liberteen % of Mics. Lollers muddleren, Torophill Am Seed Trifficer subtermoon, Gefrech SHOWN ABOVE EROSION CONTROL HYDROSEED MIX MERICER CRCANC STABLLER Seeded area, if damaged will be ref Distance Name, Common Name Festura mogalura, Zario Essoca Senton Loter, Blando Bromp
 - Success Criteria for Vegetation:

OWNER: Raisch

- Grasslands; 90% cover of greases and forbs, with at lauer 3 species per 100 m2 (1,076 eq. R.) - Weed Cover should amount to no more than 5% in any 100 m2 area (1.076 sq. 8.).

G DRAINAGE AND EROSION CONTROL

- The Mining operation is under the State Register. Where Control Based (2004) all of CES Committee Permit
 No CASO00001. An approved Spore Water Politice Prevention Pain (2004) as a find under WIDD 2-431022-874.
 - Expain contor measures shall be insulated with distrated areas are statistical. Charges to the pien shall be made as request to meet feet conditions or an required by the powering agency. All charges shall be approved by the The ercson control messures are to be operable during the rative season, Octobel 1 - April 15. Erosion control
 tocklene and planting are to be complete by October 1.
- Counting the starty season, pained ented should be knot cover of swith materials and materials for manifold to each or manifold of the start of the system date in start date. Conservation narig egency prior to the convinencement of work
 - The maniful polestory good and addressed base and areas is spreaded districted as the base for by the tribody entire proposate which the polest poles are polestory of the polestory responsibility for the maintenance of the tacilities
- Commagn of the sist will be accomplished by providing contained annuage makes in the fearly opposite and by contribution of a rest objecting with a time the rest of the followarding time. This may desirably disting the followarding containing the first objective and in this the entiring desiration pools and witherest base. Softment-how existence and the contribution of the contributi
 - Fiberods will be placed at on lavel contours spaced as holbma per SE-5 of the California Storm Water BAP Handbook Nov. 2009 The proposed drahmge dech will be per EC-8 of the California Storm Walter BMP Handbook, Nov. 2009
- has a Stopo inclusion of 1 (AVV) or lastin; (See 100% will be pipood as a macroun reterest of 20 ft. In a 20 Stopo inclusions present of 1 a 2 (1947); (Fee 164% will be pipood as experient in the involved of 56 ft. In a 20 Stopo inclusion 2 (1947) or greater; (See 160% will be prized at a maximum reterest of 10 ft. In a 40 Ft. (AVI) will must be plooned along proporty boundaries whose the estitory expession has been distributed.
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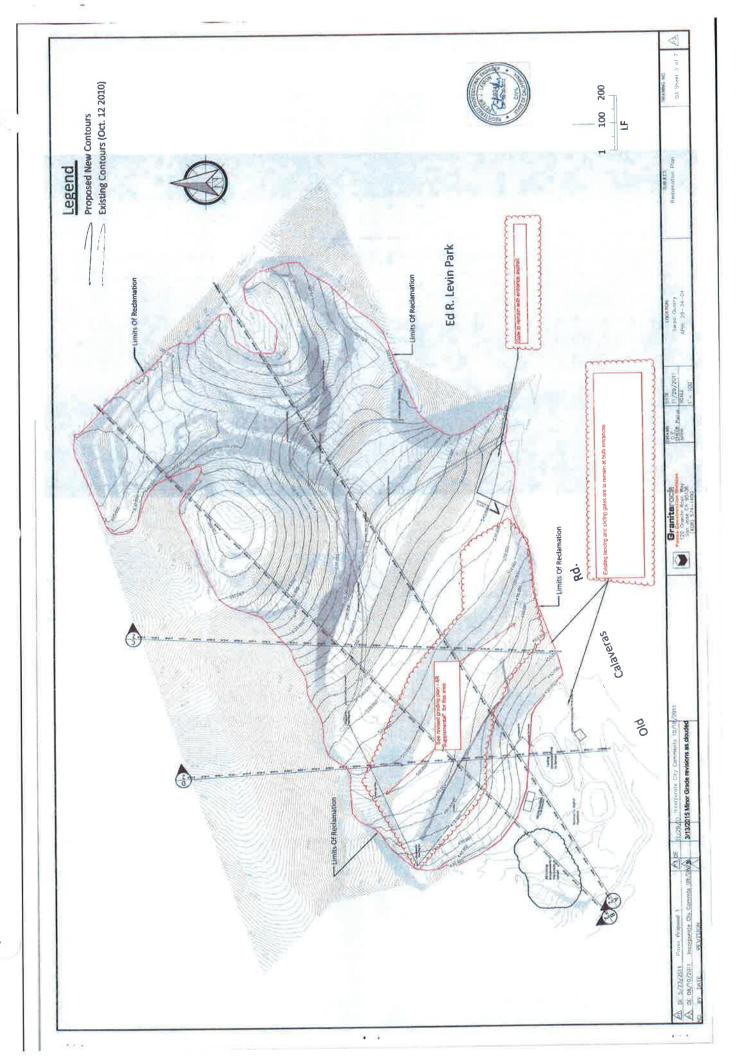
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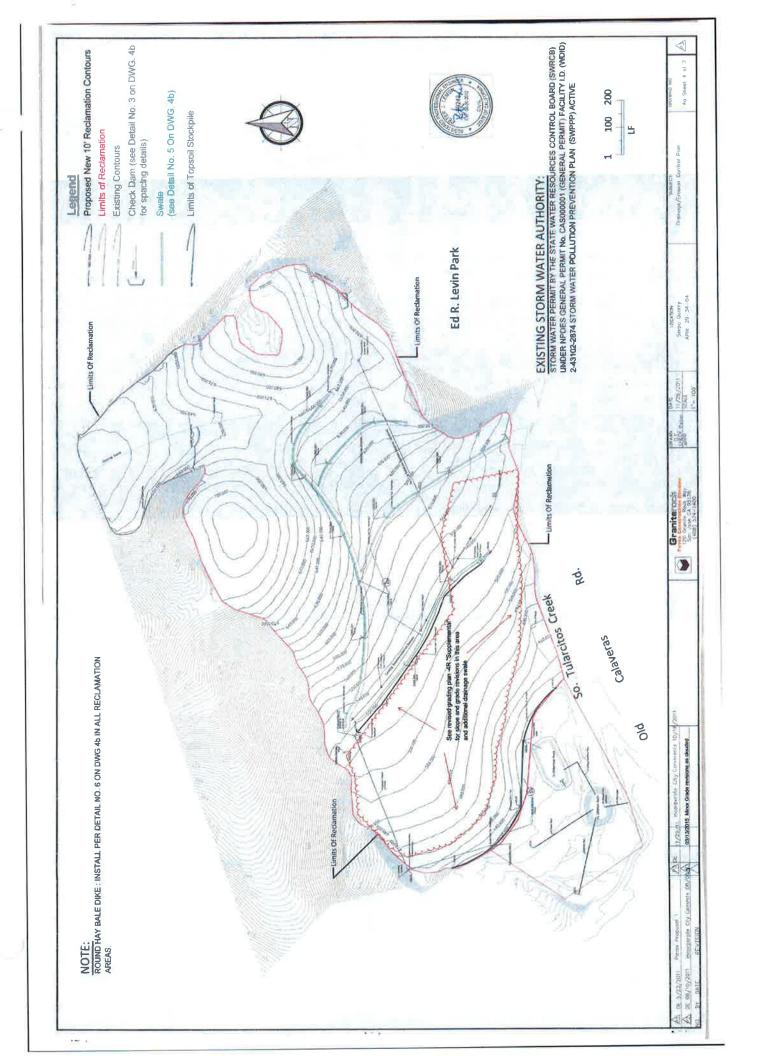
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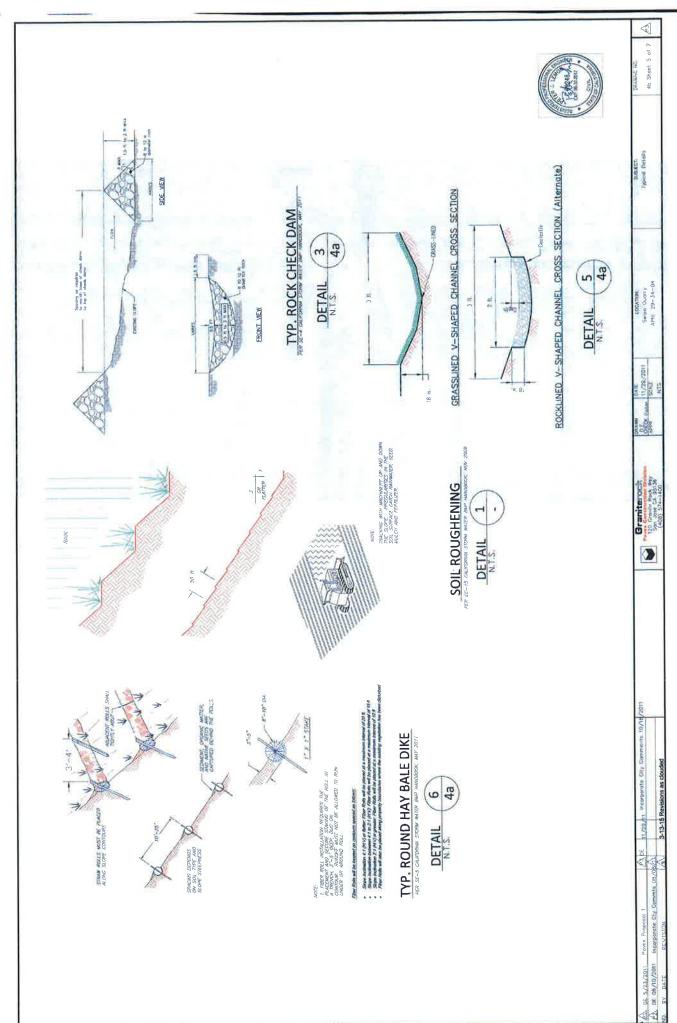
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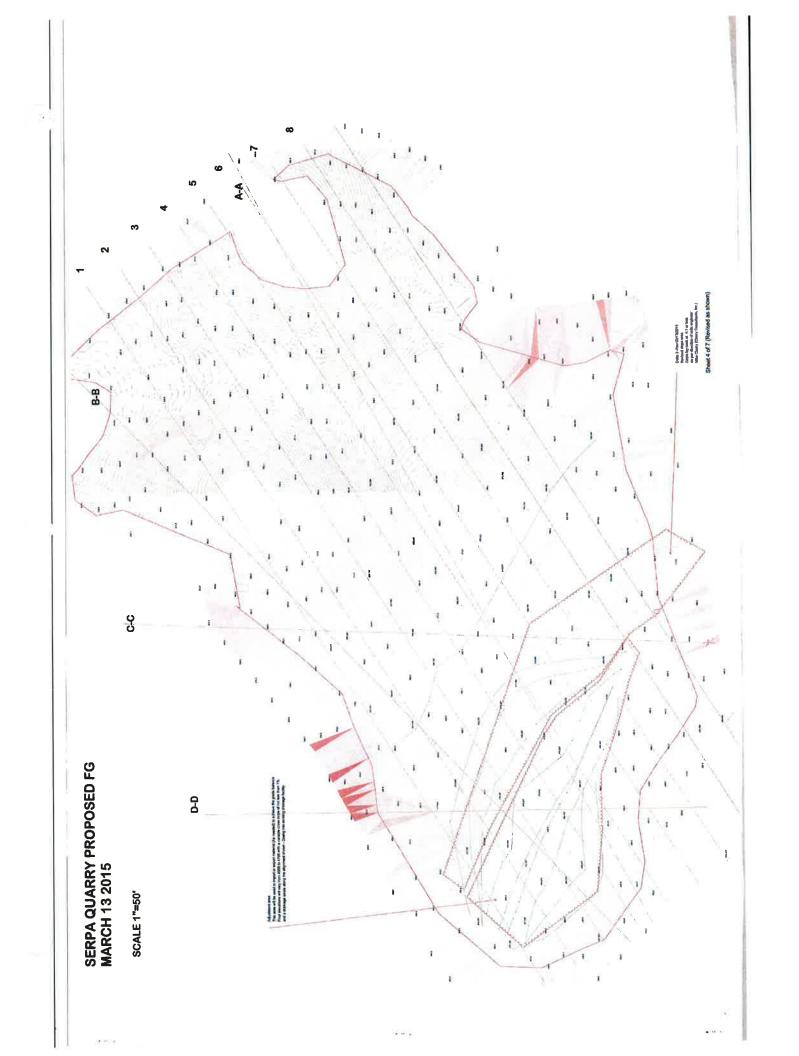
02 Sheet 2 or 7

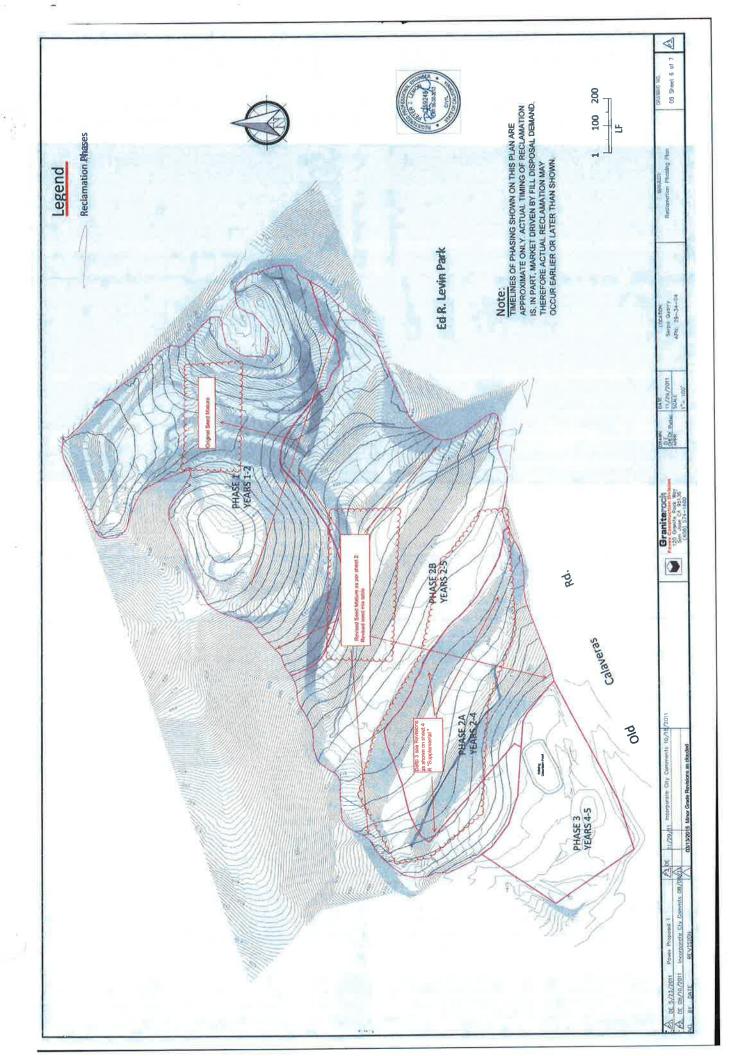
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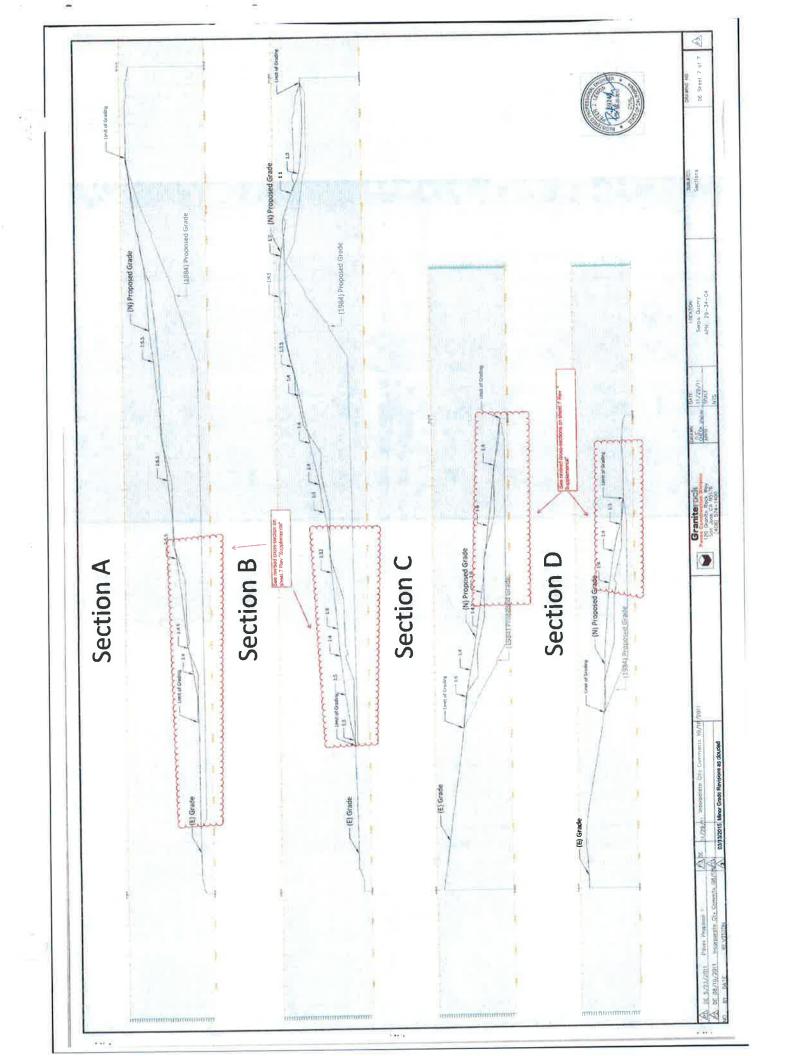






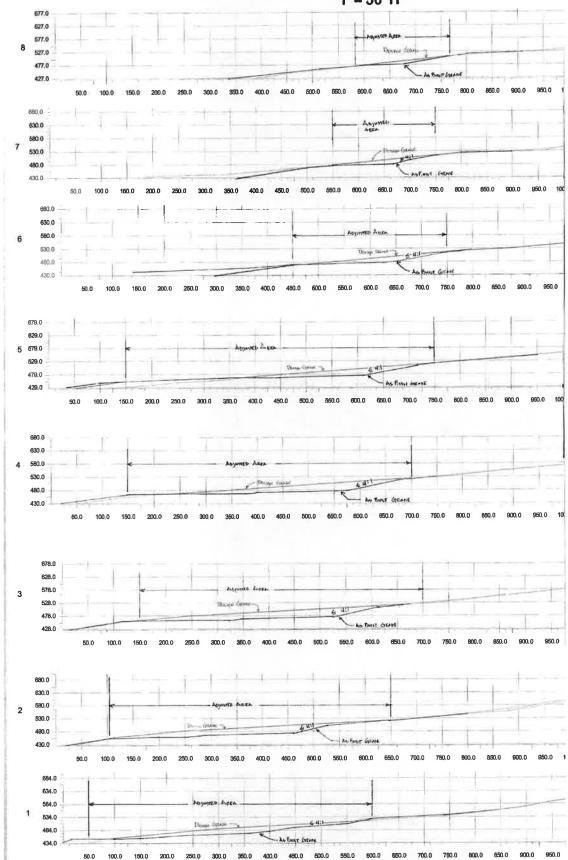


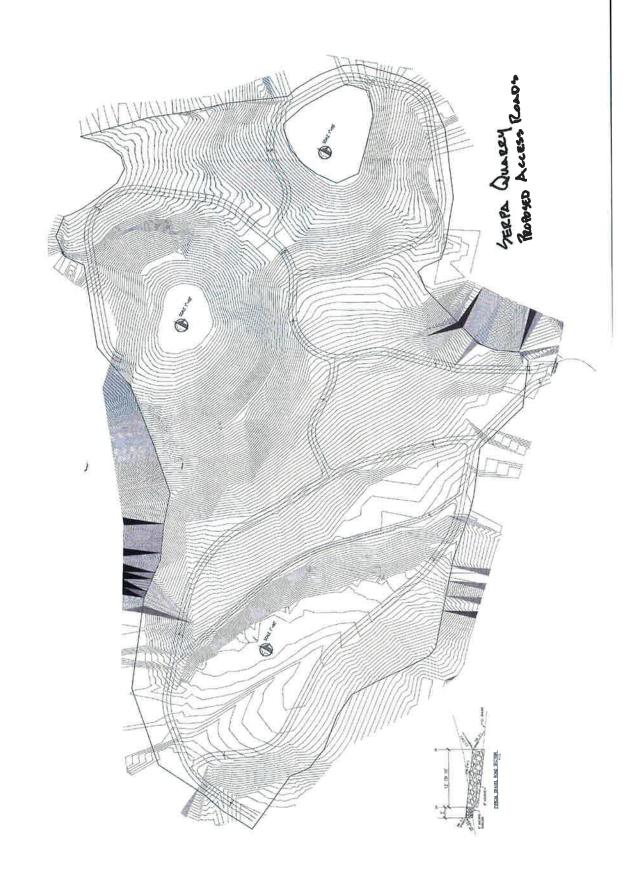






SERPA QUARRY. MARCH 13 2015 SCALE 1"=100' V 1"= 50' H





...

Attachment M

County of Santa Clara

California

rnia

December 4, 1980

Members of the Commissions
Nancy Alexander
Raymond C. Benech
Joe Clark
Robert L. Escobar
George Hinoki
Peg Muscato
Andy Pepitone

Mr. Jim Connolly, Deputy City Manager City of Milpitas 455 E. Calaveras Bl Milpitas CA 95035

STATUS OF OLD SERPA QUARRY ON OLD CALAVERAS ROAD

As per your inquiry, the following is the status of this quarry site. Enclosed, also, are copies of the use permit file. The subject quarry is a legal, nonconforming use, established prior to zoning. On December 2, 1957 the County granted a use permit for a rock crusher and appurtenant facilities in conjunction with the quarry operations (Exhibit A).

On August 25, 1976 a letter was written to Lawrence J. Klamecki, representing the proposed new property owners, explaining the status of this site and the responsibility of these property owners to insure the legal continuation of this use (Exhibit B).

On June 1, 1978 the County Planning Commission modified the use permit to change boundaries of this use in order to accommodate a land division (Exhibit C).

Also included is our staff report to the Planning Commission dated May 26, 1978. If we can be of any further service, feel free to call or write.

Lucas S. Stamos Zoning Administrator

11

Attachment N

ity Government Center, East Wing 70 West Hedding Street San Jose, California 95110 299-2521 Area Code 408

County of Santa Clara

California

STAFF REPORT

			P/C Meeting:	November 1, 1764	
			Prepared by:	Ransom Brat	ton RB
		S.	Reviewed by:	Hugh H. Gral	ham
FILE:2071-42-	84-83P	APPLICANT: A.3	J. Raich Company	4-1-1-1	
LOCATION:	North side	e of Old Calaveras Road, l	between Evans Ro	ad and Ed Levi	n
*	County P	ark	ADDRESS:	None	
ZONING:	A	GP DESIGNATION:	Milpitas USA	LOT SIZE:	78.93
PRESENT LAND USE: Quarry			SUPERVISORIAL DISTRICT: 3		
PROPOSAL:	Modificat	tion of conditions are a pre	eviously reclamati	on plan for an	existing
surface	e mine '				

PROJECT DESCRIPTION:

The applicant requests that the deadline for construction sediment basin and installation of outfall for drainage into Tularcitos Creek be extended from October 15, 1984 to October 15, 1986, (see attached letter from David LaVelle, Ruth & Going, the applicant's engineer).

ACTION ON ENVIRONMENTAL ASSESSMENT & PROJECT:

Approve the modification of reclamation plan approval to extend the deadline for compliance with Conditions A2, B10 from October 15, 1984 to October 15, 1986. All other conditions remain in effect.

FINDINGS SUPPORTING RECOMMENDATION: (Environmental Situation; General Plan Conformance; General Findings-Section 47-8; Specific Findings (if required for use)

- 1. The proposal will not have an environmental impact on the neighboring stream with the maintenance of existing berm.
- 2. The area of the basin and outfall have not been excavated to a depth to enable their construction.

BACKGROUND:

This quarry was granted a reclamation plan approved by the Planning Commission on June 7, 1984. Included in the conditions of approval is the requirement that a sediment basin along with outfall structure to Tularcitos Creek be constructed to handle storm water runoff from the quarry site. (The quarry operation does not include any washing of materials on the site). These facilities were conditioned to be installed by October 15, 1984. However, the area has not yet been excavated to a depth to permit installation of these facilities by this fall. Until they can be installed the existing earthen berm along the south boundary of the quarry will retain storm water runoff on the site and keep it from entering the adjacent creek.

4

AB 884 DEADLINES:

None

PROCEDURES:

Staff to check site to verify that berm is in place to insure that drainage shall be retained onsite.

RB:ad

ad#EA/StR#2 2071/83P/StR

Hoem, Christopher

om:

Beams, Steve

Sent: To: Monday, February 4, 2019 4:30 PM Mikhail, Leza; Hoem, Christopher

Cc:

Guevara, Jerry; Connolly, Mark; Flagg, Gary; Stephens01, James; Eastwood, Rob

Subject:

RE: 2425 Old Calaveras Road (Serpa Quarry)

Hi Leza, Chris:

I was able to meet with Mr. Vieira this morning and get a general observation from Mr. Vieira's property. Below are my highlighted responses after today's observations – today's observations from being escorted with Mr. Vieira, were observed or from Mr. Vieira's neighboring parcel (2411 Old Calaveras Road). Chris Hoem is currently scheduling SERPA Quarry's SMARA Winterization Inspection. Please see the below link for Friday's and today's pics that were taken. Note: Verbal consent was given to myself by Mr. Vieira, to use his property located at 2441 Old Calaveras Road - as a vantage point to see and take pictures of SERPA Quarry.

- The property grades do not match the approved reclamation plan contours See Chris Hoem
- There are two ponds that exist on the property that are not supposed to be there and are creating drainage problems See Chris Hoem
- Additional drainage issues that the neighbor would like to discuss with enforcement staff I did observe storm drainage maintenance issues with an existing SD Inlet(s) The areas will be apart of the Winterization Inspection
- The applicant allegedly constructed a berm that is not permitted and further creating draining issues unable to verify, will inspect during Winterization Inspection and have access within Quarry
- The dirt is allegedly moving around on the property outside of quarry activity and inconsistent with the approved contours See Chris Hoem
- There are people living in tents on the property and converting trucks into living quarters See Pics Unable to verify today due to no access
- There is excessive trash According to Mr. Vieira, some trash has been removed over the weekend
- There is a potential hazard with lighting/light poles along a common property line See Chris Hoem Two or three existing lights need to be added to the SMARA MRRC-1 report Item #3 "Light poles need to be removed.. (See figure 7)"
- Overgrown vegetation According to Mr. Vieira, some overgrown vegetation has been removed over the weekend. The majority of overgrown vegetation pertains to Mr. Vieira's driveway access and concrete drainage swale.

S:\Planning\SMARA - Surface Mines Folder\Inspection-Photos\2019\2071 SERPA\2019-02-01 and 02-04 Investigation

If you have any further questions, please don't hesitate to ask – Chris Hoem will advise post SMARA Winterization Inspection.

Thanks,

Steve Beams | Senior Construction Inspector
Jounty of Santa Clara, Department of Planning and Development
Land Development Engineering – Inspection Division
70 West Hedding Street, East Wing, 7th Floor

San Jose, California 95110 ph (408) 299-6867 ix (408) 275-6412 _ceve.beams@pln.sccgov.org www.sccbuilding.org

On December 18, 2018 the Department of Planning and Development launched InSite, our new digital permit system. What to expect: initiate request or apply for a permit online or on site; check the status of your project, submit digital documents, and make payments online or on site; get better customer service through smooth & efficient internal routing

Please visit our website.

Click <u>here</u> to look up unincorporated property zoning information.

Questions on the status of your permit? Please e-mail: <u>PLN-PermitCenter@pln.sccgov.org</u>

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From: Beams, Steve <Steve.Beams@PLN.SCCGOV.ORG>

Sent: Monday, February 4, 2019 7:30 AM

To: Mikhail, Leza < leza.mikhail@pln.sccgov.org>

Cc: Guevara, Jerry < Jerry.Guevara@PLN.SCCGOV.ORG>; Hoem, Christopher < christopher.hoem@pln.sccgov.org>; Connolly,

lark <Mark.Connolly@PLN.SCCGOV.ORG>; Flagg, Gary <Gary.Flagg@pln.sccgov.org>; Stephens01, James

<james.stephens01@pln.sccgov.org>; Eastwood, Rob <Rob.Eastwood@PLN.SCCGOV.ORG>

Subject: Re: 2425 Old Calaveras Road (Serpa Quarry)

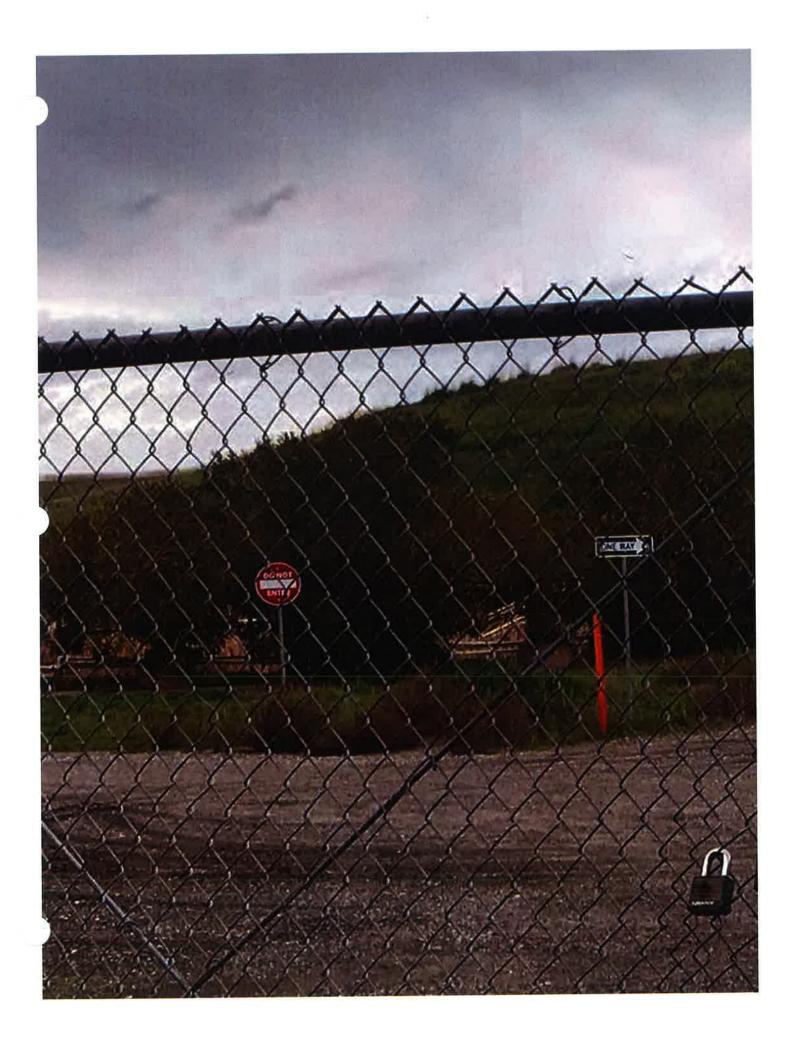
Good Morning Leza,

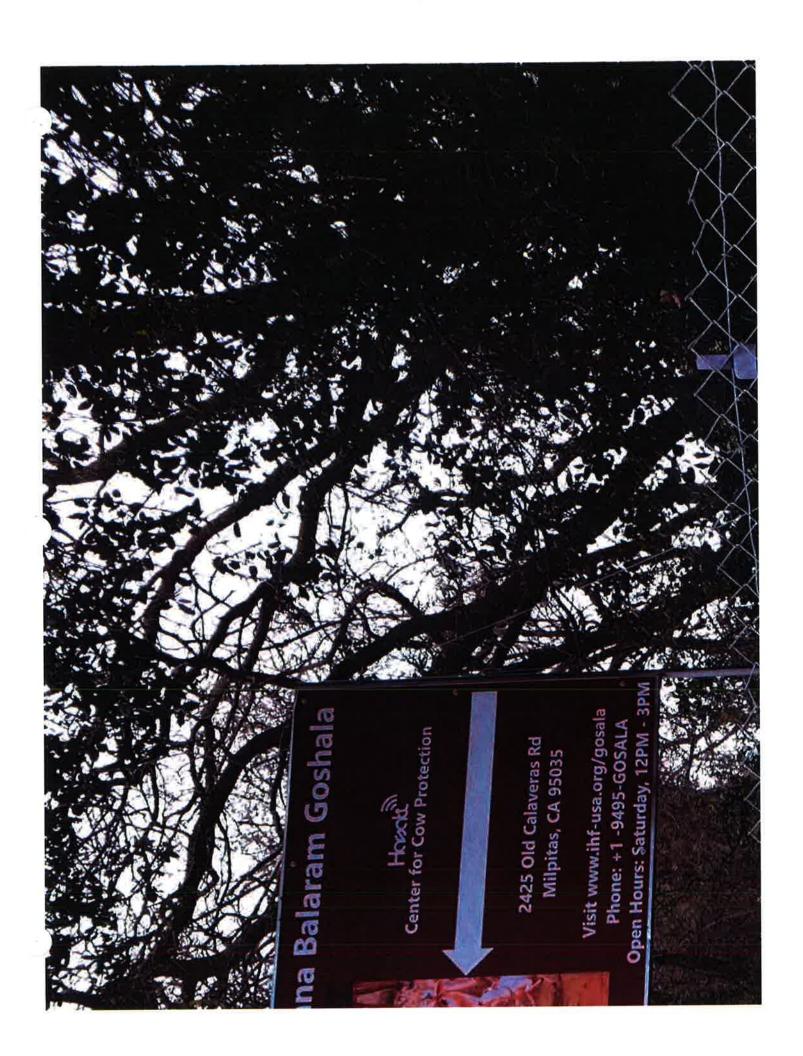
Last Friday afternoon 2/1/19, I was able to visually scan most of the property or active quarry, with using the Old Calaveras frontage road as well as the Sandy Wool County Park. Even though the main gate was dummy locked, I was able to visual see most but not all property boundaries. Also, I spoke to Mr. Vieira over the phone briefly and will be meeting him this morning at 1000 hrs. Hopefully Mr. Vieira can escort myself onto his property to visually point out the concerns or allegations that were brought up. Most of the allegations that were summarized, could be answered by Chris Hoem thus related to SMARA or future SMARA Reclamation Items. Drainage items 2-5 and the General 6-8 items, I can further investigate this morning with Mr. Vieira - Thus refer to the appropriate devision or department.

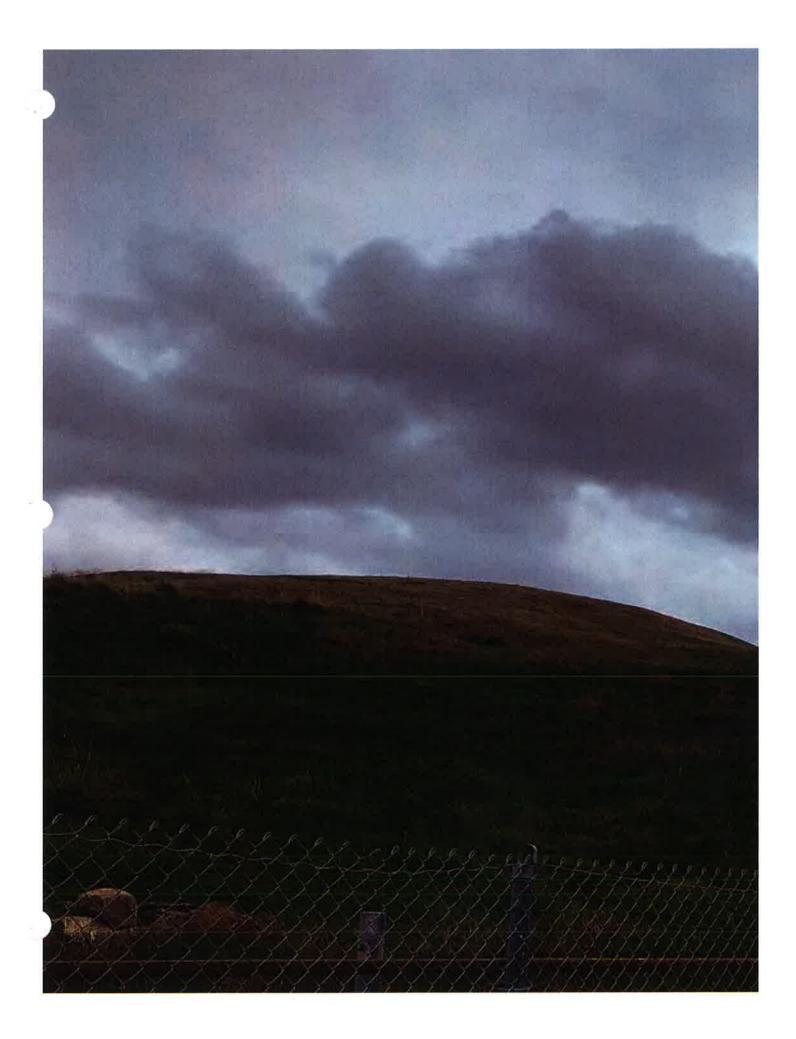
Chris Hoem hasn't yet responded with scheduling SERPA's SMARA Winterization Inspection.

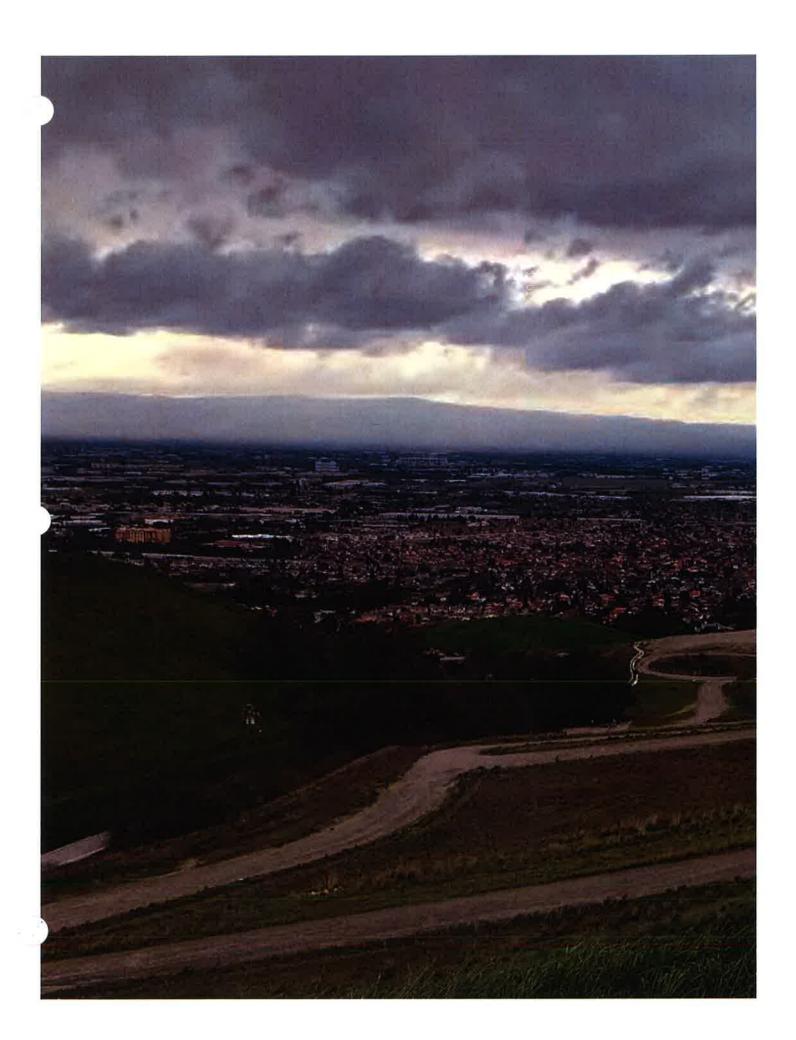
I'll update later today after I meet with Mr. Vieira.

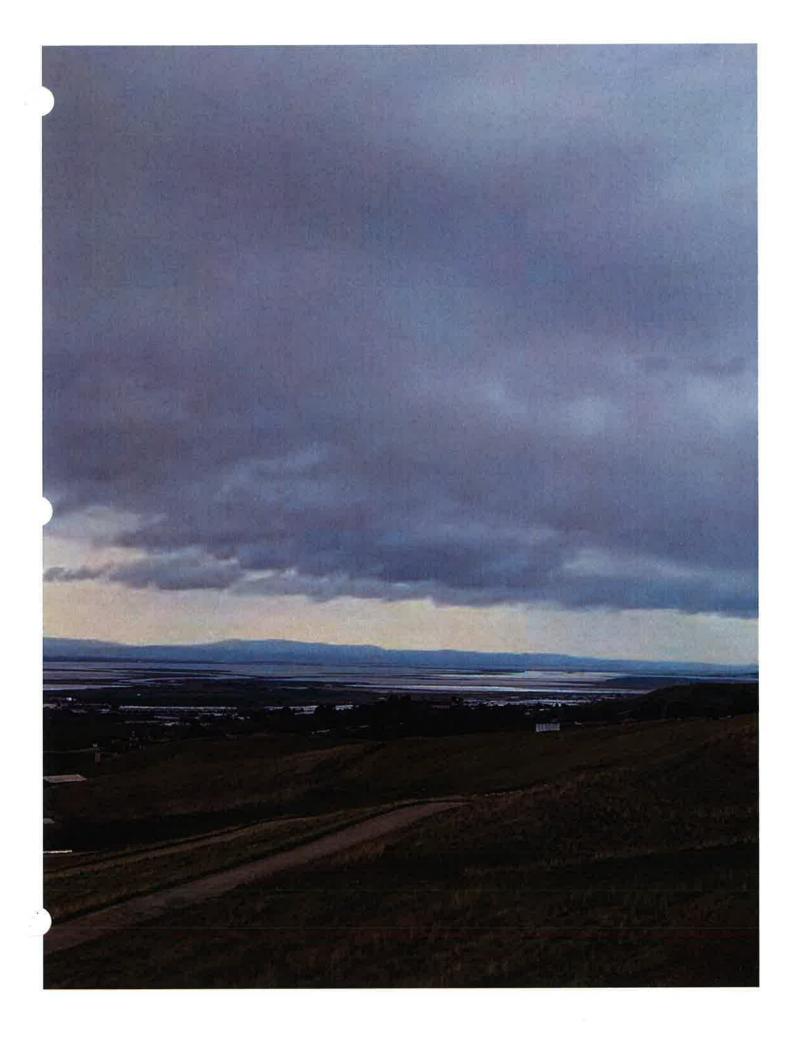
Thanks,

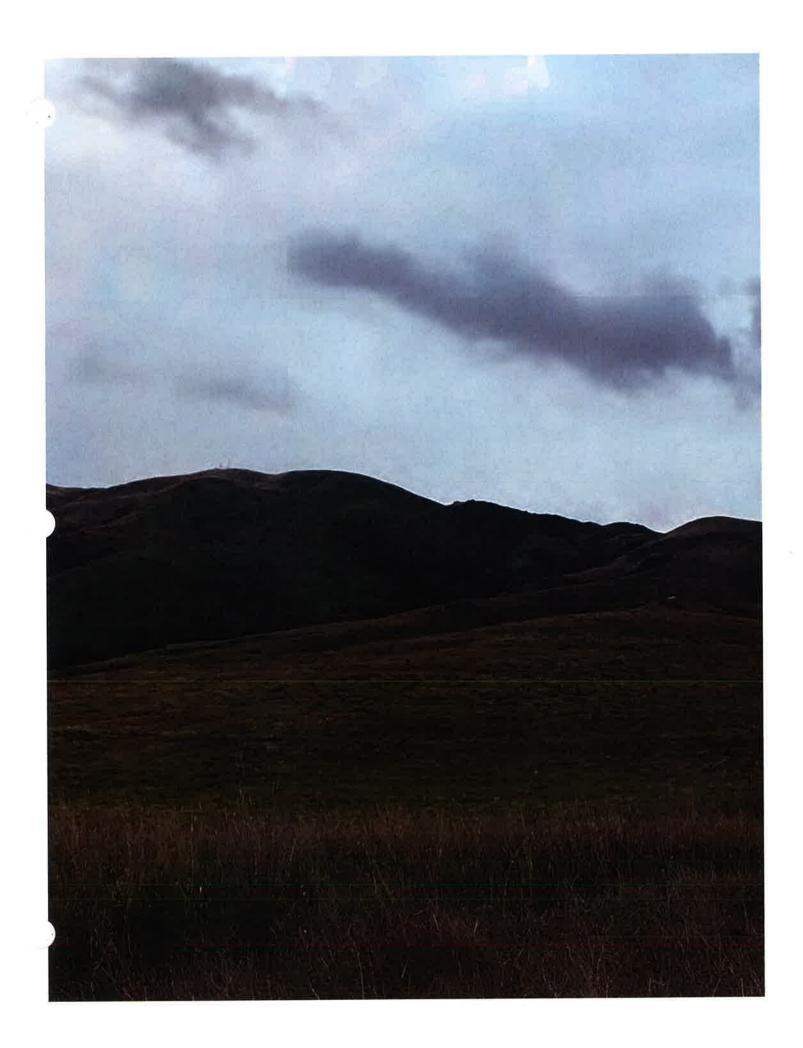














Attachment P

Attachment A

2018 Annual SMARA Inspection of the Serpa Quarry County File 2071-18PAM State Mine ID #91-43-0002



BACKGROUND

The Serpa Quarry was operational prior to the 1970's, and mining continued through 2006; however, the final grades shown in the original, approved Reclamation Plan (Ruth and Going, 1984) were not achieved. On March 8, 2012, the County approved an amendment to the Serpa Quarry reclamation plan to change the final countours of the site and allow additional imported material in order to reduce the steep slopes created from the past mineral extraction and for planting native grasses and vegetation. On October 29, 2015, the County approved an amendment to the reclamation plan to modify the final grading contours, revegetation seed mix, reclamation termination date to September 1, 2018, and allow retention of the existing perimeter fencing and internal fire access roads. The end use is open space/grazing, and single family residences.

The County issued a Use Permit in 2003 to allow a recycling facility at this location to process concrete, soil, asphalt, and glass. Recycling operations have ceased, however, a large pile of recycled and processed material remains on the western portion of the site (see Figure 3). The recycle stockpile will remain post-reclamation.

2018 SMARA Inspection and Site Conditions

The 2018 annual SMARA inspection of the Serpa Quarry (State Mine ID #91-43-0002; County File #2071-18PAM) was conducted for approximately 2 hours on the morning of July 27, 2018. In attendance were Christopher Hoem, Planner, Jim Baker, County Geologist, Steve Beams, Grading Inspector, representing Santa Clara County, with Sudhir Borikar and Vijay Datt of Gokulam, LLC (property owner). The disturbed acreage subject to SMARA is approximately 46 acres.

The quarry site is located on the north side of Old Calaveras Road, east of the City of Milpitas. The western entrance to the quarry is near the storm water basin and pond (see Figures 1 and 2) on the nearly level southern portion of the site. The storm water basin and pond receive runoff from the northeastern portion of the mine through a series of drains, culverts and open ditches. The basins appeared to be fully functional. The final storm water basin discharges to the south into an adjacent drainage ditch that runs between the south edge of the mine and a county maintained road. The vegetation growth is present in both the basin and the pond.



Figure 1- Sediment Basin (July 27, 2018, Photo by Jim Baker)



Figure 2 - Large Pond (July 27, 2018, Photo by Jim Baker)

Mining ceased several years ago, the property owner does not intend to resume mineral extraction from the quarry. All final grades have been achieved in accordance with the approved reclamation plan. Hydroseeding and mulch were applied in March 2015. The 2015 hydroseeding failed to achieve proper growth. Additional hydroseeding was conducted in Fall 2016 in the same area that the 2015 hydroseeding failed. The County observed that the hydroseeding and revegetation has succeeded throughout the site.

The internal fire access roads built in 2016 included typical drainage systems, including two new drainage basins, Basins A and B, in the eastern portion of the site (see Figure 3). See below for photos of these basins (see Figures 4 and 5). According to the reclamation plan amendment of October 2015, onsite roads will remain reclamation.

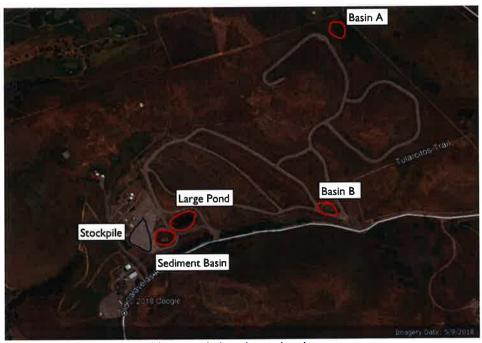


Figure 3 – Air photo showing pond, basins, stockpile, and internal roads



Figure 4 - Basin A (July 27, 2018, Photo by Jim Baker)



Figure 5 - Basin B (July 27, 2018, Photo by Jim Baker)

The asphalt pavement outside of the western and eastern entrance gates are to remain post-reclamation (see Figure 6).



Figure 6 - Eastern Entrance (July 27, 2018, Photo by Jim Baker)



Figure 7 - Metal and Wood Light Poles to be removed





Figure 8 - Areas of thistles



Figure 9 - Black plastic netting from straw wattles

During the 2018 inspection, County inspectors observed evidence of the following issues:

- 1. The gravel surfaces of the internal fire access roads contain fines that could be transported into stormwater collection systems. The long-term erosion control of all access roads with baserock fines will be an ongoing maintenance issue for the property owner (see Figure 3).
- 2. Additional gravel needs to be added to the outlet of Basin A at the property line.
- 3. Light poles need to be removed (see Figure 7).
- 4. Noxious weed removal (thistles) may be necessary for full reclamation (see Figure 8).
- 5. The straw material of wattles in the eastern portion of the property has disentegrated, leaving behind black plastic netting and wooden stakes (see Figure 9).
- 6. Concrete K-rails located throughout the site need to be removed prior to finalization of reclamation.

For the following items, contact Steve Beams 408-299-6867:

- 7. Add rock to the incipient erosion rills along the north road drainage ditch.
- 8. Install storm inlet caps with side openings.
- 9. Remove trash and debris throughout the site.
- 10. SWPPP may need to be amended based on applicable Conditions of Approval that may result from the current Reclamation Plan Amendment approval process.

FINANCIAL ASSURANCE

Santa Clara County received the Financial Assurance Cost Estimate (FACE) on October 3, 2017 from Gokulam, LLC. The 2017 FACE indicates the total estimated cost of reclamation for Serpa is \$8,802.30. Gokulam requested a reduction in the 2017 FACE to reflect the 2016 hydroseeding. The County reviewed the 2017 FACE and did not recommend a reduction in the Financial Assurance amount. A Statement of Adequacy letter was sent to the Division of Mine Reclamation (DMR) on November 27, 2017. The County did not receive a comment from DMR.

The Financial Assurance (FA) is a cash deposit held in trust at the County of Santa Clara Planning and Development Department, and the current amount is \$98,990.67. The County has not yet received the 2018 FACE from the property owner. The 2018 FACE is due by August 26, 2018.

VIOLATIONS AND ISSUES OF CONCERN

No SMARA violations were noted during the 2018 annual inspection.