

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



September 23, 2016

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

VIA CERTIFIED MAIL

Subject: 2016 SMARA Annual Inspection Report (MRRC-1) for Lehigh Quarry
County Planning Office File 2250-16PAM
State Mine ID #91-43-0004

Dear Ms. Reese:

Enclosed for your records is a copy of our 2016 SMARA Inspection Report for the Lehigh (formerly Permanente) Quarry. Santa Clara County is the lead agency for administration of SMARA. The County Planning Office is responsible for conducting an annual SMARA inspection and preparing an annual report. The attached report includes the following documents:

1. SMARA Lead Agency Inspection Notice Form;
2. Annual Quarry Inspection Report (MRRC-1);
3. Attachment A – Notes and photographs from field inspection conducted on August 11, 2016; and
4. Aerial photograph taken 4-5-2016 (from Google earth) showing locations of ground photographs.

The County is still reviewing the mine's 2016 Financial Assurance Cost Estimate (FACE). We will forward a copy, along with the County's certification, to you as soon as our review is completed.

If you have any questions regarding this matter, please feel free to call me at (408) 299-5774.

Sincerely,

James B. Baker, County Geologist (CEG 1021) *exp 10/2017*

Cc: Kirk Girard, Director of County Planning and Development Department
Sam Barkett, III, Lehigh Southwest Cement



Department of Conservation
OFFICE OF MINE RECLAMATION

SMARA LEAD AGENCY INSPECTION NOTICE FORM

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

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

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

Date of this Notice: 9-23-2016

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

Date of Inspection: Aug. 11, 2016

Mine ID: 91-91-43-0004

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

Check applicable box:


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

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

Yes ☒ No ☐

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

Yes ☒ No ☐


Signature and Title of Lead Agency Representative

ROB EASTWOOD
RAULU MAALUEN

* See instructions on back of form

SURFACE MINING INSPECTION REPORT

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

I. Mine Name (As Shown on Approved Reclamation Plan) Permanente Quarry (aka Lehigh Quarry)	Inspection Date: 8-11-2016	CA MINE ID# 91- 43-004
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II. Mine Operator Lehigh Hanson, Inc.		Telephone (408) 996-4269 - office
Onsite Contact Person Sam Barket - Area Environmental Manager		Telephone (408) 202-7534 - cell
Mailing Address 24001 Stevens Creek Blvd.		
City Cupertino	State CA	ZIP Code 95014
E-mail Address (optional) sam.barket@lehighhanson.com		

III. Designated Agent Greg Knapp		Telephone (925) 244-6570
Mailing Address 12667 Alcosta Blvd., Suite 400, Bishop Ranch 15		
City San Ramon	State CA	ZIP Code 94583
E-mail Address (optional) greg.knapp@hanson.com		

IV. SMARA Lead Agency Name (City, County, BCDC, or SMGB) Santa Clara County		
Inspector James Baker (Geologist)		Telephone (408) 299-5774
Title Engineering Geologist	Organization Department of Planning and Development	
Mailing Address 70 West Hedding Street, East Wing, 7th Floor		
City San Jose	State CA	ZIP Code 95110
E-mail Address (optional) jim.baker@pln.sccgov.org		

V. Does the operation have:	P	NR	No	Yes	
A Permit to Mine	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Permit # - Start and Expiration Dates vested
Vested Right to Mine	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		Year of Lead Agency determination 2011 (exploration in 1935)
A Reclamation Plan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		RP# 2250-13-66-84P Date Approved March 1985
Reclamation Plan Amendment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		RP Amendment # (as applies) 2250-13-66-10P (M1) Date Approved or Status of Amendment June 26, 2012
Has the Operator filed a Mining Operation Annual Report (Form MRRC-2) this Year? Check One: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					Year of Most Recent Filed Annual Report: 2016

VI. Is this Operation on Federal Land? Check One: If "Yes," Provide One or Both of the Federal Mine Land Identification Numbers Below:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
California Mining Claim Number (CAMC#): NA	Latitude/Longitude at Mine Entrance (Decimal Degrees): lat 37.321034 , lon -122.086118	
U.S. Forest Service or BLM Identification Number (Plan of Operations #) : NA	Status of Plan of Operations (Current/Expired/In Process): NA	

INSTRUCTIONS FOR COMPLETING SURFACE MINING INSPECTION REPORT

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

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

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

BLOCK I: Enter the name of the Mining Operation, the date of the inspection, and the California Mine ID number.

BLOCK II: Enter the name of the Mine Operator, mailing address, phone number, name, and email address (optional) of the person to serve as the onsite contact.

BLOCK III: Enter the name, mailing address, phone number, and email (optional) of the Designated Agent who, under PRC § 2772(c)(1) and 2207(a)(1), will serve as a contact for any follow-up correspondence or discussions regarding the inspection or noted violations.

BLOCK IV: For "Lead Agency," enter the name of the certified SMARA Lead Agency that is conducting this inspection. Acceptable entries include the name of the city, county, Bay Conservation and Development Commission (BCDC), or State Mining and Geology Board (SMGB). For "Organization," enter the name of the agency, firm or other organization that employs the inspector.

BLOCK V: Check the appropriate boxes.

P	Pending (on appeal or awaiting approval by Lead Agency)
NR, No, Yes	Not required for this operation at the time this inspection was completed
	No
	Yes, supply information

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

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

DISTRIBUTION INSTRUCTIONS:

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

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

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

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

SURFACE MINING INSPECTION REPORT

VII. Financial Assurance		Inspection Date: 8-11-2016	CA MINE ID#: 91-43-004
Type of Financial Assurance Mechanism(s)	Financial Assurance Mechanism Number(s)	Amount of Mechanism	Date of Expiration Date of Lead Agency Approval of Mechanism
5 bonds posted: 1&2. Travelers Casualty & Surety Company 3. Liberty Mutual Insurance Company 4. Lexon Insurance Company 5. Fidelity & Deposit Company Bond	5 bonds posted: 1. Bond #64S104790142BCM 2. Bond #280331 3. Bond #022033624 4. Bond #1066515 5. Bond #09054091	1. \$7,570,047. 2. \$ 540,001. 3. \$18,963,259. 4. \$1,691,220. 5. \$25,958,768.	1. none 2. none 3. none 4. none 5. non4 1. 10-19-2007 2. 08-18-2010 3. 02-03-2012 4. 01-28-2011 5. 04-28-2014
Total Amount of Mechanism(s)		\$54,723,295.	
<input type="checkbox"/> Financial Assurance Mechanism Pending Review by Lead Agency? If yes, provide date submitted/explanation and amount of pending mechanism:			
Has there been a change of operator since last inspection? If yes provide the date of notice. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date of Change: NA	If yes, has the new operator posted a Financial Assurance Mechanism? <input type="checkbox"/> Yes <input type="checkbox"/> No If not, describe status of new operators Financial Assurance Mechanism: NA		Does new operator's Notice of Change include a statement of responsibility for reclamation? <input type="checkbox"/> Yes <input type="checkbox"/> No

Date and Amount of Most Recent Approved Financial Assurance Cost Estimate:	Date: August, 2014	Amount: \$54,601,774.
<input checked="" type="checkbox"/> Financial Assurance Cost Estimate Pending Review with Lead Agency?	Date Submitted/Explanation/Amount of pending estimate: 7-27-2016 \$53,854,896 (proposed reduction of \$746,878. pending review by County)	
<input type="checkbox"/> Financial Assurance Cost Estimate Appealed by Operator?	Date Submitted to State Mining and Geology Board or Lead Agency for Appeal/Explanation: NA	
<input type="checkbox"/> Other?	NA	

INSTRUCTIONS FOR COMPLETING SURFACE MINING INSPECTION REPORT

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

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

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

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

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

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

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

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

SURFACE MINING INSPECTION REPORT

VIII. Non-SMARA facility operations conditions solely of local concern (e.g. hours of operation) do not need to be noted here. See Instructions for Block VIII on reverse side of page. [Use separate sheet(s) where necessary. Refer to item numbers below]		CA MINE ID # 91- 43-004	
Potential Reclamation Plan Requirements:	List Reclamation Plan Requirements (Recommended to be filled out prior to field inspection)	Note Site Conditions and Compliance Issues (Note additional comments on Page 5 as necessary)	VN?
1) General Information			
a) Permitted Mineral Product(s)	a) limestone cement and aggregate	Mine quarry operating in accordance with 2012 RPA. Rock plant not operating. (See additional comments and photos in attached notes.)	
b) Approved Production Amount (Annual/Gross)	b) 45 million tones total		
c) End Date of Operations Per RP	c) 12-31-2030 (RPA, Table 2)		
d) Permit end date	d) NA (vested mine)		
e) End Use	e) open space - hillside (Fig. 2.3-2)		
2) Boundaries			
a) Property Boundary	a) RPA-Figure 1.0-2 (3.51 acres)	Operations are in compliance with boundaries per 2012 RPA.	
b) Permit Boundary	b) RPA-Figure 1.0-2 (1238.6 ac.)		
c) Rec. Plan Boundary (RPB)	c) RPA-Figures 1.0-2 & 1.04 (1238.6 ac.)		
d) Setbacks	d) variable, see RPA-Figure 3.3-1		
3) Slopes – Grading			
a) Fill Slopes – Note Condition of:	Overburden:	Quarry slopes are in compliance with 2012 RPA criteria. WMSA slopes comply, but will be regraded for final reclamation. EMAS slopes comply and meet elevation restrictions of 2012 RPA.	
i) Slopes – Working (max/current)	a.i) 1.5H:1.0V to 2.0H:1.0V		
ii) Slopes – Reclaimed	a.ii) EMSA: 2H:1V, WMSA: 2.5H:1V, Pit backfill: 2.5H:1V		
iii) Compaction	a.iii) see COA 25 & 70.		
b) Cut Slopes – Note Condition of:	b.i) near vertical cuts between benches		
i) Slopes – Working (max./current)	b.ii) Pit walls limestone: 1H:1V overall greenstone: 38 to 50 degrees		
ii) Slopes – Reclaimed			
4) Erosion Control			
a) BMPs	a) 10-22-2012 SWPPP, RPA 3.9	BMPs and stormwater management program is active and winterization will be completed before rains begin. (See attached notes regarding repair of crusher blowout.)	
b) Grading	b) RPA Appendix F (Chang, 12/12/2012)		
c) Vegetation	c) RPA Appendix B (WRA, 12/2011); RPA 3.18, 3.19; COAs 70, 78, to 81		
5) Ponds			
a) Design – Function	a., b & c) RPA Table 8;	Ponds are all functioning as required.	
b) Capacity (area/depth/volume)	RPA-Appendix F; 12-22-2012		
c) Maintenance	SWPPP; COA 33 & 83		
6) Stream & Wetland Protection			
a) Buffers (distance to channel)	a to g) RPA 3.18, 3.19;	Check dams are in-place and clear. Stockpiles are covered. Permanente Creek Restoration Plan (PCRP) has been submitted to State and Federal agencies for review in accordance with the settlement agreement.	
b) Berms (distance/length/height)	RPA - Appendix D, Table 2;		
c) Best Management Practices	RPA Figure 3.3-1;		
d) Drainage	COA 57 to 61		
e) Grading & Slopes			
f) Stockpiles			
g) Stream Diversions			
7) Sensitive Wildlife & Plant Protection			
a) List Species	a) RPA 2.9, 3.17.1; Appendix B;	Wildlife surveys were conducted prior to mining disturbances. On-going protection measures have been implemented as per RPA & COA.	
b) Protection Measures	b) RPA-Appendix D (50-foot setback)		

INSTRUCTIONS FOR COMPLETING SURFACE MINING INSPECTION REPORT

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BLOCK VIII: INSTRUCTIONS FOR EACH DATA COLUMN:

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

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

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

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

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

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

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

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

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

SURFACE MINING INSPECTION REPORT

VIII. Non-SMARA facility operations conditions solely of local concern (e.g. hours of operation) do not need to be noted here. See Instructions for Block VIII on reverse side of page. [Use separate sheet(s) where necessary. Refer to item numbers below]		CA MINE ID # 91- 43-004	
Potential Reclamation Plan Requirements:	List Reclamation Plan Requirements (Recommended to be filled out prior to field inspection)	Note Site Conditions and Compliance Issues (Note additional comments on Page 5 as necessary)	VN?
8) Soil/Overburden Stockpile Management	RPA 2.6, 3.17.3.1; RPA Figure 2.6-1 ai&bi) WMSA & EMSA (COA 26) aii&bii) temporary angle of repose aiii&biii) 12-22-2012 SWPPP; COA 27 ci) RPA 3.4, 3.10; RPA Appendix B cii) RPA Appendix B ciii) RPA Appendix B civ) RPA 3.17.3	Two topsoil storage areas in WMSA and one in EMSA. BMPs in place for topsoil storage areas. All overburden and washout fines being placed in North Quarry as buttress of pit's lower highwall. Soil/overburden stockpiles managed in compliance with 2012 RPA. (See attached inspection report for more information.)	
a) Topsoil			
i) Location			
ii) Slope Stability			
iii) BMPs			
b) Overburden			
i) Location			
ii) Slope Stability			
iii) BMPs			
c) Topsoil Application			
i) Amendments			
ii) Depth			
iii) Moisture			
iv) Application Methods			
9) Revegetation	a) RPA 3.17.3.3; RPA Appendix B; RPA Figure 2.9-1; COA 28, 29, 77 b) RPA-Tables 3 and 6 c) RPA Table 7 d) RPA Table 7 e) RPA Table 7 f) RPA 3.17.3.2 g) RPA 3.17.3.5 h) RPA 3.17.3.4	Final test plot report submitted 10-2014. (See attached inspection report for comments on EMSA re-veg.) South Exploration Area has been revegetated and continues to be evaluated for success via air-photos. (No longer accessible.)	
a) Test Plots			
b) Species Mix			
c) Density			
d) Percent Cover			
e) Species Richness			
f) Protection			
g) Success Monitoring			
h) Invasive Species Control			
10) Structures	RPA 3.20; COA 31	New crusher is operational. Overflow erosion repaired with soil-nail wall. Old crusher removed. New mine office structure completed.	
11) Equipment	RPA 3.20; COA 31	Both fixed and mobile equipment will be removed as part of final reclamation.	
12) Closure of Adits	During final reclamation, conveyor tunnel (from crusher to cement plant) will be filled and sealed.	Conveyor tunnel is open and will be closed during final reclamation after mining ceases.	
13) Other Reclamation Plan Requirements	No limestone on surface (COA 74). Remove limestone from contact with stormwater (COA 39). Reclaim PCRA after plan is approved by other agencies (COA 38 & 40). (Water quality treatment must reduce selenium discharges in compliance with requirements of SFBRWQCB per mediated agreement.)	Limestone rock will be removed from drainage controls. Restoration plan for PCRA submitted and being reviewed by State agencies. SFBRWQCB issued consolidated WDR/NPDES permit R2-2014-0010, CA0030210 on 3-12-2014. Interim plant for mine water treatment is operational. (See attached inspection report for more information.)	

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SURFACE MINING INSPECTION REPORT

<p>IX. List comments/description/sketches to support observations of mine site conditions, including violations. Where any violations are noted, list in numerical order, along with suggested corresponding corrective actions. Also describe preventative measures recommended by the inspector to avoid or remedy potential violations. Indicate if you have attached photos, sketches, and/or notice(s) of violation(s) or other documents to this form. (Add additional sheets as necessary)</p> <p>The mine was active during the 2016 inspection. The 2012 approved Reclamation Plan Amendment identifies nine areas within the mining boundary:</p> <ol style="list-style-type: none"> 1. North Quarry (main pit) 2. West Materials Storage Area (WMSA) 3. East Materials Storage Area (EMSA) 4. Crusher/conveyor 5. Surge Pile 6. Rock Plant 7. South Quarry Exploration Area 8. Permanente Creek Restoration Area (PCRA) 9. Buffer Areas that surround active mining areas. <p>The attached notes describe our observations in each of the areas and the PHOTOS illustrate what the inspectors observed at or from the Map Locations indicated on the attached AIR-PHOTO].</p> <p>No SMARA violations were noted during the 2016 inspection of the mine.</p> <p>The County's inspectors found that the Lehigh Quarry (formerly Hanson-Permanente Quarry) is currently in compliance with the provisions of SMARA. In addition, the operator is making progress in complying with the requirement of the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) with regard to water treatment and discharge permits.</p> <p>When the PCRA plan is approved by the SFBRWQCB and other permitting agencies, the plan must be incorporated into the RPA. Until then, the erosion control measures installed along Permanente Creek must be monitored and repaired as needed to prevent impacts on the creek.</p> <p style="margin-top: 20px;">Additional sheets/documents attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>CA MINE ID # 91- 43-004</p> <hr/> <p>Inspection Date: 8-11-2016</p> <hr/> <p>Weather Code(s): CR</p> <hr/> <p>Duration of Inspection: 5 hours Start Time: 9 AM End Time: 2 PM</p> <hr/> <p>Status of Mine Code(s): OP</p> <hr/> <p>Status of Reclamation Code(s): R (South Exploration Area) Approximate Acreage Under Reclamation: 19.5 acres <small>Approximate Acreage the lead agency has determined reclaimed in accordance with the approved reclamation plan:</small></p> <hr/> <p>Approximate Total Disturbed Acreage: 669.2 of 1268.6 areas <small>Approximate Pre-SMARA Disturbed Acreage:</small> 49.2 acres</p> <hr/> <p>Disturbed Acreage Identified in Most Recent Financial Assurance Cost Estimate: 590 acres</p> <hr/> <p>Previous Inspection Date (and Number of Violations then Noted): 9-3-2015: no violations <small>Violations Corrected? (explain in block to left)</small> none</p> <hr/> <p>Inspection Attendees and Affiliations: Sam Barket - Lehigh Manjunath Shivalingappa - Lehigh Erich Schickenberg - WRA Jim Baker - SCCo. Robert Salisbury - SCCo. Steve Beams - SCCo.</p>
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<p>X. Number of Current Violations: <div style="font-size: 2em; font-weight: bold; margin-top: 10px;">0</div> </p>	<p>Inspector's Signature: <small>Date Signed:</small> 9-23-2016</p>	<p>If inspector is a contractor for the lead agency give license type and number:</p>
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INSTRUCTIONS FOR COMPLETING SURFACE MINING INSPECTION REPORT

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

BLOCK IX

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

Enter California Mine ID Number and Date of Inspection.

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

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

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

NP = Newly Permitted (surface mining operation not begun)
OP = Operation Not Idle (Per § 2727.1) or abandoned (Per §2770 (h)(6))
I = Idle (Per § 2727.1)
AB = Abandoned (Per § 2700 (h)(6))
NOP-NC = Not in Operation, Reclamation NOT Completed
NOP-C = Not in Operation, Reclamation Completed

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

Status of Reclamation Codes:

RN = Reclamation not begun	P = Post reclamation monitoring
R = Reclamation in progress	RC = Reclamation complete

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

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

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

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

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

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

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

BLOCK X:

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

County File 2250-16PAM - Lehigh Quarry (formerly Permanente Quarry)

Notes and photographs* from 2016 Annual SMARA mine inspection conducted on 8-11-2016

by James Baker, CEG#1021, County Geologist

(***PHOTOS** were taken from the numbered locations indicated on the attached air-photo, panoramas were created by stitching adjacent photos together automatically)

The 2016 annual SMARA mine inspection of Lehigh Quarry was conducted for 4 hours on August 11, 2016. In attendance were the following persons (affiliation indicated):

James Baker (County Planning)
Robert Salisbury (County Planning)
Steve Beams (County LDE)
Erich Schickenberg (WRA)
Manjunath Shivalingappa (Lehigh Hanson)
Sam Barket (Lehigh)

The 2012 approved Reclamation Plan Amendment identifies nine areas within the mining boundary:

1. North Quarry (main pit)
2. West Materials Storage Area (WMSA)
3. East Materials Storage Area (EMSA)
4. Crusher/conveyor
5. Surge Pile
6. Rock Plant
7. South Quarry Exploration Area
8. Permanente Creek Restoration Area (PCRA)
9. Buffer Areas that surround active mining areas.

The mine was active during the 2016 inspection. The following paragraphs describe our observations in each of the areas [with **PHOTOS** and captions that illustrate what we observed at or from the Map Locations indicated on the attached **AIR-PHOTO**].

1. North Quarry (Main Pit)

The bottom of the main pit is approximately 70 feet above the final depth to be reached at the end of mining. The highwalls on the north, east, and south are essentially complete (excavated benches); while the western side of the pit is still being actively mined (blasting and loading). Extraction of limestone was on-going in the main pit (mostly along the southwestern highwall). Overburden materials were being placed and compacted against the lower portion of the northwestern highwall. [See **PHOTO #1** taken from Map Location 90 and **PHOTO #2** taken from Map Location 61.]

2. WMSA

No new material was being placed in the West Materials Storage Area (WMSA). The northeast-facing slopes of the WMSA have well-established vegetation (grasses and some shrubs). [See **PHOTO #3** taken from Map Location 8 and **PHOTO #4** taken from Map Location 21.] Topsoil and organics are stored and covered in the central portion of the WMSA. [See **PHOTOS #5 and #6** taken at Map Location 1.] (Most of the material stored in the WMSA will be moved and placed as backfill into the main quarry pit. Topsoil will be used to cover benches for plantings.)

3. EMSA

No new material was being placed in the EMSA. The EMSA slopes have been finish graded per the approved Reclamation Plan. The final elevations have been achieved with limestone cover. BMPs have been placed on the slopes (wattles) and along the benches (rock check dams and silt fences). [See **PHOTO #7** taken from Map Location 97 and **PHOTO #8** taken from Map Location 110.] Surface drainage is directed into Pond 30 which is rock-lined with non-limestone rock. [See **PHOTO #9** taken at Map Location 111.] It discharges through a pipe that outlets onto a rock apron adjacent to the creek.

4. Crusher/Conveyor

The crusher was constructed in 2013 against a 70-foot high retaining wall. Drainage from around the crusher is directed into a sump which overflowed due to a power failure in 2014. As a result, an erosion gully formed on the steep slope west of the crusher. The operator has had the gully lined with jute netting and several silt fences. [See **PHOTO #10** taken from Map Location 81.] Eroded material accumulated at the toe of the slope and extended into the eastern side of pond in PCRA. [See **PHOTO #11** taken at Map Location 118.] The operator had a soil-nail wall installed in the head of the erosion gully located downhill of the sump. [See **PHOTO #12** taken at Map Location 77.] The crusher and conveyor will be removed prior to final reclamation. The tunnel through which the conveyor travels will need to be filled and sealed. Wildlife protection procedures (outlined in the RPA and COAs) must be followed when the tunnel is backfilled.

5. Surge Pile

The surge pile has been reduced significantly since last year's inspection. [See **PHOTO #13** taken from Map Location 83.] Sediment that erodes from the surge pile is detained in ponds and by check dams along the roadway. [See **PHOTO #14** taken at Map Location 113.] During final reclamation, the surge pile will be removed and the underlying creek channel will be restored during the Creek Restoration work that has not yet been approved.

6. Rock Plant

The rock plant was not in operation during the inspection. There are numerous stock piles and equipment in the rock plant area. Runoff from the rock plant is directed into Pond 17. [See **PHOTO #15** taken from Map Location 124.]

7. South Quarry Exploration Area

Located southwest of Permanente Creek, the area was disturbed by excavation of drilling pad and associated roads in order to evaluate the mineral resources in that area. However, the quarry operator

withdrew the application to expand the mine into that area and has allowed the natural vegetation to become reestablished there. During the past 6 years, the growth of grasses and brush appears to have mitigated the previous ground disturbances. [See attached **AIR-PHOTO** taken on 4-6-2016.] Eventually, a ground survey will be needed to confirm the adequacy of the revegetation to meet the performance standard in the RPA prior to the County granting reclamation “closure” of the area.

8. Permanente Creek Restoration Area (PCRA)

Plans for restoration of Permanente Creek adjacent to the mine are still in review by several regulatory agencies. Once the plans have been approved, the FACE will need to be revised to reflect the costs of implementing the “construction” described in the plan. For now, the County considers the area to be in compliance with SMARA pending the outcome of agency reviews.

9. Buffer Areas

The undisturbed areas around the active mine are intended to protect the quarry from encroachments by other land uses and to protect nearby land uses from adverse effects of the mining. At the time of our inspection, the Buffer Areas appeared undisturbed and providing the buffer effect intended.

VIOLATIONS

No SMARA violations were noted during the 2016 inspection of the mine.

CONCLUSIONS

The County of Santa Clara finds that the Lehigh Quarry (formerly Permanente Quarry) is currently in compliance with the provisions of SMARA and is making progress in complying with the requirement of the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) with regard to water quality and discharge permits.

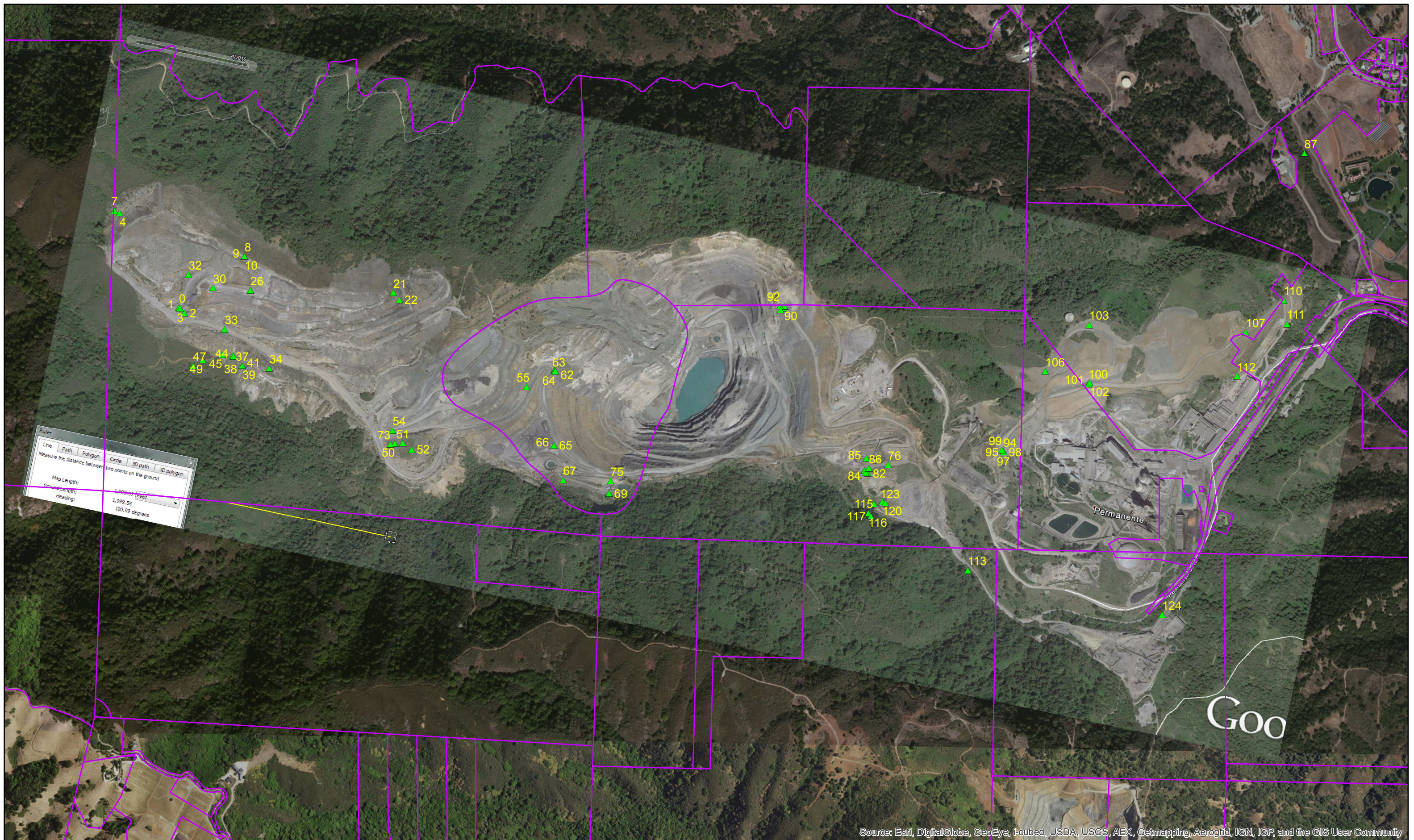
The elements that have been constructed to minimize erosion and control sedimentation by runoff must be monitored and maintained as necessary to prevent adverse impacts to areas adjacent to the mine.

Each year, prior to the annual inspections, the operator should provide the County with updated maps that show the locations of stockpiles.

When the PCRA plan is approved by the SFBRWQCB and other permitting agencies, the plan must be incorporated into the RPA. Until then, the erosion control measures installed along Permanente Creek must be monitored and repaired as needed.

FINANCIAL ASSURANCE COST ESTIMATE (FACE) and MECHANISM (FAM)

The operator submitted to the County a revised financial assurance cost estimate (FACE) dated July 27, 2016. The County’s final review of the 2016 FACE is pending in conjunction with the annual inspection. After the County certifies the 2016 FACE, we will forward the calculations to OMR for the 45-day review. Subsequently, the County will require the operator to adjust (increase or decrease) the FAM in accordance with the determined deficit or surplus of the 2015 FAM.



Source: Esri, DigitalGlobe, GeoEye, I-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community

Numbers indicate locations of ground PHOTOS taken on 8-11-2016 by James Baker

AIR - PHOTO taken 4-6-2016



0 1,000 2,000 3,000
Feet

PHOTO #1 taken from Map Location 90 – North Quarry Main Pit (looking northwest)



PHOTO #2 taken from Map Location 61 – North Quarry Main Pit (looking south)



PHOTO #3 taken from Map Location 8 – WMSA (looking east)



PHOTO #4 taken from Map Location 21 – WMSA (looking north)



PHOTO #5 taken at Map Location 1 – Topsoil stockpile



PHOTO #6 taken at Map Location 1 – Sign for topsoil stockpile



PHOTO #7 taken from Map Location 97 – Southern slopes of EMSA (looking east)



PHOTO #8 taken from Map Location 110 – EMSA bench with silt fence (looking west)



PHOTO #9 taken at Map Location 111 – Pond 30



PHOTO #10 taken from Map Location 81 – Jute netting lined erosion gully below crusher sump



PHOTO #11 taken at Map Location 118 – Sediment in side of pond in PCRA



PHOTO #12 taken at Map Location 77 – Soil-nail wall in erosion scar below crusher sump



PHOTO #13 taken from Map Location 83 – Surge Pile



PHOTO #14 taken at Map Location 113 – Rock check dam on road below Surge Pile



PHOTO #15 taken from Map Location 124 – Pond 17 for runoff from the Rock Plant

