

San Francisco Bay Regional Water Quality Control Board

June 19, 2023

Sent via electronic mail: No hardcopy to follow

County of Santa Clara Planning Office
ATTN: Robert Salisbury (Robert.Salisbury@pln.sccgov.org)
70 West Hedding, 7th Floor, East Wing
San José, CA 95110



Subject: San Francisco Bay Regional Water Quality Control Board Comments on the *Notice of Preparation of an Environmental Impact Report for the Stevens Creek Quarry Use Permit and Reclamation Plan Amendment Project*, Santa Clara County, California
File No. PLN20-119
SCH No. 2023050695

Dear Mr. Salisbury:

San Francisco Bay Regional Water Quality Control Board (Water Board) staff appreciates the opportunity to review the *Notice of Preparation of an Environmental Impact Report for the Stevens Creek Quarry Use Permit and Reclamation Plan Amendment Project* (EIR). The EIR will analyze the potential environmental impacts associated with use permit and reclamation plan amendment applications submitted by Stevens Creek Quarry Inc. (SCQ) for the Stevens Creek Quarry (Facility), pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and its implementing regulations, the CEQA Guidelines (14 Cal. Code Regs. Section 15000 et seq.). We have the following comment on the scope and content of the environmental information to be included in the EIR that is germane to the Water Board's statutory responsibilities in connection with the proposed project.

Comment 1. The Reclamation Plan should include the removal of instream sedimentation ponds at the Facility.

The Facility started operating in the 1940s. Sometime prior to 1956, SCQ modified waters that flow through the Facility in Rattlesnake Creek and Swiss Creek, and constructed instream sedimentation ponds to treat Facility runoff. The design and construction methods for these ponds are unknown. Instream structures, such as the dams or berms used to construct the instream sedimentation ponds, are inherently unstable in hillside topography. And they may also be impacting habitat and stream functions adversely and unnecessarily.

Instream sedimentation ponds left in place pose a threat to surface water quality and the beneficial uses of waters of the State, because their gradual deterioration and eventual failure may result in offsite flooding and mud flows. The reclamation plan should include the removal of instream structures and the restoration of natural flow in the creeks. The reclamation plan should include the implementation of any necessary biotechnical stabilization measures, rock weirs, step-pool structures, or rock cascades that may be necessary to maintain the long-term stability of the restored creek channels at the Facility.

If you have any questions about this comment, please contact me at (510) 622-5680, or via e-mail at brian.wines@waterboards.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Brian K. Wines". The signature is written in a cursive style with a large initial "B".

Brian Wines
Water Resources Control Engineer
South and East Bay Watershed Section

cc: State Clearinghouse (state.clearinghouse@opr.ca.gov)