State of California
DEPARTMENT OF CONSERVATION
OFFICE OF MINE RECLAMATION

SURFACE MINING INSPECTION REPORT

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

I. Mine Name (As Shown on Approved Reclamation Plan)	Inspection Date:	CA MINE ID#
Permanente Quarry (Lehigh Quarry)	08-09-2018	91- 43-0004

II. Mine Operator		Telephone
Lehigh Hanson, Inc.		(408) 996-4269
Onsite Contact Person		**Telephone**
Erika Guerra		(408) 996-4269
Mailing Address		
24001 Stevens Creek Blvd.		
City	**State**	**ZIP Code**
Cupertino	CA	95014
E-mail Address (optional)		
erika.guerra@lehighhanson.com		

III. Designated Agent		Telephone
Erika Guerra		(408) 996-4269
Mailing Address		
24001 Stevens Creek Blvd.		
City	**State**	**ZIP Code**
Cupertino	CA	95014
E-mail Address (optional)		
erika.guerra@lehighhanson.com		

IV. SMARA Lead Agency Name (City, County, BCDC, or SMGB)		
Santa Clara County		
Inspector		**Telephone**
Christopher Hoem, AICP		(408) 299-5784
Title	**Organization**	
Senior Planner	Department of Planning and Development	
Mailing Address		
70 West Hedding Street, East Wing, 7th Floor		
City	**State**	**ZIP Code**
San Jose	CA	95110
E-mail Address (optional)		
christopher.hoem@pln.sccgov.org		

V. Does the operation have:	P	NR	No	Yes
A Permit to Mine	☐	☐	✔	**Permit # - Start and Expiration Dates** Vested
Vested Right to Mine	✔	☒	☐	**Year of Lead Agency determination** 2011 (exploration in 1935)
A Reclamation Plan	✔	☒	☐	**RP#** 2250-84P **Date Approved** March 1985
Reclamation Plan Amendment	✔	☒	☐	**RP Amendment # (as applies)** 2250-10P (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: ☐ Yes ☐ No **Year of Most Recent Filed Annual Report:**

VI. Is this Operation on Federal Land? Check One: If "Yes," Provide One or Both of the Federal Mine Land Identification Numbers Below:	☐ Yes ☑ No
California Mining Claim Number (CAMC#): N/A	**Latitude/Longitude at Mine Entrance (Decimal Degrees):** Lat 37.321034, Lon -122.086118
U.S. Forest Service or BLM Identification Number (Plan of Operations #) : N/A	**Status of Plan of Operations (Current/Expired/In Process):** N/A

SURFACE MINING INSPECTION REPORT

VII. Financial Assurance		Inspection Date: 08-09-2018	CA MINE ID#: 91- 43-0004	
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. Lexon Insurance Company 4. Liberty Mutual Insurance Company 5. Fidelity & Deposit Company Bond	5 bonds posted: 1. Bond #64S104790142BCM 2. Bond #280331 3, Bond #1066515 4. Bond #022033624 5. Bond #09054091	1. $7,570,047.00 2. $540,001.00 3. $1,691,220.00 4. $18,963,259.00 5. $25,892,957.00	1. None 2. None 3. None 4. None 5. None	1. 10-19-2007 2. 08-18-2010 3. 01-28-2011 4. 02-03-2012 5. 07-10-2018
	Total Amount of Mechanism(s)	$54,657,484.00		

☐ **Financial Assurance Mechanism Pending Review by Lead Agency? If yes, provide date submitted/explanation and amount of pending mechanism:**

N/A

Has there been a change of operator since last inspection? If yes provide the date of notice.	If yes, has the new operator posted a Financial Assurance Mechanism?	Does new operator's Notice of Change include a statement of responsibility for reclamation?
☐Yes ☑No Date of Change: N/A	☐Yes ☐No If not, describe status of new operators Financial Assurance Mechanism: N/A	☐Yes ☐No

Date and Amount of Most Recent Approved Financial Assurance Cost Estimate:	Date: June 18, 2018	Amount: $54,657,484.00
☐ **Financial Assurance Cost Estimate Pending Review with Lead Agency?**	**Date Submitted/Explanation/Amount of pending estimate:** N/A	
☐ **Financial Assurance Cost Estimate Appealed by Operator?**	**Date Submitted to State Mining and Geology Board or Lead Agency for Appeal/Explanation:** N/A	
☐ **Other?**	N/A	

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- 43-0004	
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) b) Approved Production Amount (Annual/Gross) c) End Date of Operations Per RP d) Permit end date e) End Use	a) limestone cement and aggregate b) 45 million tones total c) 12-31-2030 (RPA, Table 2) d) NA (vested mine) e) open space - hillside (Fig. 2.3-2)	Mine quarry operating in accordance with 2012 RPA with respect to the items in this row. (See Attachment A.)	
2) Boundaries a) Property Boundary b) Permit Boundary c) Rec. Plan Boundary (RPB) d) Setbacks	a) RPA-Figure 1.0-2 (3.51 acres) b) RPA-Figure 1.0-2 (1238.6 ac.) c) RPA-Figures 1.0-2 & 1.04 (1238.6 ac.) d) variable, see RPA-Figure 3.3-1	A new haul road was illegally graded outside the reclamation plan boundary. A Notice of Violation (NOV) was sent on August 17, 2018.	1
3) Slopes – Grading a) Fill Slopes – Note Condition of: i) Slopes – Working (max/current) ii) Slopes – Reclaimed iii) Compaction b) Cut Slopes – Note Condition of: i) Slopes – Working (max./current) ii) Slopes – Reclaimed	Overburden: a.i) 1.5H:1.0V to 2.0H:1.0V a.ii) EMSA: 2H:1V, WMSA: 2.5H:1V, Pit backfill: 2.5H:1V a.iii) see COA 25 & 70. b.i) near vertical cuts between benches b.ii) Pit walls limestone: 1H:1V overall greenstone: 38 to 50 degrees	Quarry slopes are in compliance with 2012 RPA criteria except for the newly graded haul road. The August 2018 NOV requires a slope stability analysis of the cut and fill slopes of the haul road.	1
4) Erosion Control a) BMPs b) Grading c) Vegetation	a) 10-22-2012 SWPPP, RPA 3.9 b) RPA Appendix F (Chang, 12/12/2012) c) RPA Appendix B (WRA, 12/2011); RPA 3.18, 3.19; COAs 70, 78, to 81	BMPs and stormwater management program is active. However, the new haul road lacks BMPs or erosion control. This was addressed in the August 2018 NOV.	1
5) Ponds a) Design – Function b) Capacity (area/depth/volume) c) Maintenance	a., b & c) RPA Table 8; RPA-Appenedix F; 12-22-2012 SWPPP; COA 33 & 83	Pond 17 has been regraded and lined. Pond 30 water is now captured and treated instead of discharging into Permanente Creek.	
6) Stream & Wetland Protection a) Buffers (distance to channel) b) Berms (distance/length/height) c) Best Management Practices d) Drainage e) Grading & Slopes f) Stockpiles g) Stream Diversions	a to g) RPA 3.18, 3.19; RPA - Appendix D, Table 2; RPA Figure 3.3-1; COA 57 to 61	Check dams are in-place and clear. Permanente Creek Restoration Plan (PCRP) was submitted to the County for a grading permit in November 2017. The County deemed the application incomplete and is awaiting a resubmittal.	
7) Sensitive Wildlife & Plant Protection a) List Species b) Protection Measures	a) RPA 2.9, 3.17.1; Appendix B; b) RPA-Appendix D (50-foot setback)	A wildlife survey was not submitted prior to illegally grading the new haul road. This item was not included in the NOV, but will be addressed as part of the Stipulated Order to Comply.	1

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- 43-0004	
Potential Reclamation Plan Requirements:	List Reclamation Plan Requirements (Recommended to be filled out prior to field inspection)	Note Site Conditions and Compliance Issues (Note additional comments on Page 5 as necessary)	VN?
8) Soil/Overburden Stockpile Management a) Topsoil i) Location ii) Slope Stability iii) BMPs b) Overburden i) Location ii) Slope Stability iii) BMPs c) Topsoil Application i) Amendments ii) Depth iii) Moisture iv) Application Methods	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. Soil/overburden stockpiles managed in compliance with 2012 RPA. (See Attachment A.)	
9) Revegetation a) Test Plots b) Species Mix c) Density d) Percent Cover e) Species Richness f) Protection g) Success Monitoring h) Invasive Species Control	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	An area adjacent to WMSA, called Yeager Yard, is planned to be hydroseeded Fall 2018. A stockpile of soil was placed at the EMSA and is planned to be hydroseeded Fall 2018.	
10) Structures	RPA 3.20; COA 31	No changes.	
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.)	Drainage controls no longer use limestone. SFRWQCB issued Waste Discharge Requirements Order R2-2018-0028 on 06-18-2018. Treatment System for mine water treatment is operational.	

SURFACE MINING INSPECTION REPORT

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)

The mine was active during the 2018 inspection. 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.

Attachment A describes our observations in each of the areas and the photos illustrate what the inspectors observed.

Attachment B is the Notice of Violation sent to Lehigh on August 17, 2018 regarding a new illegally-graded haul road.

Several SMARA violations were noted during the 2018 inspection. See Attachments A and B for more information.

VIOLATIONS
1. Grading outside Reclamation Plan Boundary (new haul road).
2. Steep cut and fill slopes at new haul road.
3. Lack of erosion controls at new haul road.
4. Lack of wildlife survey at new haul road.

To correct these actions, a Stipulated Order to Comply will be formulated.

Additional sheets/documents attached: ☑ Yes ☐ No

CA MINE ID #
91- 43-0004

Inspection Date:
08-09-2018

Weather Code(s):
CR

Duration of Inspection: 4.5
Start Time: 7:30 AM
End Time: 12:00 PM

Status of Mine Code(s):
OP

Status of Reclamation Code(s):
R

Approximate Acreage Under Reclamation:
Varies

Approximate Acreage the lead agency has determined reclaimed in accordance with the approved reclamation plan:

Approximate Total Disturbed Acreage:
669.2 of 1268.6 acres

Approximate Pre-SMARA Disturbed Acreage:
49.2 acres

Disturbed Acreage Identified in Most Recent Financial Assurance Cost Estimate:
546 acres

Previous Inspection Date (and Number of Violations then Noted):
8-10-2017: no violations.

Violations Corrected? (explain in block to left)
N/A

Inspection Attendees and Affiliations:

Lehigh:
Erika Guerra
Tressa Jackson
Manjunath Shivalingappa
Talia Flagan

Santa Clara County:
Christopher Hoem
Jim Baker
Steve Beams

X. Number of Current Violations:	Inspectors Signature:	If inspector is a contractor for the lead agency give license type and number:
4	Date Signed: Chris Hoem	n/a

Digitally signed by Christopher Hoem
DN: cn=Christopher Hoem, o=County of Santa Clara, ou, email=christopher.hoem@pln.sccgov.org, c=US
Date: 2018.08.22 18:32:46 -07'00'