



Referral Early Consultation

Date: August 26, 2021

To: Distribution List (See Attachment A)

From: Teresa McDonald, Assistant Planner
Planning and Community Development

Subject: USE PERMIT AND RECLAMATION PLAN APPLICATION NO. PLN2018-0045
– REEVES SAND AND GRAVEL

Respond By: September 13, 2021

******PLEASE REVIEW REFERRAL PROCESS POLICY******

The Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies under the Early Consultation process to determine: a) whether or not the project is subject to CEQA and b) if specific conditions should be placed upon project approval.

Therefore, please contact this office by the response date if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our Department in preparing a staff report to present to the Planning Commission. Those reports will contain our recommendations for approval or denial. They will also contain recommended conditions to be required should the project be approved. Therefore, please list any conditions that you wish to have included for presentation to the Commission as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than the response date referenced above.

Thank you for your cooperation. Please call (209) 525-6330 if you have any questions.

Applicant: Roy Reeves for Reeves Sand and Gravel

Project Location: 6060 Carver Road, in between Ladd Road and St. Francis Avenue, in the Modesto area.

APN: 004-066-052

Williamson Act Contract: 1974-1663

General Plan: Agriculture

Current Zoning: A-2-40 (General Agriculture)

Project Description: This is a request to operate a sand extraction enterprise on a parcel under Williamson Act Contract located in the A-2-40 zoning district. The applicant has included a reclamation plan for 7.26 acres of the total 8.58-acre site. The site is improved with a single-family dwelling, private well, and septic system. Approximately 84,900 cubic yards of sand have already been removed under the agriculture exemption permit, without approval of a reclamation plan. Grading permits GRA2014-0006 & GRA2016-0017 were approved to allow steepness of the cut surfaces at a 3:1 ratio and a depth of cut not to exceed 13 feet; however, the depth of cut was approximately 30 feet, and the steepness of the cut surfaces was a ratio of 1:1 along certain surfaces, which threatened the structural integrity of the dwelling on the adjacent parcel it surrounded, as well as Carver Road. Subsequently, a Stop Work Order and Notice of Violation was issued for the site and the applicant signed a Stipulated Order requiring the site to be secured and

stabilized, and for a Use Permit to be obtained. The site has since been backfilled with approximately 29,000 cubic yards of clean dirt as part of the Interim Slope Stabilization Plan (functioning as the Interim Management Plan) required by Stipulated Order, to a maximum depth of 12 feet. The applicant anticipates a maximum of an additional 23,200 cubic yards of sand to be removed, for a total of 108,100 cubic yards. The remaining 23,200 cubic yards will be removed over a two-year period beginning upon project approval. The proposed hours of operation are Monday through Saturday from 7:00 am to 5:00 pm with a maximum of two employees on site and 12 daily truck trips. A temporary restroom will be provided on-site. No sorting or crushing will occur on-site. Once the sand is removed by wheel loader, it will be loaded on to dump trucks and transported to job sites. Equipment utilized for the proposed project includes a water truck for dust control, a 5-cubic-yard wheel loader, 4-cubic-yard excavator, dump truck, and laser land leveling tractor with scraper.

The project area is located in the Salida quad which is not classified as an area of mineral resource significance. The overall method for reclamation includes backfilling 108,100 cubic yards of denser soils by dump truck to the original grade, which will then be laser leveled, ripped, and disked for farming. The site will be planted in row crops with irrigation water provided by the Modesto Irrigation district. All equipment will be removed once the site has been fully reclaimed and reclamation monitoring and maintenance will be ensured by maintaining the crop. The site has access to County-Maintained Carver Road.

Full document with attachments available for viewing at:
<http://www.stancounty.com/planning/pl/act-projects.shtml>



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354
 Planning Phone: (209) 525-6330 Fax: (209) 525-5911
 Building Phone: (209) 525-6557 Fax: (209) 525-7759

USE PERMIT AND RECLAMATION PLAN APPLICATION NO. PLN2018-0045 – REEVES SAND AND GRAVEL

Attachment A

Distribution List

X	CA DEPT OF CONSERVATION Land Resources and Mine Reclamation		TUOLUMNE RIVER TRUST
X	CA DEPT OF FISH & WILDLIFE		STAN CO ALUC
	CA DEPT OF FORESTRY (CAL FIRE)		STAN CO ANIMAL SERVICES
X	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO BUILDING PERMITS DIVISION
X	CA OPR STATE CLEARINGHOUSE	X	STAN CO CEO
X	CA RWQCB CENTRAL VALLEY REGION		STAN CO CSA
	CA STATE LANDS COMMISSION	X	STAN CO DER
	CEMETERY DISTRICT	X	STAN CO ERC
	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO FARM BUREAU
X	CITY OF: MODESTO	X	STAN CO HAZARDOUS MATERIALS
	COMMUNITY SERVICES DIST:		STAN CO PARKS & RECREATION
X	COOPERATIVE EXTENSION	X	STAN CO PUBLIC WORKS
	COUNTY OF:		STAN CO RISK MANAGEMENT
X	DER GROUNDWATER RESOURCES DIVISION	X	STAN CO SHERIFF
X	FIRE PROTECTION DIST: SALIDA	X	STAN CO SUPERVISOR DIST 4: GREWAL
X	GSA: STANISLAUS & TUOLUMNE RIVERS GROUNDWATER BASIN ASSOCIATION (STRGBA)	X	STAN COUNTY COUNSEL
	HOSPITAL DIST:		StanCOG
X	IRRIGATION DIST: MODESTO	X	STANISLAUS FIRE PREVENTION BUREAU
X	MOSQUITO DIST: EASTSIDE	X	STANISLAUS LAFCO
X	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES	X	STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
	MUNICIPAL ADVISORY COUNCIL:	X	SURROUNDING LAND OWNERS
X	PACIFIC GAS & ELECTRIC	X	TELEPHONE COMPANY: AT&T
	POSTMASTER:		TRIBAL CONTACTS (CA Government Code §65352.3)
X	RAILROAD: UNION PACIFIC		US ARMY CORPS OF ENGINEERS
X	SAN JOAQUIN VALLEY APCD	X	US FISH & WILDLIFE
X	SCHOOL DIST 1: STANISLAUS UNION		US MILITARY (SB 1462) (7 agencies)
X	SCHOOL DIST 2: MODESTO UNION	X	USDA NRCS
	WORKFORCE DEVELOPMENT		WATER DIST:
X	STAN CO AG COMMISSIONER		



STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM

TO: Stanislaus County Planning & Community Development
1010 10th Street, Suite 3400
Modesto, CA 95354

FROM: _____

SUBJECT: USE PERMIT AND RECLAMATION PLAN APPLICATION NO. PLN2018-0045 –
REEVES SAND AND GRAVEL

Based on this agency's particular field(s) of expertise, it is our position the above described project:

- _____ Will not have a significant effect on the environment.
_____ May have a significant effect on the environment.
_____ No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) – (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

Response prepared by:






Name	Title	Date
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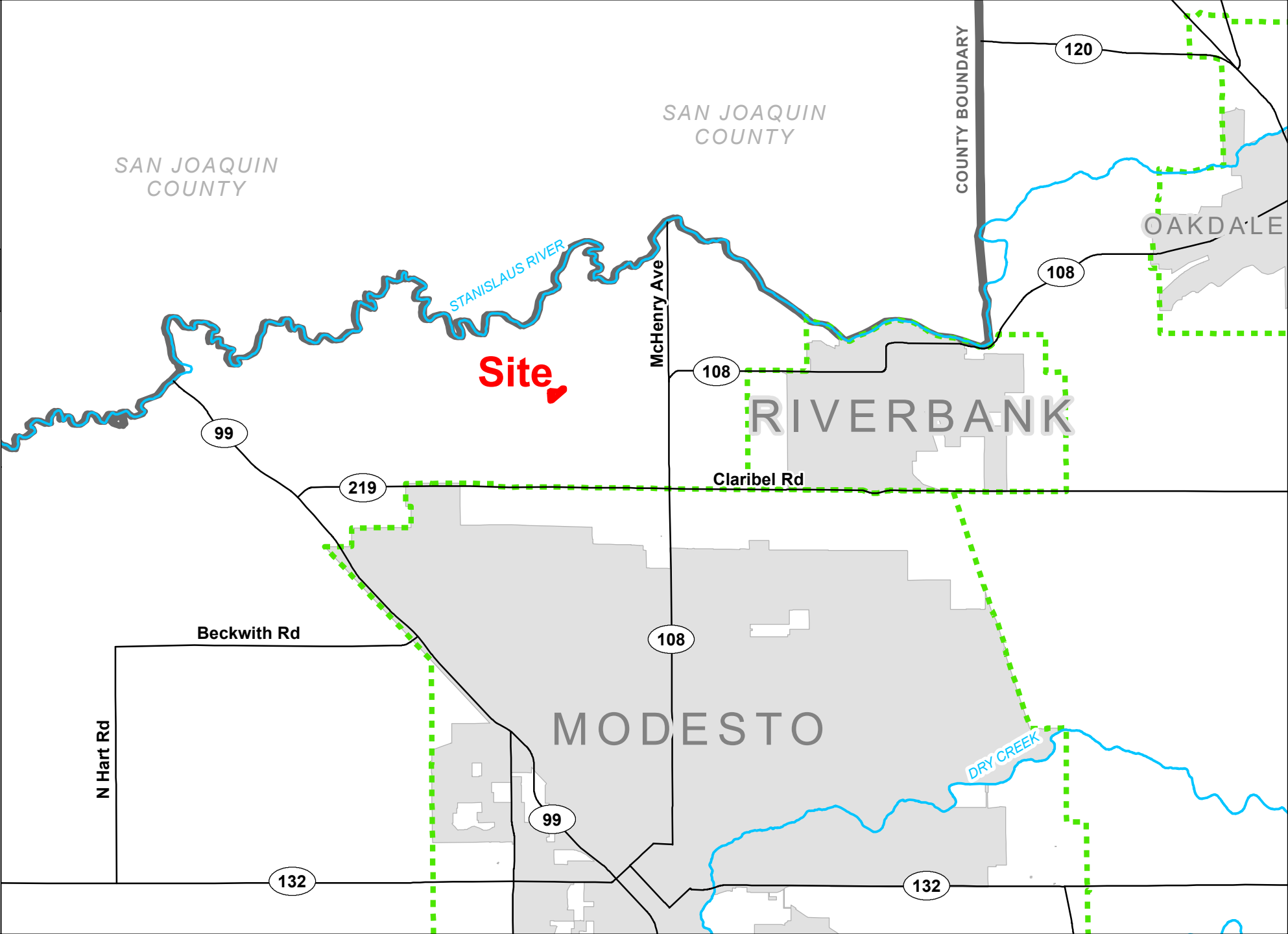
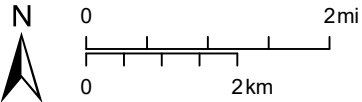
REEVES SAND
AND GRAVEL

UP
PLN2018-0045

AREA MAP

LEGEND

-  Project Site
-  Sphere of Influence
-  City
-  Road
-  River







REEVES SAND
AND GRAVEL

UP
PLN2018-0045

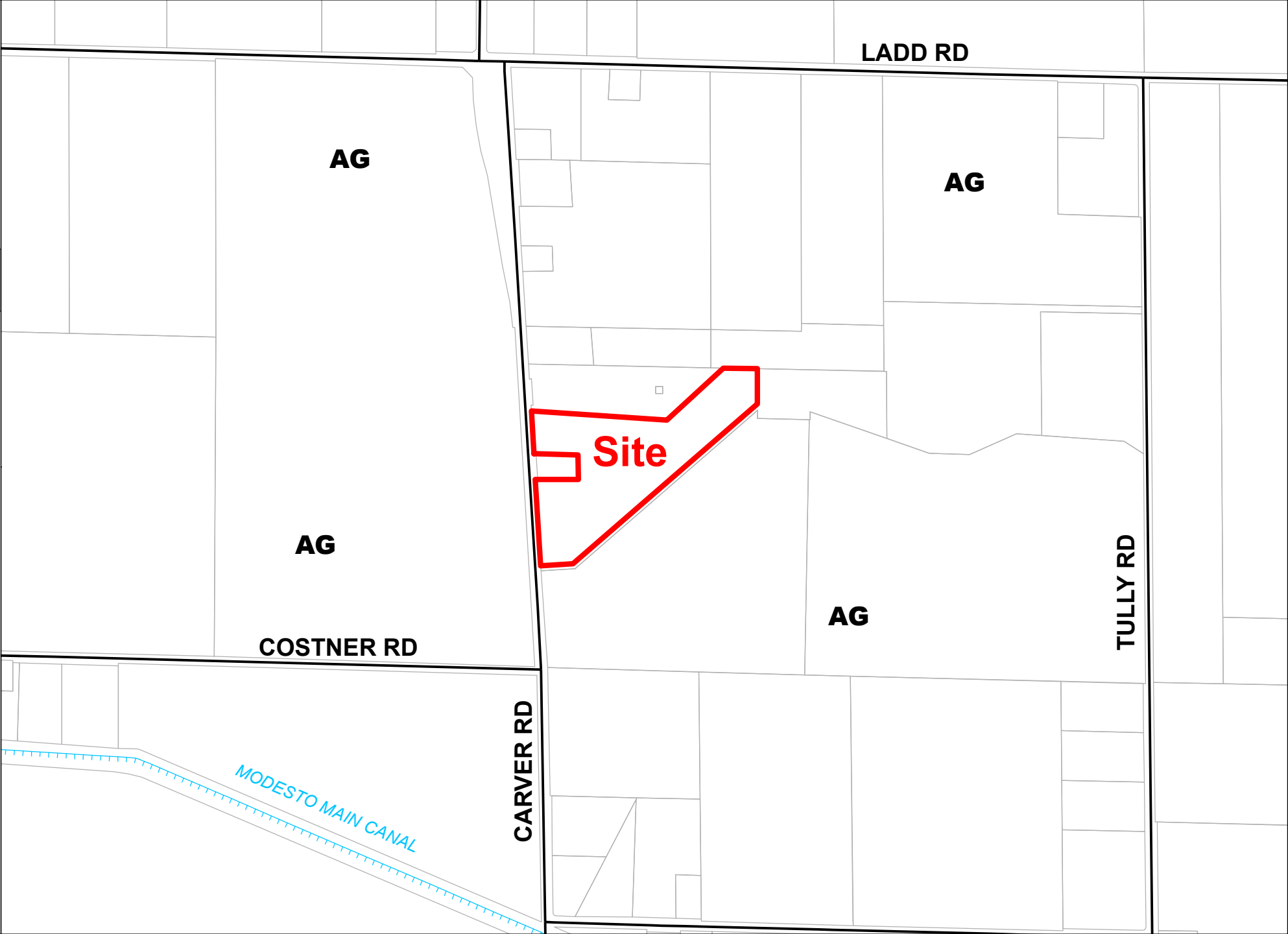
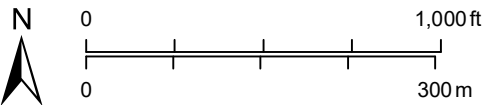
GENERAL PLAN MAP

LEGEND

-  Project Site
-  Parcel
-  Road
-  Canal

General Plan

-  Agriculture



REEVES SAND
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PLN2018-0045

ZONING MAP

LEGEND

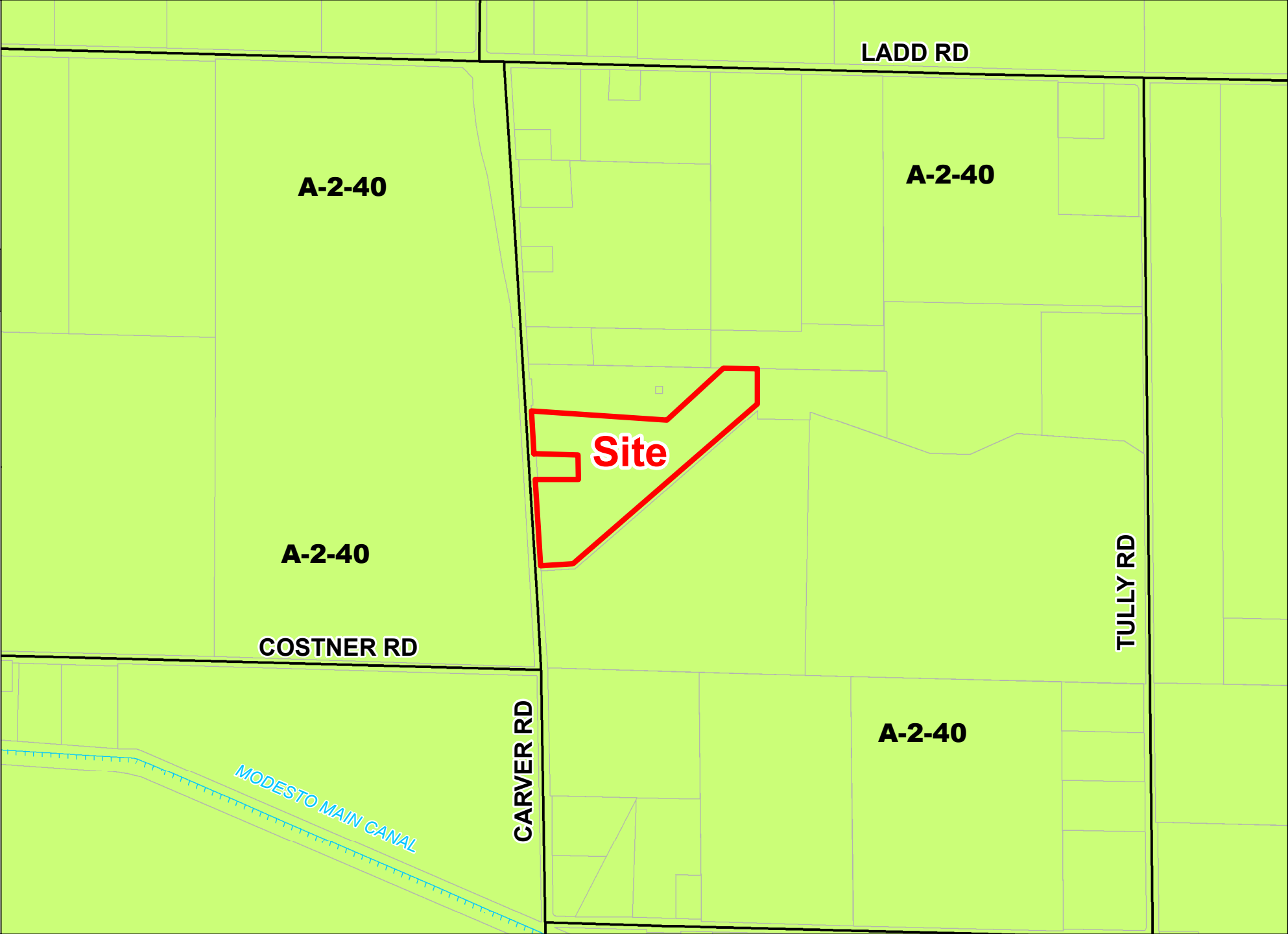
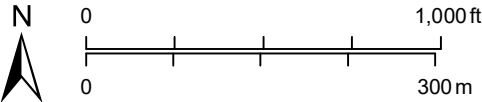
 Project Site

 Parcel

 Road  Canal

Zoning Designation

 General Agriculture 40 Acre






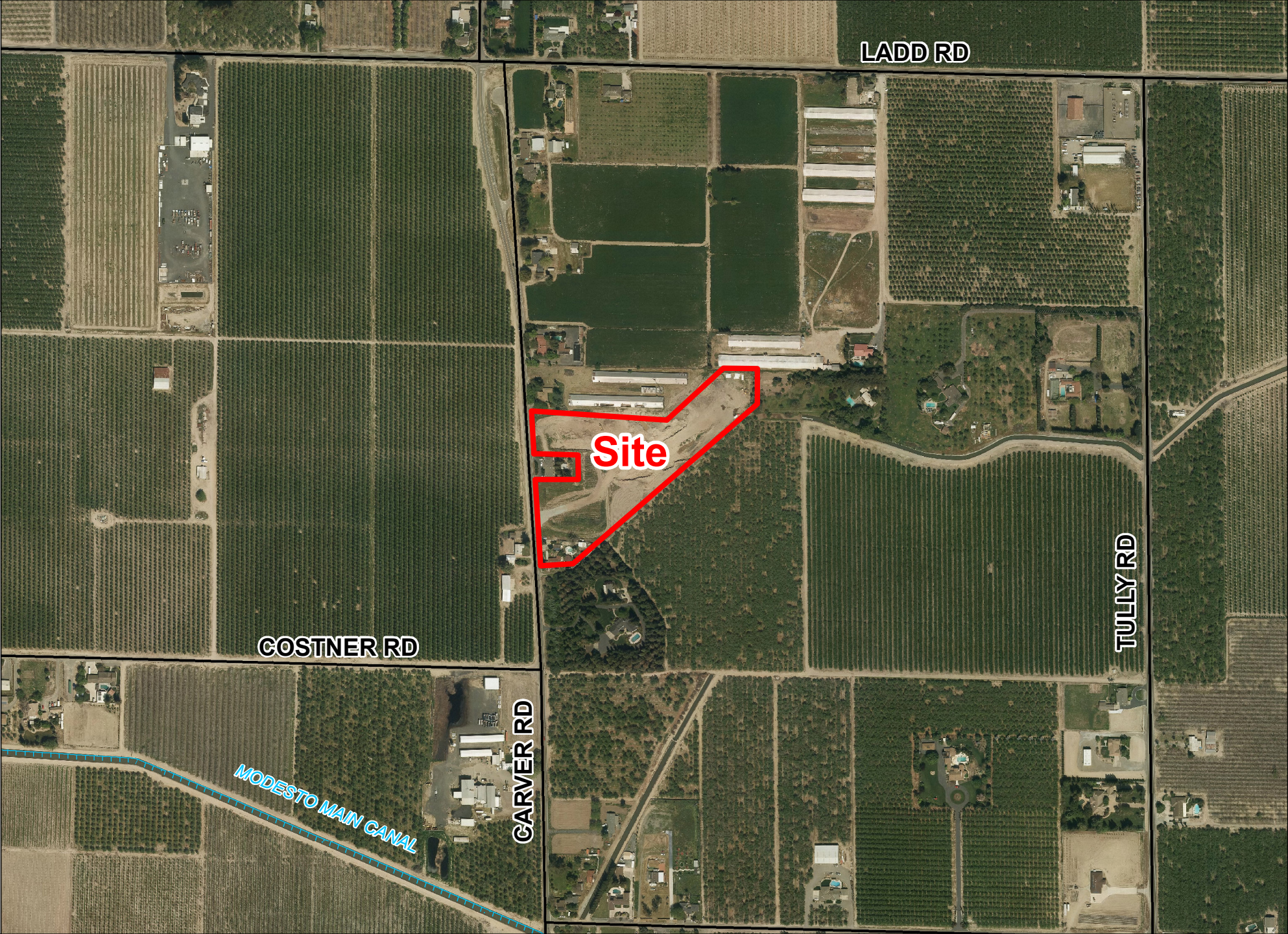
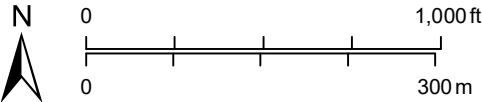
REEVES SAND
AND GRAVEL

UP
PLN2018-0045

2017 AERIAL AREA MAP

LEGEND

-  Project Site
-  Road
-  Canal





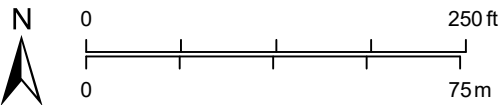
REEVES SAND
AND GRAVEL

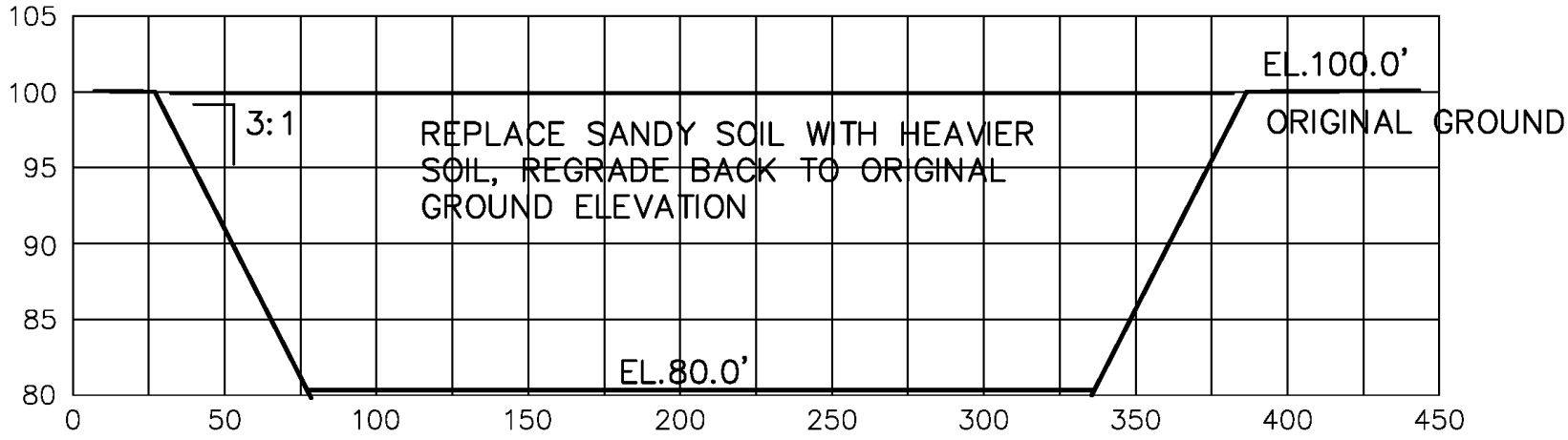
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PLN2018-0045

2017 AERIAL SITE MAP

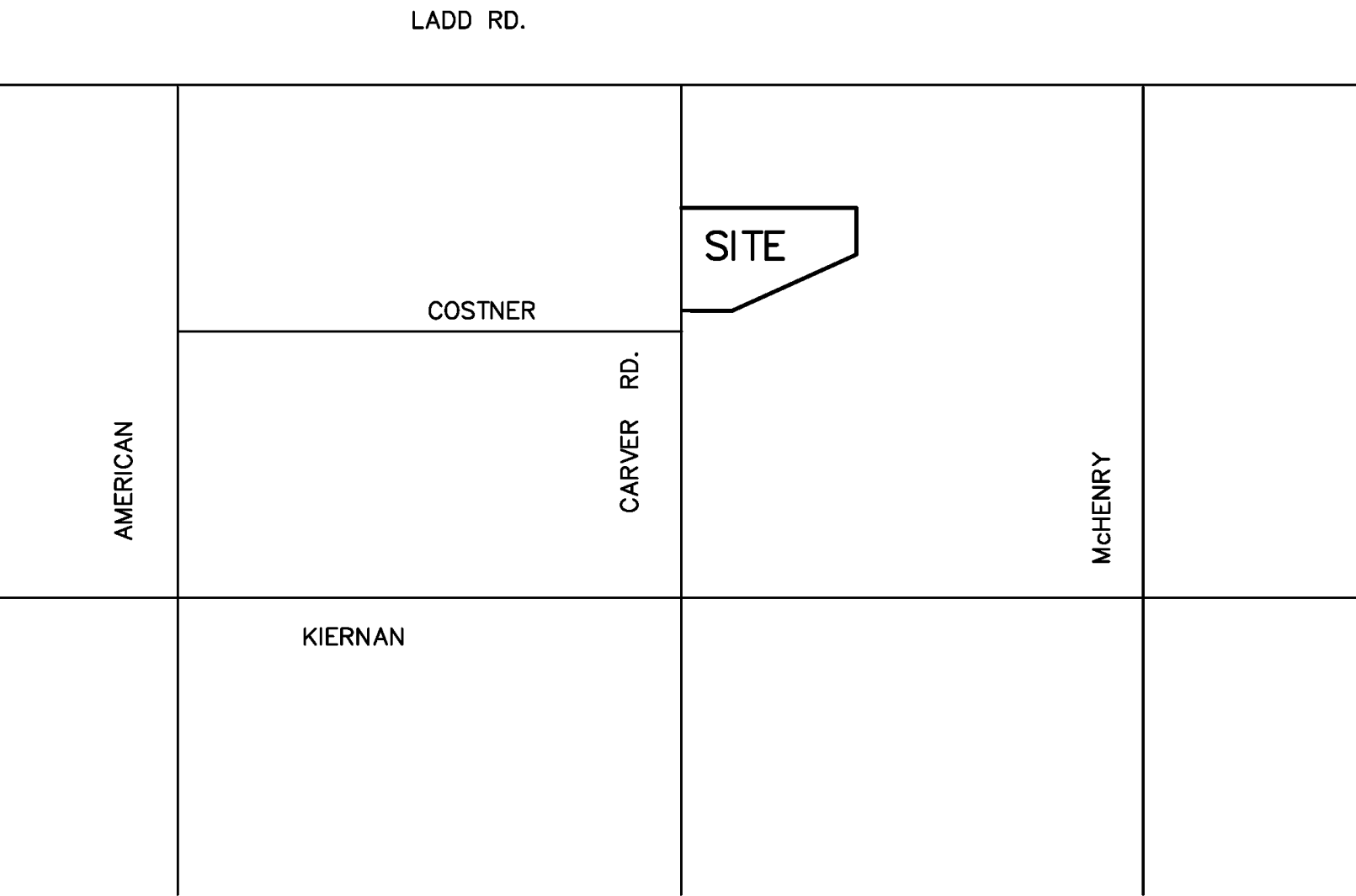
LEGEND

-  Project Site
-  Road



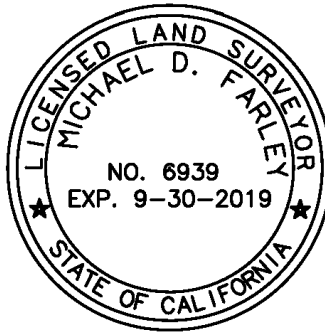


- 1. WATER TRUCK TO REMAIN ON SITE AT ALL TIMES.
- 2. EXCAVATED SOIL TO BE REPLACED WITH A MORE LOAMIER TYPE OF SOIL.
- 3. GROUND WATER TABLE IS 80 FT. BELOW THE GROUND SURFACE.
- 4. NO STRUCTURES TO BE BUILT. WATER TRUCK AND WHEELER LOADER TO BE REMOVED FROM PROPERTY UPON COMPLETION.
- 5. UPON COMPLETION OF EXCAVATED SAND AND REPLACEMENT OF LOAMIER SOIL, PROPERTY IS TO RETURN TO AGRICULTURE FOR ROW CROPS.



- NOTES:
- 1. AS OF JANUARY 31, 2018, 84,900 CY HAVE BEEN REMOVED WITHIN THE LIMITS OF CURRENT EXCAVATION.
 - 2. THE CUBIC YARDS CALCULATED FOR THIS PHASE 3 ARE 108,100 CY.
 - 3. REMAINING YARDS TO BE REMOVED FROM PROPERTY IS 23,200 CY.
 - 4. 108,100 CY WILL BE REQUIRED TO RESTORE SITE TO FINAL GRADES.

VICINITY MAP
NOT TO SCALE





VICINITY MAP
NOT TO SCALE



▲ ADDED REHAB FOR PHASE 3 09/01/2016
 ▲ ADDED REHAB PLAN 04/17/2018

DATE : MARCH 14, 2018
SCALE : 1" = 60'
CHECKED BY: _____
DRAFTED BY: _____

REVISIONS	DATE	BY
Δ ADD X-SECTIONS AND NOTES 5/21/14	5/21/14	
Δ change slope to 3:1	07/10/2014	
Δ EXPANDED EXCAVATION	03/21/2016	

PREPARED FOR:
REEVES SAND COMPANY

OWNER:
VICTOR & BERTHA MARQUEZ
6060 CARVER RD.
MODESTO, CA. 95358

SHEET
1/1
OF

PRINTED: 03/14/2018



APPLICATION QUESTIONNAIRE

Please Check all applicable boxes

APPLICATION FOR:

Staff is available to assist you with determining which applications are necessary

- | | |
|---|--|
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Subdivision Map |
| <input type="checkbox"/> Rezone | <input type="checkbox"/> Parcel Map |
| <input checked="" type="checkbox"/> Use Permit | <input type="checkbox"/> Exception |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Williamson Act Cancellation |
| <input type="checkbox"/> Historic Site Permit | <input type="checkbox"/> Other _____ |

PLANNING STAFF USE ONLY:

Application No(s): PLN 2018 0045

Date: 4/27/18

S 30 T 2 R 9

GP Designation: AG

Zoning: A-2-40

Fee: \$3946 deposit

Receipt No. 543757

Received By: KA

Notes: _____

In order for your application to be considered COMPLETE, please answer all applicable questions on the following pages, and provide all applicable information listed on the checklist on pages i – v. Under State law, upon receipt of this application, staff has 30 days to determine if the application is complete. We typically do not take the full 30 days. It may be necessary for you to provide additional information and/or meet with staff to discuss the application. Pre-application meetings are not required, but are highly recommended. An incomplete application will be placed on hold until all the necessary information is provided to the satisfaction of the requesting agency. An application will not be accepted without all the information identified on the checklist.

Please contact staff at (209) 525-6330 to discuss any questions you may have. Staff will attempt to help you in any way we can.

PROJECT INFORMATION

PROJECT DESCRIPTION: (Describe the project in detail, including physical features of the site, proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, etc. – Attach additional sheets as necessary)

**Please note: A detailed project description is essential to the reviewing process of this request. In order to approve a project, the Planning Commission or the Board of Supervisors must decide whether there is enough information available to be able to make very specific statements about the project. These statements are called "Findings". It is your responsibility as an applicant to provide enough information about the proposed project, so that staff can recommend that the Commission or the Board make the required Findings. Specific project Findings are shown on pages 17 – 19 and can be used as a guide for preparing your project description. (If you are applying for a Variance or Exception, please contact staff to discuss special requirements).*

See Attachments

PROJECT SITE INFORMATION

Complete and accurate information saves time and is vital to project review and assessment. Please complete each section entirely. If a question is not applicable to your project, please indicated this to show that each question has been carefully considered. Contact the Planning & Community Development Department Staff, 1010 10th Street – 3rd Floor, (209) 525-6330, if you have any questions. Pre-application meetings are highly recommended.

ASSESSOR'S PARCEL NUMBER(S): Book 004 Page 066 Parcel 052

Additional parcel numbers: _____

Project Site Address

or Physical Location:

6060 CARVER RD MODESTO, CA 95356

Property Area:

Acres: 7.26 or Square feet: _____

Current and Previous Land Use: (Explain existing and previous land use(s) of site for the last ten years)

AGRICULTURAL USE

List any known previous projects approved for this site, such as a Use Permit, Parcel Map, etc.: (Please identify project name, type of project, and date of approval)

GRA 2016-0017 AGRICULTURAL EXCAVATION 10/11/2016

Existing General Plan & Zoning:

GENERAL AG 40 ACRE

Proposed General Plan & Zoning:

NO CHANGE

(if applicable)

ADJACENT LAND USE: (Describe adjacent land uses within 1,320 feet (1/4 mile) and/or two parcels in each direction of the project site)

East: AGRICULTURE WITH RESIDENCE

West: AGRICULTURE WITH RESIDENCE

North: AGRICULTURE WITH RESIDENCE

South: AGRICULTURE WITH RESIDENCE

WILLIAMSON ACT CONTRACT:

Yes ☒ No

Is the property currently under a Williamson Act Contract?

Contract Number: 1974-11663

If yes, has a Notice of Non-Renewal been filed?

Date Filed: TO REMAIN UNDER WILLIAMSON ACT

Yes ☐ No ☒

Do you propose to cancel any portion of the Contract?

Yes ☐ No ☒

Are there any agriculture, conservation, open space or similar easements affecting the use of the project site. (Such easements do not include Williamson Act Contracts)

If yes, please list and provide a recorded copy: _____

SITE CHARACTERISTICS: (Check one or more)

Flat ☒

Rolling ☐

Steep ☐

VEGETATION: What kind of plants are growing on your property? (Check one or more)

Field crops ☒

Orchard ☐

Pasture/Grassland ☐

Scattered trees ☐

Shrubs ☐

Woodland ☐

River/Riparian ☐

Other ☐

Explain Other: OLD ALMOND ORCHARD REMOVED 5 YEARS AGO, LAST PLANTED IN STRAWBERRIES

Yes ☐ No ☒

Do you plan to remove any trees? (If yes, please show location of trees planned for removal on plot plan and provide information regarding transplanting or replanting.)

GRADING:

Yes ☒ No ☐

Do you plan to do any grading? (If yes, please indicate how many cubic yards and acres to be disturbed. Please show areas to be graded on plot plan.) 23,200 CY

7. ACRES

STREAMS, LAKES, & PONDS:

Yes ☐ No ☒

Are there any streams, lakes, ponds or other watercourses on the property? (If yes, please show on plot plan)

Yes ☐ No ☒

Will the project change any drainage patterns? (If yes, please explain – provide additional sheet if needed) _____

Yes ☐ No ☒

Are there any gullies or areas of soil erosion? (If yes, please show on plot plan)

Yes ☐ No ☒

Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year? (If yes, please show areas to be graded on plot plan)

Please note: If the answer above is yes, you may be required to obtain authorization from other agencies such as the Corps of Engineers or California Department of Fish and Game.

STRUCTURES:

- Yes ☐ No ☒ Are there structures on the site? (If yes, please show on plot plan. Show a relationship to property lines and other features of the site.)
- Yes ☐ No ☒ Will structures be moved or demolished? (If yes, indicate on plot plan.)
- Yes ☐ No ☒ Do you plan to build new structures? (If yes, show location and size on plot plan.)
- Yes ☐ No ☒ Are there buildings of possible Historical significance? (If yes, please explain and show location and size on plot plan.) _____

PROJECT SITE COVERAGE:

Existing Building Coverage: 0 Sq. Ft. Landscaped Area: 0 Sq. Ft.
Proposed Building Coverage: 0 Sq. Ft. Paved Surface Area: 0 Sq. Ft.

BUILDING CHARACTERISTICS:

Size of new structure(s) or building addition(s) in gross sq. ft.: (Provide additional sheets if necessary) _____

Number of floors for each building: _____

Building height in feet (measured from ground to highest point): (Provide additional sheets if necessary) _____

Height of other appurtenances, excluding buildings, measured from ground to highest point (i.e., antennas, mechanical equipment, light poles, etc.): (Provide additional sheets if necessary) _____

Proposed surface material for parking area: (Provide information addressing dust control measures if non-asphalt/concrete material to be used) _____

UTILITIES AND IRRIGATION FACILITIES:

- Yes ☐ No ☒ Are there existing public or private utilities on the site? Includes telephone, power, water, etc. (If yes, show location and size on plot plan)

Who provides, or will provide the following services to the property?

Electrical: M.I.D. Sewer*: _____
Telephone: _____ Gas/Propane: _____
Water**: M.I.D. Irrigation: MID-WELL

***Please Note:** A "will serve" letter is required if the sewer service will be provided by City, Sanitary District, Community Services District, etc.

****Please Note:** A "will serve" letter is required if the water source is a City, Irrigation District, Water District, etc., and the water purveyor may be required to provide verification through an Urban Water Management Plan that an adequate water supply exists to service your proposed development.

Will any special or unique sewage wastes be generated by this development other than that normally associated with resident or employee restrooms? Industrial, chemical, manufacturing, animal wastes? (Please describe:)

Please Note: Should any waste be generated by the proposed project other than that normally associated with a single family residence, it is likely that Waste Discharge Requirements will be required by the Regional Water Quality Control Board. Detailed descriptions of quantities, quality, treatment, and disposal may be required.

Yes ☐ No ☒ Are there existing irrigation, telephone, or power company easements on the property? (If yes, show location and size on plot plan.)

Yes ☐ No ☒ Do the existing utilities, including irrigation facilities, need to be moved? (If yes, show location and size on plot plan.)

Yes ☐ No ☒ Does the project require extension of utilities? (If yes, show location and size on plot plan.)

AFFORDABLE HOUSING/SENIOR:

Yes ☐ No ☒ Will the project include affordable or senior housing provisions? (If yes, please explain)

RESIDENTIAL PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Total No. Lots: _____ Total Dwelling Units: _____ Total Acreage: _____

Net Density per Acre: _____ Gross Density per Acre: _____

(complete if applicable)	Single Family	Two Family Duplex	Multi-Family Apartments	Multi-Family Condominium/ Townhouse
Number of Units:	_____	_____	_____	_____
Acreage:	_____	_____	_____	_____

COMMERCIAL, INDUSTRIAL, MANUFACTURING, RETAIL, USE PERMIT, OR OTHER PROJECTS: (Please complete if applicable – Attach additional sheets if necessary)

Square footage of each existing or proposed building(s): _____

Type of use(s): _____

Days and hours of operation: MONDAY THRU FRIDAY 7:00AM - 5:00PM
OCCASIONAL SATURDAY - SAME TIMES

Seasonal operation (i.e., packing shed, huller, etc.) months and hours of operation: _____

Occupancy/capacity of building: 0

Number of employees: (Maximum Shift): TWO (Minimum Shift): ONE

Estimated number of daily customers/visitors on site at peak time: 12

Other occupants: NONE

Estimated number of truck deliveries/loadings per day: 12

Estimated hours of truck deliveries/loadings per day: 3 HRS

Estimated percentage of traffic to be generated by trucks: 99%

Estimated number of railroad deliveries/loadings per day: 0

Square footage of:

Office area: 0 Warehouse area: 0

Sales area: 0 Storage area: 0

Loading area: 0 Manufacturing area: 0

Other: (explain type of area) _____

Yes ☐ No ☒ Will the proposed use involve toxic or hazardous materials or waste? (Please explain)

ROAD AND ACCESS INFORMATION:

What County road(s) will provide the project's main access? (Please show all existing and proposed driveways on the plot plan)

CARVER ROAD

- Yes No ☒ Are there private or public road or access easements on the property now? (If yes, show location and size on plot plan)
- Yes No ☒ Do you require a private road or easement to access the property? (If yes, show location and size on plot plan)
- Yes No ☒ Do you require security gates and fencing on the access? (If yes, show location and size on plot plan)

Please Note: Parcels that do not front on a County-maintained road or require special access may require approval of an Exception to the Subdivision Ordinance. Please contact staff to determine if an exception is needed and to discuss the necessary Findings.

STORM DRAINAGE:

How will your project handle storm water runoff? (Check one) ☐ Drainage Basin ☐ Direct Discharge ☐ Overland

☒ Other: (please explain) THERE WILL BE NO WASTE WATER FOR THIS PROJECT

If direct discharge is proposed, what specific waterway are you proposing to discharge to? _____

Please Note: If direct discharge is proposed, you will be required to obtain a NPDES permit from the Regional Water Quality Control Board, and must provide evidence that you have contacted them regarding this proposal with your application.

EROSION CONTROL:

If you plan on grading any portion of the site, please provide a description of erosion control measures you propose to implement.

STORM WATER RUNOFF AND EROSION FROM EXCAVATION AREAS
AND ANY OTHER GROUND DISTURBING ACTIVITIES SHALL BE CONTROLLED

Please note: You may be required to obtain an NPDES Storm Water Permit from the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan.

ADDITIONAL INFORMATION:

Please use this space to provide any other information you feel is appropriate for the County to consider during review of your application. (Attach extra sheets if necessary)

Through the implementation of a program of erosion control best
management practices (BMP's) and engineered sediment control
structures. erosion control BMP's may include but not limited to
the application of straw mulch, straw wattles; seeding with
fast growing grasses, construction of berms, silt fences, hay bales
dikes, storm water detention basins, or other energy dissipaters
and sediment control devices. Ground is extremely sandy
and no water run off has occurred previously.

REEVES SAND & GRAVEL, INC.

**P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508**

ATTACHMENT "A"

AGRICULTURAL EXCAVATION SITE PLAN AND RECLAMATION PLAN

Filing Date _____
Approved Date _____
Use Permit Number _____

STANISLAUS COUNTY
MINING RECLAMATION PLAN FORM
(Use Additional Paper Where Necessary)
Print or Type

1. Name and Address of Applicant/Operator: REEVES SAND & GRAVEL INC
P O BOX 60 FRENCH CAMP CA 95231-0060
 - a. Name of firm or person: ROY REEVES
 - b. Address: P O BOX 60
 - c. City or Town: FRENCH CAMP
 - d. Zip: 95231-0060
 - e. Phone: 209-470-9508

2. Name and Address of Contact Person: ROY REEVES
P O BOX 60 FRENCH CAMP CA 95231-0060
 - a. Name of firm or person: REEVES SAND & GRAVEL INC
 - b. Address: P O BOX 60
 - c. City or Town: FRENCH CAMP CA 95231-0060
 - d. Zip: 95231-0060
 - e. Phone: 209-607-2400

3. Name and Address of Property Owner: VICTOR MARQUEZ
6060 CARVER RD MODESTO, CA 95356
 - a. Name of firm or person: REEVES SAND & GRAVEL INC
 - b. Address: P O BOX 60
 - c. City or Town: FRENCH CAMP
 - d. Zip: 95231-0060
 - e. Phone: 209-607-2400

4. Location of Property:
Section(s): S 1/2 30 Township: 2S Range: 9E- MDB & M

5. County Assessment Number(s) and Acreage of Property:
Number(s): 004-066-052 Acreage: 8

6. Total Area to be affected by this operation: 7.26 ACRES

15. Total anticipated production:

Mineral commodities to be removed: SAND tons 23,200 (cu. yds)
Waste retained on the site: 0 tons _____ (cu. yds)
Waste disposed off site: 0 tons _____ (cu. yds)
Maximum anticipated depth: 20 ft.

16. Mining Method (Check all applicable):

Open Pit	<u>X</u>	Gravel/Sand Pit	<u>X</u>
Single Bench	_____	Drill and Blast	_____
Quarry:		Clay Pit	_____
Hill Top	_____	Truck to processing plant	_____
Multibench	_____	Borrow Pit	<u>X</u>
Side Hill	_____	Tailings Pond	_____
Dragline	_____	Slurry Pump	_____
Low Level	_____	Waste Dump	_____
Shovel	_____	Rail	_____
Underground	_____	Other	_____
Gravel bar skimming	_____		
Other	_____		

17. If processing of the ores or minerals mined is planned to be conducted at or adjacent to the site, briefly describe the nature of the processing and explain disposal method of the tailings or waste from processing.

NO PROCESSING, SCREENING OR MANUFACTURING TO
BE DONE AT THIS SITE

18. Estimate quantity (gallons per day) and quality of water required by the proposed operation, specifying proposed sources of this water, method of its conveyance to this property and the quantity and quality and method of disposal of used and/or surplus water.

DAILY CONSUMPTION 3500 GALLONS PER DAY DURING
SUMMER TIME, 1750 GALLONS FALL & SPRING
WATER TRUCK TO BE USED ON SITE - WATER SOURCE FROM
PRIVATE WELL.

25. Provide evidence that all owners of a possessory interest in the land have been notified of the proposed use(s) or potential uses identified in Item 22 (Attach copy of notarized statement of acknowledgment, etc.)

SEE ATTACHED

26. Describe soil conditions and proposed soil salvage plan.

EXTREME SANDY SOIL - THIS SOIL TO BE REMOVED FROM PROPERTY AND REPLACED W/ A HEAVIER MORE FERTILE SOIL MIX.

27. Describe the methods, their sequence and timing, to be used in bringing the reclamation of the land to its end state. Indicate on map (Item 20, 21, 22) or on diagrams as necessary. Include discussion of the pertinent items listed below.

- Backfilling and grading
- Stabilization of slopes
- Stabilization of permanent waste dumps, tailings, etc.
- Rehabilitation of premining drainage
- Removal, disposal, or utilization of residual equipment, structures, refuse, etc.
- Control of contaminants, especially with regard to surface runoff and ground water
- Treatment of streambeds and streambanks to control erosion and sedimentation
- Removal or minimization of residual hazards
- Resoiling, revegetation with evidence that selected plants can survive given the site's topography, soil and climate.

SEE ATTACHED RECLAMATION PLAN

28. If applicant has selected a short term phasing of his reclamation, describe in detail the specific reclamation to be accomplished during first phase.

29. Describe how reclamation of this site in this manner may affect future mining at this site and in the surrounding area.

THERE IS TO BE NO FUTURE MINING AT THIS SITE

30. Statement of Responsibility (To be notarized)

I, ROY M REEVES the undersigned, hereby submit this plan to the Stanislaus County Department of Planning and Community Development and accept the full responsibility for reclaiming the mined lands in the manner described herein and attached, forming the reclamation plan for the MARQUEZ mine.

Applicant:

REEVES SAND & GRAVEL INC

Property Owner:

Dated

3-22-18

3-29-2018

3-29-18

SEE ATTACHED NOTARY *

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of: California
County of: Stanislaus

On MARCH 29, 2018 before me, **J.S. Skaria, Notary Public**, personally appeared

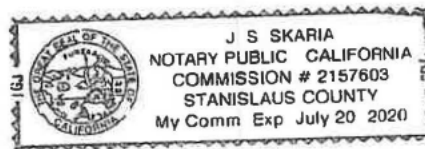
ROY MORTON REEVES AND VICTOR MAGANA MARQUEZ
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that he/~~she~~ they executed the same in his/~~her~~ their authorized capacity(ies), and that by his/~~her~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the state of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Redacted Signature]

Signature of Notary



A.P.N. 004-066-002
ALMONDS

CARVER RD

SHEET
1/1
OF

PRINTED: 03/14/2018



SCALE: 1" = 60'



VICINITY MAP
NOT TO SCALE



△ ADDED REHAB FOR PHASE 3 09/01/2018
△ ADDED REHAB PLAN 04/17/2018

FARLEY'S SURVEYING
7500 N. WEST LN.
STOCKTON, CA. 95210
209-473-3645

DATE: MARCH 14, 2018
SCALE: 1" = 60'
CHECKED BY:
DRAFTED BY:

REVISIONS	DATE	BY
△ ADD X-SECTIONS	5/23/14	
ADD NOTES 9/21/14		
△ change slope to 3:1	07/10/2014	
△ EXPANDED EXCAVATION	03/21/2016	

REHABILITATION PLAN
PREPARED FOR:
REEVES SAND COMPANY

OWNER:
VICTOR & BERTHA MARQUEZ
6060 CARVER RD.
MODESTO, CA. 95358

SHEET
1/1
OF

PRINTED: 03/14/2018

**MARQUEZ RANCH
AGRICULTURAL EXCAVATION
PERMIT RECLAMATION PLAN
March 2017**

**REEVES SAND & GRAVEL, INC.
P.O. BOX 60 FRENCH CAMP, CA 95231-0060
TEL: (209) 607-2400 FAX: (209) 478-9508**

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Operational statement and Statement of Responsibilities

Attachment “A” Agricultural Excavation Site Plan and Reclamation Plan

Attachment “B” USGS Topo Quads Map

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Attachment “D” Soils Analysis

Attachment “E” Landowners Statement

Attachment “F” History of the Excavation

Attachment “G” Notification Acknowledgement

RECLAMATION PLAN DATA (Marquez Ranch)

1) DESCRIPTION OF ENVIROMENTAL SETTING

The Marquez ranch is located on Carver Road just south of Ladd Road in the area north of Modesto and consists of eight acres. The subject site is located in an area of developed agricultural fields and small ranches used for growing orchards, vineyards, alfalfa, etc. The site is surrounded by Almond orchards to the west, east and south. Alfalfa is planted to the north.

a) Maps

Engineered drawings showing the limits of excavation for removal of sand Are included as Attachment "A".

b) Geology

The general area surrounding the subject area to be excavated is being used as agricultural. These lands surrounding this property tend to be flat or low rolling in shape with a silty sand type of ground. The sand runs deep and continues to become coarser and cleaner the deeper you go and beneath the sand are gravel deposits.

c) Hydrology

Ground water depth is 80ft below the existing surface and excavation will not reach groundwater depth.

d) Soil Assessment

Please see attached soils report from FGL Laboratories for soils analysis And recommendations in Attachment "D"

e) **Vegetation/Wildlife**

The excavation is 7.26 acres and has been continually farmed but with little results due to the sandy soil. The field was continually disked before and after the crops were harvested and also sprayed weed killer to keep any vegetation from growing. Because of the activity and open area no wildlife has been seen on this ranch nor any evidence of any rare plants or species. Potential impacts to any sensitive species or habitat if any would be expected to be less than significant.

f) **In-stream mining**

There will be no in-stream mining and it is not applicable to this project.

g) **Air Resources/Climatology**

Upon review the San Joaquin Valley Pollution Control Districts states that it appears that a Dust Control Plan is not required for this project, per section 6.1 of Rule 8021. Operator is familiar with emission controls, primarily to manage fugitive dust emissions, PM10, Water is used as a dust suppressant on internal haul road and excavation area.

Climate in the area is relatively mild. Rainfall averages 1.17 inches per year. The average low temperature for the winter ranges from 37 to 41 degrees Fahrenheit, while summer high temperatures can average between 88 to 94 degrees Fahrenheit. Snowfall is not relevant to this region.

h) **Land Use**

The current use of this property is entirely agricultural and upon completion of excavation and return to original grade field will be return to agriculture.

i) **Aesthetics**

The surrounding area is a mixture of small and medium sized ranches and almond orchards. The area to be reclaimed will blend into the existing fields surrounding the project site.

2) DESCRIPTION OF PROPOSED MINING OPERATION

a) Map of Operations

Details of the proposed excavation operation are shown on map attached to the Reclamation Plan. (Attachment "A")

b) Estimated production schedule

The removal of the sand deposits and reclamation will take one year. The expected amount of sand to be removed annually is 23,200 cubic yards.

The expected start date is October 15, 2018 with a completion date of October 15, 2019.

c) Mining Plan and Operation Plan

The removal of the sand will be on a year round basis except for poor or bad winter conditions with the majority of the sand being removed during the spring to winter period. Upon approval of permit the removal of the sand the remaining amount of 23,200 cubic yards of sand will be removed and will take one year, plus six added months for completion of reclamation. East end of project has 98% completion of reclamation for that area. Reclamation will run concurrent with remainder of sand removal and project to be in one phase. As of January 31, 2018 84,900 cubic yards has been removed from property.

A 2800 gallon water truck will be used for dust control and shall remain on site at all times until completion of material to be removed. A 4 ½ cubic yard wheel loader when be used to load dump trucks at site. At completion of material removal a laser land leveling tractor with scraper will be used to level areas that was disturbed.

d) Topsoil/Overburden

The sandy topsoil is to be removed from ranch as it is too sandy.

e) **Mine Waste**

There will be no waste discharge associated with the excavation permit. All excavated materials will either be processed or used for reclamation.

f) **Size**

Total acres to be permitted is 7.26 acres

Total acres to be disturbed is 7.26 acres

Total acres to be reclaimed is 7.26 acres

g) **Water Requirements**

Daily consumption 3500 gallons per day during summer period. Fall and spring 3500 gallons per day. No water usage during the winter time.

Water is to be obtained from existing well on ranch with an overhead water stand for the loading of the water to be used. No processing of any water at this site.

h) **Contaminants**

The only contaminant would be the diesel fuel to be used in the water truck and the wheel loader. The fuel is to be stored in a 1,000 gallon self contained storage tank.

i) **Waste Water**

There will be no waste water for this project as no wet processing of materials occur at this site.

j) **Ore Processing**

There will be no ore processing for this project, No portals, shafts or opening of any type. No screening or processing will be done at this site,

k) **In-stream mining**

In-stream mining does not apply to this project.

l) **Traffic**

Traffic associated with this project will involve 9 loads per day and one employee on-site, along with a water truck for dust control.

m) **Erosion Sediment and Pollution Control Plan**

Storm water runoff and erosion from excavation areas and any other ground disturbing activities shall be controlled through the implementation of a program of erosion control Best Management Practices (BMP's) and engineered sediment control structures. Erosion control BMP's may include but are not limited to, the application of straw mulch; straw wattles; seeding with fast growing grasses; and the construction of berms, silt fences, hay bale dikes, storm water detention basins, or other energy dissipaters and sediment control devices. Ground is extremely sandy and no water run off has occurred previously.

n) **Weed Control**

Weed control will be executed in an effort to reduce the potential for increases in noxious weeds as a result of mining surface disturbances. Noxious weeds will be managed annually through each of the reclamation areas in which monitoring is required. Management efforts will be implemented if cover estimates of noxious weeds exceed 10 percent for the 2 years of post mining revegetation monitoring. Management will include mechanical and chemical methods. Monitoring for weeds will include all weeds identified as invasive or noxious by the California Invasive Plant Council, California Department of Agriculture, or County Agricultural Commissioner.

3. DESCRIPTION OF PROPOSED RECLAMATION:

a) **Subsequent Use(s);**

All disturbed land will be reclaimed back to farming capability, proposed to be planted in alfalfa or strawberries. This area to return to original elevation and will match and blend with surrounding areas. All property owners of possessory interest have been provided a copy of the proposed project and reclamation plan.

b) **Reclamation Schedule**

Upon the removal of all sand and replacement to original grade the field to be laser leveled, ripped and disked for farming. The property returns to agriculture but will now be productive.

East end of property reclamation nearly completed, property widens and will enable bottom dump trucks to bring in larger amounts of soil at one time to quicken the refilling of excavated area.

See Attachment "A" for maps. Reclamation is to be done concurrently and to coincide with remainder of excavation of sand to be removed. 108,100 cubic yards to be used to refill site to its original elevation.

The farmer will continue to use the existing farm operation and practices that were being used for the ranch prior to excavation once field has been reclaimed.

Post Mining Topography

See Attachment "A" post reclamation topography, drainage, benches, roads cross sections through slopes, cuts, fills, original ground , post-mining surface, geologic conditions, reclaimed surface, and other pertinent features are shown on the attached Reclamation Plan. Slopes will not exceed 3.1 and stabilization should not be a problem.

c) **Impoundments**

No impoundments are proposed for this property.

d) **Drainage**

The land is very sandy and only one water truck will be used for dust control and watering the sandy material to be removed. Land to be leveled basically flat. Water will not leave ranch. There are no Jurisdictional wet lands on the property.

e) **Disposition of Old Equipment**

No permanent structures or building are involved in this project. All equipment to be used at the project site are portable and easily removed from the site upon completion of excavation and reclamation.

f) **Revegetation**

Upon removal of the sand mounds the property to be laser leveled and ripped to loosen the soil for planting. Soil amenities to be added will be per the soil test results. Normal fertilizing and soil amendments will not contaminate the water as the water table is too deep. Irrigation water from the Modesto Irrigation District to provide water for the future crop.

Monitoring and Maintenance

To ensure successful planting and vegetation, the crop will be maintained regularly by the current owner.

g) **In-Stream Mining**

There is no in-stream mining for this reclamation project.

h) **Future Mining**

There is to be no future mining on this ranch as the sandy soil will be replaced by a more heavier and farmable soil from surrounding area.

k) **Public Safety**

The project site is fenced, and access to the mine is next to owners home, mine site is well off the county road.. "No Trespassing signage is posted along the perimeter of the property. The site is marked appropriately to warn of hazardous conditions. On-site access road is maintained free of overgrowth for emergency access and site maintenance, as necessary. The two pieces of equipment (water truck and wheel loader) are to be locked up at the end of the work day. This ranch is away from any subdivisions or high residential areas and on a small county road.

Reclamation Plan Owner/Operator Signatures:

[Redacted Signature]

Victor Marquez (owner)

Date: 3-22-18

[Redacted Signature]

for
Reeves Sand & Gravel, Inc.

Date: 3-22-2018

REEVES SAND & GRAVEL, INC.

P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508


ATTACHMENT "B"

USGS TOPO QUADS MAP

itled Map

e a description for your map.

Legend

 6060 Carver Rd



REEVES SAND & GRAVEL, INC.

P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508

ATTACHMENT "C"

GRANT DEED

On File with the Planning Department

REEVES SAND & GRAVEL, INC.

P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508

ATTACHMENT "D"

SOILS ANALYSIS



March 15, 2018
Reeves Sand & Gravel Inc.
 P.O. Box 60
 French Camp, CA 95231

Lab ID : STK1832878-001
 Customer ID : 3-13234
 Sampled On : March 6, 2018
 Sampled By : Roy Reeves
 Received On : March 6, 2018
 Depth : 0-30"

Description : Field
 Project : Marquez Ranch

GENERAL SOIL ANALYSIS

Test Description	Result	Units	Optimum Range	Graphical Results Presentation					
Primary Nutrients				Very Low	Moderately Low	Optimum	Moderately High	Very High	
	Nitrate-Nitrogen	5.6	Lbs/AF	31 - 110	<div></div>				
	Phosphorus-P ₂ O ₅	55	Lbs/AF	230 - 320	<div></div>				
	Potassium-K ₂ O (Exch)	130	Lbs/AF	86 - 520	<div></div>				
	Potassium-K ₂ O (Sol)	6.5	Lbs/AF	130 - 510	<div>3%</div>				
Secondary Nutrients	Calcium (Exch)	2730	Lbs/AF	2200 - 2900	<div></div>				
	Calcium (Sol)	35	Lbs/AF	140 - 620	<div>39%</div>				
	Magnesium (Exch)	476	Lbs/AF	220 - 440	<div></div>				
	Magnesium (Sol)	10	Lbs/AF	1.5 - 150	<div></div>	18%			
	Sodium (Exch)	110	Lbs/AF	0.0 - 210	<div></div>				
	Sodium (Sol)	41	Lbs/AF	0.0 - 310	<div></div>	40%			
	Sulfate	< 19	Lbs/AF	160 - 4000	<div></div>				
	Micro Nutrients	Zinc	0.800	Lbs/AF	3.6 - 170	<div></div>			
Manganese		5.20	Lbs/AF	7.2 - 250	<div></div>				
Iron		21.2	Lbs/AF	28 - 280	<div></div>				
Copper		1.20	Lbs/AF	0.66 - 170	<div></div>				
Boron		0.280	Lbs/AF	1.1 - 5.9	<div></div>				
Chloride		1.4	Lbs/AF	11 - 850	<div></div>				
CEC		4.57	meq/100g	14 - 35	<div></div>				
% Base Saturation	CEC - Calcium	74.4	%	60 - 80	<div></div>				
	CEC - Magnesium	21.4	%	10 - 20	<div></div>				
	CEC - Potassium	1.51	%	1.0 - 6.0	<div></div>				
	CEC - Sodium	2.58	%	0.0 - 5.0	<div></div>				
	CEC - Hydrogen	< 1.00	%	0.0 - 3.0	<div></div>				
					Strongly Acidic	Moderately Acidic	Near Neutral	Moderately Alkaline	Strongly Alkaline
pH	7.43	---	6.5 - 7.5	<div></div>					

Good  Problem  Indicates physical conditions and/or phenological and amendment requirements.



Corporate Offices & Laboratory
 853 Corporation Street
 Santa Paula, CA 93060
 TEL: (805)392-2000
 Env FAX: (805)625-4172 / Ag FAX: (805)392-2063
 CA ELAP Certification No. 1573

Office & Laboratory
 2500 Stagecoach Road
 Stockton, CA 95215
 TEL: (209)942-0182
 FAX: (209)942-0423
 CA ELAP Certification No. 1563

Office & Laboratory
 563 E. Lindo Avenue
 Chico, CA 95926
 TEL: (530)343-5818
 FAX: (530)343-3807
 CA ELAP Certification No. 2670

Office & Laboratory
 3442 Empress Drive, Suite D
 San Luis Obispo, CA 93401
 TEL: (805)783-2940
 FAX: (805)783-2912
 CA ELAP Certification No. 2775

Office & Laboratory
 9415 W. Goshen Avenue
 Visalia, CA 93291
 TEL: (559)734-9473
 FAX: (559)734-8435
 CA ELAP Certification No. 2810

March 15, 2018








Reeves Sand & Gravel Inc.

Lab ID : STK1832878-001

Customer ID : 3-13234

Description : Field

GENERAL SOIL ANALYSIS

Test Description	Result	Units	Optimum Range	Graphical Results Presentation						
Others				Satisfactory	Possible Problem	Moderate Problem	Increasing Problem			
Soil Salinity	0.1	dS/m	0.0 - 2.0							
SAR	0.8		0.0 - 6.0							
Limestone	< 0.10	%	0.0 - 0.50							
				0	1	2	3	4	5	6
Lime Requirement	0	Tons/AF	---							
Gypsum Requirement	< 0.50	Tons/AF	---							
				Very Low	Moderately Low	Optimum	Moderately High	Very High		
Moisture	8.5	%	2.6 - 18							
				Loamy Sand	Sandy Loam	Loam	Silt Loam	Clay Loam	Clay	Organic
Saturation	25.6	%	40 - 50							

Good  Problem  Indicates physical conditions and/or phenological and amendment requirements.

Note: Soils with gypsum requirements over 10 tons should be applied incrementally at a maximum of 10 tons per acre per year and reanalyzed yearly after each application.

Soil pH & Limestone levels are important to consider when making plant selections. Soil pH levels above 7.0 are not suitable for acid loving plants. Soils containing limestone are not suitable for plants sensitive to Limestone.

FRUIT GROWERS LABORATORY, INC.



Scott Bucy, Director of Ag. Services

SB1:EHB

REEVES SAND & GRAVEL, INC.

P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508

ATTACHMENT "E"

LAND OWNERS STATEMENT

June 12, 2016

Stanislaus County

Dept of Planning & Community Development

RE: permit to remove sand

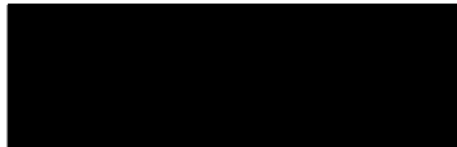
I am the land owner of 6060 N. Carver Road and would like to get approval to remove an area of sandy ground and replace it with a more heavier dirt.

It is hard to get water to cross the sandy streak at the rear of my field.

I lose more water trying to get water across this area than I use. The sandy ground dries faster than the rest of the field so I don't get much production from this area, but waste water more than anything.

Please grant my request to improve both the farming production and the conservation of water by replacing sand with farmable dirt.

Sincerely,



REEVES SAND & GRAVEL, INC.

P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508

ATTACHMENT "F"

HISTORY OF THE EXCAVATION

REEVES SAND & GRAVEL, INC.

P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508

History of Excavation

A grading permit GRA2014-0006 was issued on 7/7/2015 for removal of 24391 cubic yards

GRA2014-0006 was revised and became GRA2016-0017 was issued on 10/11/2016 for 96,871 cubic yards.

A stop order was applied to this project by Stanislaus County due to the operator excavating at a lower depth than approved for.

A new excavation permit is now being applied for thru Stanislaus County and the State of California department of Mining and Reclamation for the removal of 23,200 cubic yards partly from GRA2016-0017

Reclamation is 98% completed for the original permit GRA2014-0006 and operator wishes to continue excavation of small amount of sand left while on going reclamation continues to help cover cost of maintaining a employee on site.

REEVES SAND & GRAVEL, INC.

P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508

ATTACHMENT "G"

OWNERS NOTIFICATION ACKNOWLEDGEMENT

REEVES SAND & GRAVEL, INC.

P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508

Owners Statement of Notification Acknowledgement

This form is to provide evidence that we the owners of 6060 Carver Road, Modesto, California have been informed of the new application for excavating our property and approve all items for the obtaining of a permit to execute this plan.

Victor Marquez

Date: 3/22/18

Bertha Marquez

Date: 3/22/18

REEVES SAND & GRAVEL, INC.

P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508

ADDENDEUM "H"

OPERATIONAL STATEMENT
(MARQUEZ RANCH)

REEVES SAND & GRAVEL, INC.

P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508

Operational statement (Marquez Ranch)

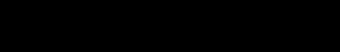
The commencement of activities should begin within the first week after the approval of the Marquez Agricultural Excavation Permit.

The equipment to be used will consist of a 5 cubic yard wheel loader or a four cubic yard excavator. A 2,800 gallon water truck will also be used for dust control.

The work schedule for the removal of the sandy dirt will be Monday thru Friday with occasional loading on Saturdays. The starting time is usually around 7:00 a.m. to 3:30 p.m. with some occasional loading after 3:30 p.m. but close at 5:00 p.m.

The water truck is to be used to water down the dirt road and sandy material to be removed. The loading is basically on a day to day basis and continues year round weather permitting.

Reeves Sand & Gravel, Inc. to assume and obey the conditions under which the permit allows the sandy dirt to be removed and final field level per reclamation plan/

 for
Reeves Sand & Gravel, Inc.

DATED: 3-21-2018

REEVES SAND & GRAVEL, INC.

P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508

ADDENDEUM "I"

STATEMENT OF RESPONSIBILITIES

REEVES SAND & GRAVEL, INC.

P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508

State of California
Department of Conservation
Office of Mine Reclamation

RE: Statement of Responsibilities

Reeves Sand & Gravel, Inc. to assume full responsibilities for the operations of the removal of sandy soil from this site. Reeves Sand & Gravel, Inc. to assume and obey conditions under which the permit allows the sandy dirt to be removed and final field level per reclamation plan.

 for
Reeves Sand & Gravel, Inc.

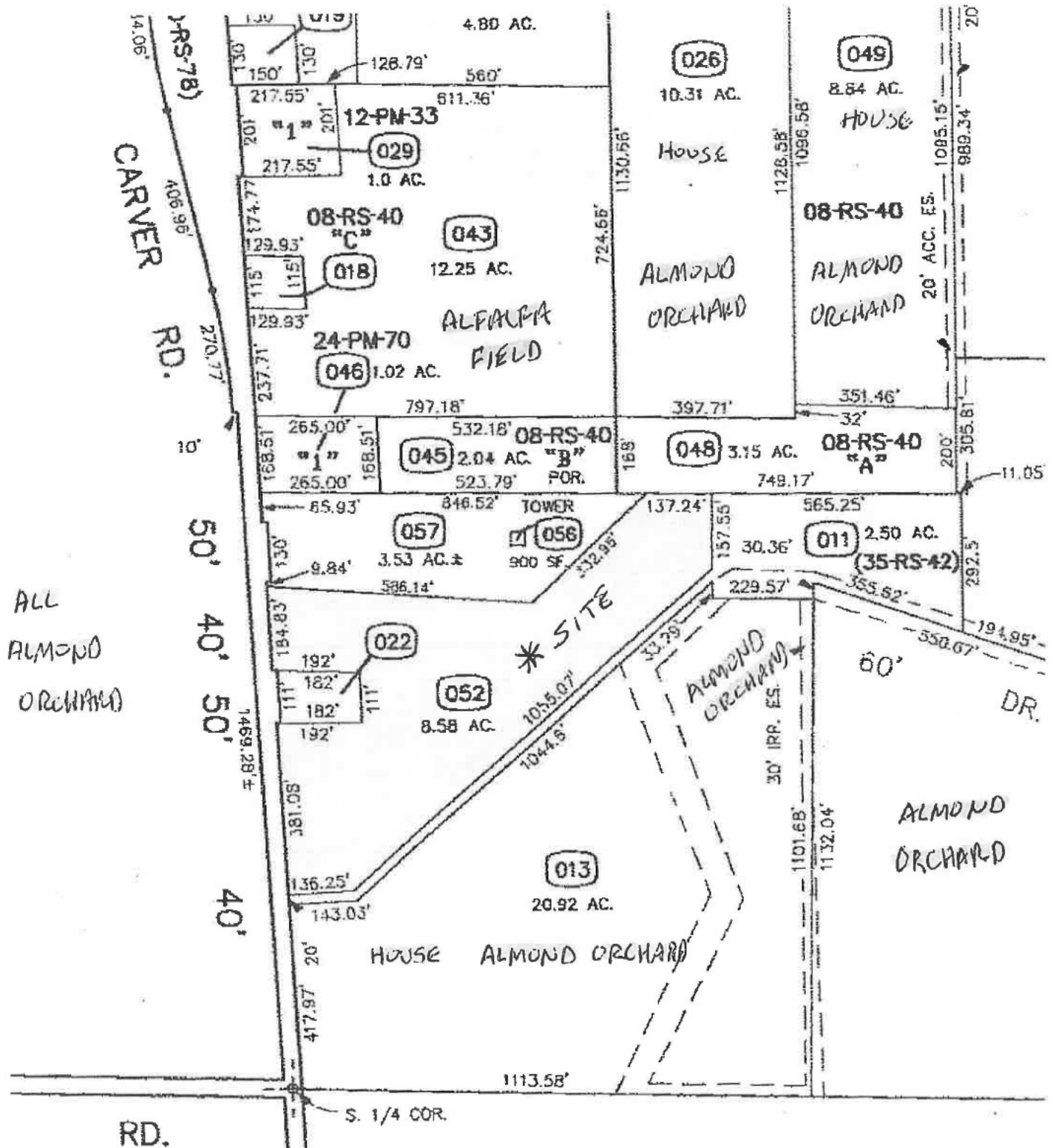
Date: 3-21-2018

REEVES SAND & GRAVEL, INC.

P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508

ADDENDEUM "J"

AREA MAP LAND USES



011 IS A HOUSE W/TREE ORCHARD
04B IS A CHICKEN RANCH
057 IS A DESERTED CHICKEN RANCH
045 IS A ALFALFA FIELD

069

51

REEVES SAND & GRAVEL, INC.

P. O. BOX 60 • FRENCH CAMP, CA 95231-0060
TEL: (209) 478-9508 • FAX: (209) 478-9508

ADDENDEUM "K"

ENGINEER MAPS and 8 x 11.5 reductions

A.P.N. 004-066-055
RESERVE R/W SURFACE

A.P.N. 004-066-052
ALUNCE

A.P.N. 004-066-003
RESERVE R/W SURFACE

A.P.N. 004-066-046
RESERVE R/W SURFACE

A.P.N. 004-066-045
ALUNCE

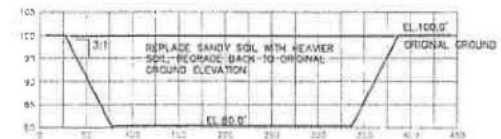
A.P.N. 004-066-045
ALUNCE

A.P.N. 004-066-048
ALUNCE

A.P.N. 004-066-048
GILSON RANCH

A.P.N. 004-066-053
DEVELOP OLD CHICKEN RANCH

A.P.N. 004-066-011
RESERVE R/W SURFACE



SECTION A-A

1. WATER TRUCK TO REHABILITATE SITE AT ALL TIMES.
2. EXCAVATED SOIL TO BE REPLACED WITH A MORE LOAMIER TYPE OF SOIL.
3. GROUND WATER TABLE IS 50 FT. BELOW THE GROUND SURFACE.
4. NO STRUCTURES TO BE BUILT. WATER TRUCK AND WHEELER LOADER TO BE REMOVED FROM PROPERTY UPON COMPLETION.
5. UPON COMPLETION OF EXCAVATED SAND AND REPLACEMENT OF LOAMIER SOIL, PROPERTY IS TO RETURN TO AGRICULTURE FOR ROW CROPS.



VICINITY MAP
NOT TO SCALE



- NOTES:
1. AS OF JANUARY 31, 2018, 84,800 CY HAVE BEEN REMOVED WITHIN THE LIMITS OF CURRENT EXCAVATION.
 2. THE CUBIC YARDS CALCULATED FOR THIS PHASE 3 ARE 108,100 CY.
 3. REMAINING YARDS TO BE REMOVED FROM PROPERTY IS 23,300 CY.
 4. 108,100 CY WILL BE REQUIRED TO RESTORE SITE TO FINAL GRADES.

FARLEY'S SURVEYING
7500 N. WEST LN.
STOCKTON, CA 95210
209-473-3645

DATE: MAR. 6, 2018
SCALE: 1" = 60'
CHECKED BY:
DRAFTED BY:

REVISIONS	DATE	BY
ADD X-SECTIONS	8/23/14	
ADD NOTES	5/21/14	
change slope to 3:1	07/10/2014	
ADD PHASE 3	03/21/2018	
REVISE PHASE 2	08-18-2018	

ADD PHASE 3 03/04/2018

PREPARED FOR:
REEVES SAND COMPANY

OWNER:
VICTOR & BERTHA MARQUEZ
8080 CARVER RD.
MODESTO, CA. 95356

SHEET
1/1
OF

PRINTED: 03/14/2018



SCALE: 1" = 60'



VICINITY MAP
NOT TO SCALE



△ ADDED REHAB FOR PHASE 3 09/01/2018
△ ADDED REHAB PLAN 04/17/2018

FARLEY'S SURVEYING
7500 N. WEST LN.
STOCKTON, CA. 95210
209-473-3645

DATE: MARCH 14, 2018
SCALE: 1" = 60'
CHECKED BY:
DRAFTED BY:

REVISIONS	DATE	BY
△ ADD X-SECTIONS	5/23/14	
ADD NOTES 9/21/14		
△ change slope to 3:1	07/10/2014	
△ EXPANDED EXCAVATION	03/21/2016	

REHABILITATION PLAN
PREPARED FOR:
REEVES SAND COMPANY

OWNER:
VICTOR & BERTHA MARQUEZ
6060 CARVER RD.
MODESTO, CA. 95358

SHEET
1/1
OF

PRINTED: 03/14/2018

FINANCIAL ASSURANCE COST ESTIMATE

FOR

CARVER ROAD

(Mine Name)

CA Mine ID # 91- NO MINE ID

Reclamation Plan #/Name NA Grading Plan for Carver Road

Prepared by: (Name & Affiliation)

Benchmark Resources

2515 East Bidwell Street

Folsom, CA 95630

Date: 6/23/2020

This financial assurance cost estimate prepared and submitted pursuant to (choose one):

☐ A new or amended reclamation plan approved on (Date): _____

☒ An annual mine inspection performed on (Date): 04/15/2020

☐ Other: Please Specify: _____

Most Recent Approved Financial Assurance Cost Estimate

Date: 9/7/2018

Amount: \$ 376,628.00

Amount of existing Financial Assurance Mechanism(s)

Date: NA

Amount: \$ NA

I. SUPPORTING DOCUMENTS

This estimate represents the cost of conducting and completing reclamation in accordance with the Surface Mining and Reclamation Act (SMARA) and the following supporting documents:

Reclamation Plan Approval Date and Number

No reclamation plan. A grading plan (GRA2014-0006 extension)

Permits and/or Environmental Documents Approved as, or Conditional upon, the Reclamation Plan

GRA2014-0006 extension

Other Agency Financial Assurances Securing Reclamation of Disturbed Lands

N/A

Wage Rates used in Cost Estimate* *(cost estimates are required to use current 'General prevailing wage determinations made by the director of industrial relations' where applicable (<http://www.dir.ca.gov/OPRL/PWD/index.htm>) with employer labor burden added, or greater)*

State of California Department of Industrial Relations, 2020-1 Index for Northern California basic trade journeymen rates.

Equipment Rates used in Cost Estimates* *(use current 'Labor Surcharge and Equipment Rental Rates (Cost of Equipment Ownership)' equipment rates published by Caltrans (<http://www.dot.ca.gov/hq/construc/equipmnt.html>) or other publicly available and verifiable local rates)*

State of California Transportation Agency, Department of Transportation Division of Construction Labor Surcharge and Equipment Rental Rates, Effective April 1, 2020 through March 31, 2021.

Equipment Production Rates used in Cost Estimate *(Use of current Caterpillar Performance Handbook or equivalent published production rates is required)*

Caterpillar performance Handbook Edition 48

**Many mine sites are remote projects that require hours of travel (to and from) and sometimes require additional time to prepare for even the simplest of tasks. In accordance with labor Code Sections 1773.1 and 1773.9, contractors are required to make travel and/or subsistence (per diem) payments to each worker to execute the work. These arrangements can be quite variable and site specific.*

Attachments:

Attachment A, "Broadcast Seeder w/Brackets Base Purchase Price"

II. Description of Current Site Conditions

(i.e., disturbed acres, slope conditions, excavation depths, topsoil and overburden stockpiles, equipment and facilities, reclamation in progress, erosion control status, required corrective actions, etc.)

Operation is not within compliance of the grading permit. The operator has excavated deeper than the allowable 12 depth described in the grading permit. In 2018 some slopes are unstable. The slopes needed to be graded flatter, and the pit needs to be back filled and compacted.

As of February 9, 2020 all the slopes have been stabilized and brought into compliance with the permit. The grading of the slopes was done under the approved plan and supervision of Kazaan and Associates.

III. Description of Anticipated Site Conditions (12 months from date of estimate)

(i.e., increase of disturbed acres, increase of depth, increases in amount of equipment and/or facilities, required corrective actions, etc.)

The work on the oversteepened slopes on site has been completed. The Operator has imported 29,000 cubic yards of material and used 5,000 cubic yards of the sie material approved by the Kazaan and Associates and Public Works to build the slope around the west, and the east and north slope areas near the residence structure.

IV. Description/Justification of Cost Increase/Decrease

The FACE is has decreased because the Operator has imported material for slope stabilization, reducing amount of fill material and grading required on for this site.

V. PLANT STRUCTURES AND EQUIPMENT REMOVAL (use multiple sheets as needed)

Provide documentation showing that rates, prices, and wages are available locally to all persons, including the lead agency and/or the Department.

Current Site Condition:

NA

Reclamation Plan Performance Standard (End Use):

NA

Describe tasks:

NA

Equipment on site wholly owned by operator?:

☐ YES

☐ NO

(if no, please provide the name/s and contact information for any lien holder)

NA

NA

V. PLANT STRUCTURES & EQUIPMENT REMOVAL (cont.)

(↑ Describe Reclamation Activity Being Estimated)

Methods to be used:

A. Equipment - List equipment required to complete identified task (for large reclamation jobs separate mine areas)

Equipment	\$/Unit	# of Units	Cost (\$)
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0

Total Equipment Cost for this Task = \$0

B. Labor - List all labor categories to complete identified task

Labor Category	\$/Unit (incl labor burden)	# of Units	Cost (\$)
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0

Total Labor Cost for this Task = \$0

C. Demolition - List all structures and equipment to be dismantled or demolished and removed from site

Structure/Equipment to be removed	Type of Material	Volume/ Quantity	Unit Cost Basis	Disposal Cost	Cost (\$)
		0.00	\$0.00	\$0.00	\$0
		0.00	\$0.00	\$0.00	\$0
		0.00	\$0.00	\$0.00	\$0
		0.00	\$0.00	\$0.00	\$0
		0.00	\$0.00	\$0.00	\$0

Total Materials Cost for this Task = \$0

D. Total Direct Cost of Structure and Equipment Removal (Sum of A+B+C)

Equipment Cost + Labor Cost + Demolition Cost = \$0

E. Net Salvage Value* (Supported by properly prepared third party estimate, bid, or cost calculation)

Net Salvage Value = \$ 0.00

F. Total Cost of Structure and Equipment Removal (Subtract Line D from Line E)

Total Cost of Structure and Equipment Removal = \$0

NOTE: Above Total Cost will display \$0.00 if net of entered removal costs and salvage value is negative.

*Note: Salvage value may only be used to offset the direct cost of removing the single item for which salvage value is being claimed. Salvage value shall not be used to offset any other demolition, general cleanup, or reclamation costs.

VI. PRIMARY RECLAMATION ACTIVITY

Use multiple sheets as necessary to estimate the cost of each activity required. Provide documentation showing that rates, prices, and wages are available locally to the lead agency and/or the Department if necessary.

Current Site Conditions:

Operation is not within compliance of the grading permit. The operator has excavated deeper than the allowable 12 depth described in the grading permit.

Reclamation Plan Performance Standard (End Use):

Grading plan end use is agriculture.

Describe tasks, methods, equipment, etc:

Decompaction, cut, fill, haul, slope reduction, compaction, grading, topsoil placement, drainage work, soil amendment, special requirements, etc. Separate sheets may be used for each task if necessary.

Backfill with imported material to bring the site back to original grade.

A D8 dozer will be used to grade the imported material in the pit floor area. A water truck will be used to keep the dust down.

Provide Quantities:

Overburden and topsoil, cut and fill, import or export (cubic yards), area (acres), haul distance (feet), equipment production rates (cubic yards/hour, or as applicable), etc.

In order to bring the site into compliance with the design by Kazaan and Associates, 74,100 cubic yards of fill material is required. In order to bring the grade of the site back to original grade approximately 45,000 additional cubic yards are required. Therefore, because the County is requesting that the site be graded back to the original grade a total of 119,100 cubic yards are accounted for in this cost estimate.

GRADING OF SLOPES AND PIT FLOOR

(↑ Describe Reclamation Activity Being Estimated)

VI. PRIMARY RECLAMATION ACTIVITY (cont.)

Acres:	7.5 acres	Overburden (cy):	119,100 cy of fill material
Haul Distance (ft):	NA	Topsoil (cy):	NA
Production Rate (cy/hr):	315 cy/hour	(NOTE: no automatic calculations occur to data in this upper table)	

Methods to be used:

A. Equipment - List equipment to complete identified task (for large reclamation jobs separate mine areas)

Equipment	\$/Unit	# of Units	Cost (\$)
Caterpillar D8N Dozer (CAT - 4864)	\$173.71	378.0	\$65,662
Water Truck (T&TT - 48-60)	\$70.62	378.0	\$26,694
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0

Total Equipment Cost for this Task = \$92,357

B. Labor - List all labor categories to complete identified tasks

Labor Category	\$/Unit (incl labor burden)	# of Units	Cost (\$)
Operating Engineer	\$75.76	378.0	\$28,637
Truck Driver	\$62.67	378.0	\$23,689
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0

Total Labor Cost for this Task = \$52,327

C. Materials - List all materials required to complete identified task

Item	Quantity	\$/Unit (incl sales tax)	Cost (\$)
Import Fill (cubic yards)	119,100.00	\$0.85	\$101,235
	0.00	\$0.00	\$0
	0.00	\$0.00	\$0
	0.00	\$0.00	\$0
	0.00	\$0.00	\$0

Total Materials Cost for this Task = \$101,235

D. Total Direct Cost for this task

Equipment Cost + Labor Cost + Materials Cost = \$245,918

**SPREAD TOPSOIL ACROSS THE ENTIRE SITE,
INCLUDING SLOPES, PIT FLOOR AND OTHER
DISTURBED AREAS**

(↑ Describe Reclamation Activity Being Estimated)

VI. PRIMARY RECLAMATION ACTIVITY (cont.)

Acres:	7.5 acres	Overburden (cy):	NA
Haul Distance (ft):	NA	Topsoil (cy):	6,000 cubic yards
Production Rate (cy/hr):	2.5 acres per hour	(NOTE: no automatic calculations occur to data in this upper table)	

Methods to be used:

A. Equipment - List equipment to complete identified task (for large reclamation jobs separate mine areas)

Equipment	\$/Unit	# of Units	Cost (\$)
Caterpillar 14G Grader (CAT - 3180)	\$119.99	4.0	\$480
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0

Total Equipment Cost for this Task = \$480

B. Labor - List all labor categories to complete identified tasks

Labor Category	\$/Unit (incl labor burden)	# of Units	Cost (\$)
Operating Engineer	\$75.76	4.0	\$303
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0

Total Labor Cost for this Task = \$303

C. Materials - List all materials required to complete identified task

Item	Quantity	\$/Unit (incl sales tax)	Cost (\$)
Topsoil (cubic yards)	6,000.00	\$1.50	\$9,000
	0.00	\$0.00	\$0
	0.00	\$0.00	\$0
	0.00	\$0.00	\$0
	0.00	\$0.00	\$0

Total Materials Cost for this Task = \$9,000

D. Total Direct Cost for this task

Equipment Cost + Labor Cost + Materials Cost = \$9,783

VII. REVEGETATION *(use multiple sheets as needed)*

Provide documentation showing that rates, prices, and wages are available locally to the lead agency and/or the Department.

Current Site Condition:

The site has 7.5 acres of surface disturbance which will require revegation until the operator begins agriculture. Spread erosion control seed across the site.

Reclamation Plan Performance Standard (End Use):

Agriculture

Describe Tasks:

NA

BROADCAST SEED ACROSS THE SITE

VII. REVEGETATION *(cont.)*

Methods to be used:

(↑ Describe Revegetation Activity Being Estimated)

A. Equipment - List equipment to complete identified task. *(For large reclamation jobs separate mine areas)*

Equipment	\$/Unit	# of Units	Cost (\$)
Seed Broadcaster w/Brackets (base purchase price - See Attachment A)	\$326.80	1.0	\$327
Pick-up Truck (T&TT - 06-12)	\$31.00	16.0	\$496
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0

Total Equipment Cost for this Task = \$823

B. Labor - List all labor categories to complete identified task.

Labor Category	\$/Unit (incl labor burden)	# of Units	Cost (\$)
Laborer	\$49.08	16.0	\$785
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0
	\$0.00	0.0	\$0

Total Labor Cost for this Task = \$785

C. Materials - List all materials required to complete identified task

Item/Plant Species	Unit of measure	Quantity	\$/Unit (incl sales tax)	Cost (\$)
Erosion Control Seed Mx (30 lbs/per acre)	Pounds	225.00	\$2.75	\$619
		0.00	\$0.00	\$0
		0.00	\$0.00	\$0
		0.00	\$0.00	\$0
		0.00	\$0.00	\$0
		0.00	\$0.00	\$0
		0.00	\$0.00	\$0
		0.00	\$0.00	\$0
		0.00	\$0.00	\$0

Total Materials Cost for this Task = \$619

D. Total Direct Cost for this task

Equipment Cost + Labor Cost + Materials Cost = \$2,227

VIII. MISCELLANEOUS COSTS *(use multiple sheets as needed)*

Provide documentation showing that rates, prices, and wages are available locally to all persons, including the lead agency and/or the Department.

Examples of this type of costs may include temporary storage of equipment and materials off site, special one-time permits (i.e. transportation permits for extra wide overweight loads, etc.), decommissioning a process mill (i.e. decontamination of equipment), disposal of warehouse inventories, well abandonment, remediation of fueling and waste oil storage sites, septic system removal, costs to prepare closure and monitoring reports, site security, preserving potable water and maintaining utilities, etc.

Item/Task	Quantity	\$/Unit	Cost (\$)
Site Inspection to Determine Compliance With Grading Permit	1.0	\$3,500.00	\$3,500
	0.0	\$0.00	\$0
	0.0	\$0.00	\$0
	0.0	\$0.00	\$0
	0.0	\$0.00	\$0
	0.0	\$0.00	\$0
	0.0	\$0.00	\$0
	0.0	\$0.00	\$0
	0.0	\$0.00	\$0
	0.0	\$0.00	\$0
	0.0	\$0.00	\$0

Total Miscellaneous Costs = \$3,500

IX. MONITORING COSTS

Monitoring Task	\$/Visit	# Visits/Year	# of Monitoring Years	Cost (\$)
NA	\$0.00	0.0	0.0	\$0
	\$0.00	0.0	0.0	\$0
	\$0.00	0.0	0.0	\$0
	\$0.00	0.0	0.0	\$0
	\$0.00	0.0	0.0	\$0
	\$0.00	0.0	0.0	\$0
	\$0.00	0.0	0.0	\$0
	\$0.00	0.0	0.0	\$0

Total Monitoring Costs = \$0

X. SUMMARY OF COSTS

This section shall be used to summarize all the cost sheets in one place.

(V) Total of all Plant Structures & Equipment Removal Costs	\$	0
(VI) Total of all Primary Reclamation Activities Costs	\$	255,701
(VII) Total of all Revegetation Costs	\$	2,227
(VII) Total of all Miscellaneous Costs	\$	3,500
(IX) Total of all Monitoring Costs	\$	<u>0</u>
Total of Direct Costs	\$	261,428

XI. SUPERVISION / PROFIT & OVERHEAD / CONTINGENCIES / MOBILIZATION

(A) Supervision (<u>5.3</u> %)	\$	13,953
(B) Profit/Overhead (<u>10.9</u> %)	\$	28,378
(C) Contingencies (<u>10.0</u> %)	\$	26,143
(D) Mobilization (<u>5.0</u> %)	\$	<u>13,071</u>
Total of Indirect Costs	\$	81,545
Total of Direct and Indirect Costs	\$	342,973
(E) Lead Agency and/or Dept. of Conservation Administrative Costs 12%	\$	<u>41,157</u>
Total Estimated Cost of Reclamation	\$	<u>384,130</u>

ATTACHMENT A



ATV / UTV Implements & Accessories, Truck, Tractor, Hunting & Pet Products

Quality Products Online Since 1997



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100 lb. Broadcast Spreader with 2" Receiver Hitch Attachment



100 Lb. Broadcast Spreader

Spreads Seed, Fertilizer, Salt, Corn

Never Leaks Or Dribbles!



PayPal



100 lb. Broadcast Spreader with 2" Receiver Hitch Attachment Designed
to Mount to Trucks, UTVs, and (*ATVs With 2" Receiver Hitch)

THE SPINTECH ADVANTAGE...



patent #5820035

The Spinner Plate
Rotates and Elevates
Up and Down,
Locking Closed
When the Motor is Off!



Click to see
our A+ Rating!

What makes SpinTech the new generation of spreaders is our patented SpinTech positive locking system. Not only does the spinner plate rotate, but it also goes up and down locking closed when the motor is off. SpinTech can spread almost anything including salt, fertilizer, corn, palletized lime, grass seed, agriculture planting seed, and food plot products. In the broadcast spreader application you

never loose feed or seed due to uneven terrain and or road conditions. Best of all there are no hoppers or levers to open or close to regulate feed or seed on our broadcast spreaders.

Features:

- Polypropylene hopper
- 12 volt heavy duty motor
- One directional spray pattern from 10 ft. to 20 ft. wide
- Adjustable seed/feed flow system to spread small and large seed/granules
- Spin Tech Patented on Demand open/close shut off prevents leakage when motor is off.
- Equipped with a 25 ft. cord including toggle on/off control with auxillary plug In adapter
- Spreads in radius of 10 ft. with shields or (180 degree) 20 ft. without
- Some assembly required
- Stainless Steel Spinner Plate-Shaft and Coupling
- ATV Bracket Sold Separately



100 lb. Broadcast Spreader with 2" Receiver Hitch

(ST 100SFTV) - \$ 276.90

Qty:

[Add to Cart!](#)



ATV Mounting Bracket For 100 lb. Cap. Broadcast Spreader

Designed to mount 100 lb. Seeder/Feeder to ATVs that have racks instead of 2 in. receivers.

(ST ATVB) - \$ 49.90

Qty:

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A.P.N. 004-066-055
RESIDENCE W/ ALMONDS

A.P.N. 004-066-002
ALMONDS

A.P.N. 004-066-003
RESIDENCE W/ ALMONDS

A.P.N. 004-066-046
RESIDENCE W/ ALFALFA

A.P.N. 004-066-045
ALFALFA

A.P.N. 004-066-048
ALMONDS

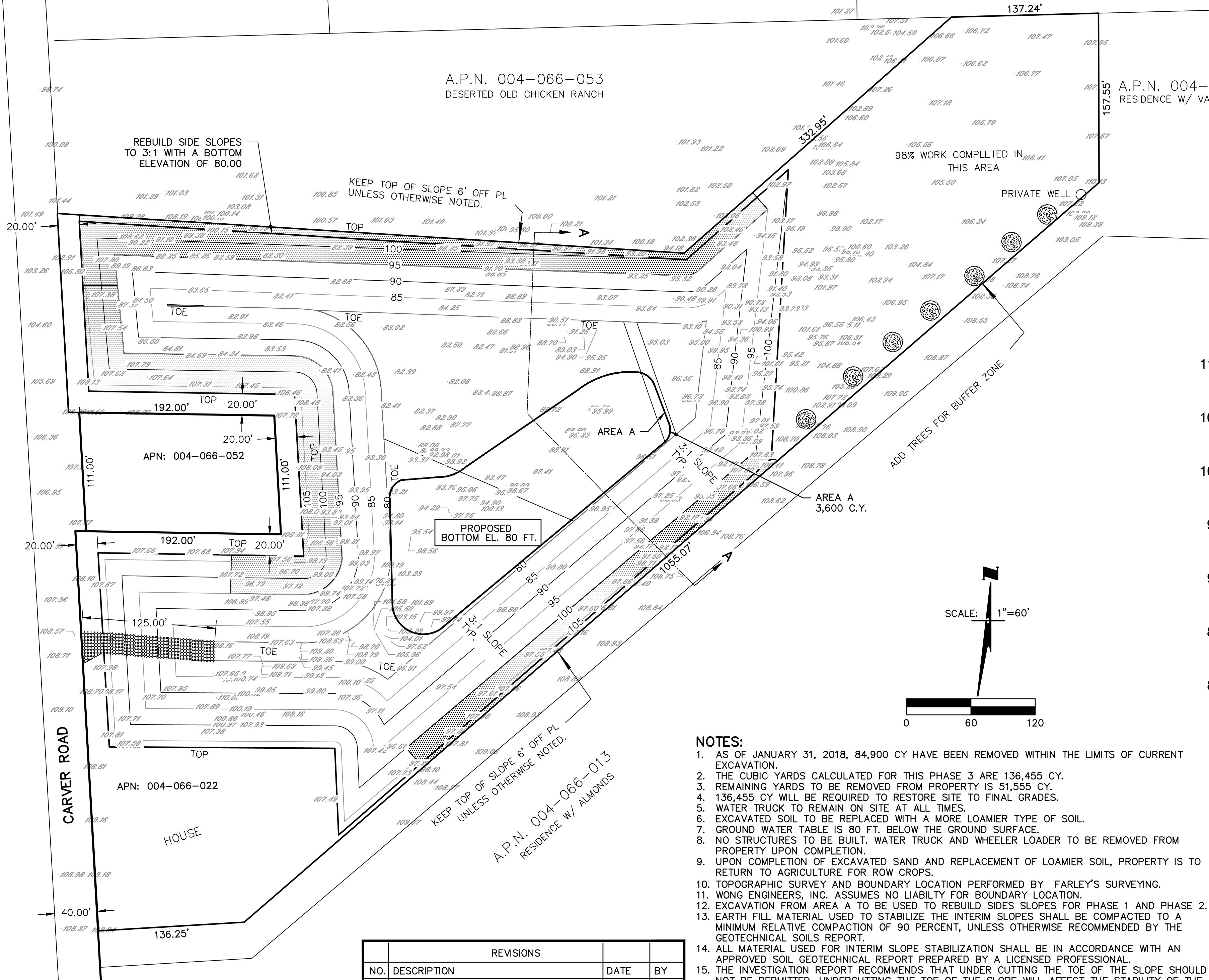
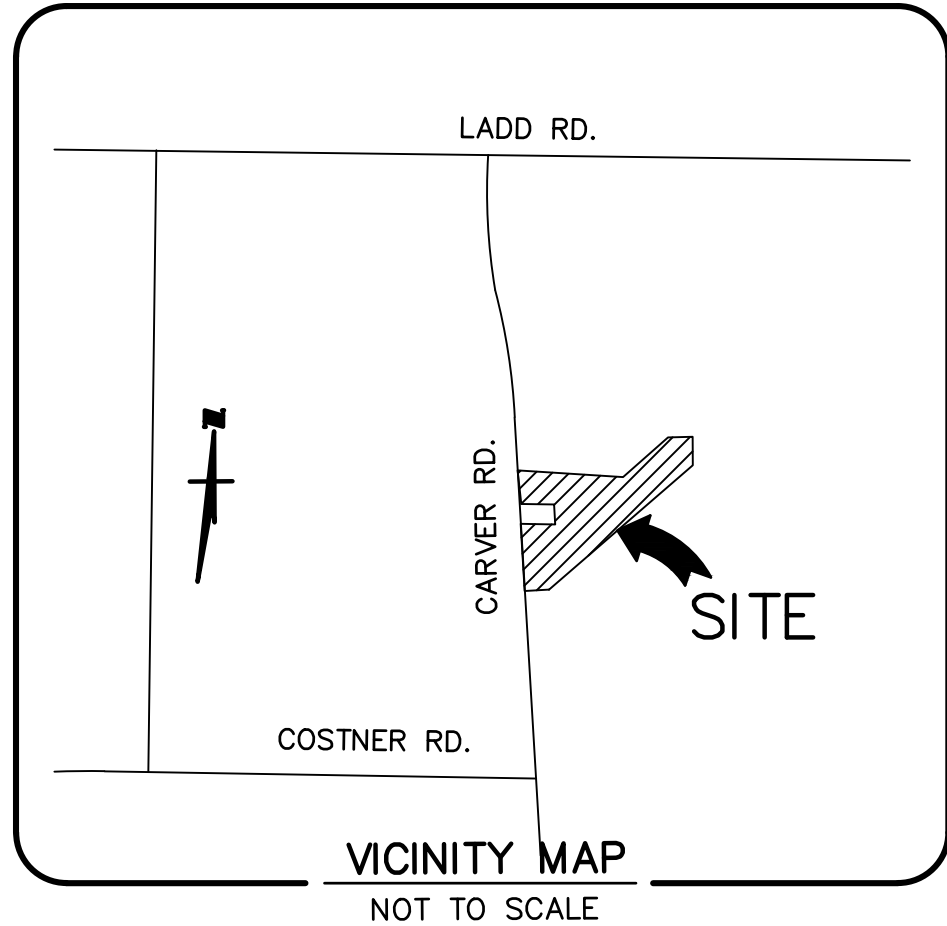
A.P.N. 004-066-048
ALMONDS

A.P.N. 004-066-048

A.P.N. 004-066-053
DESERTED OLD CHICKEN RANCH

A.P.N. 004-066-011
RESIDENCE W/ VARIOUS FRUIT TREES

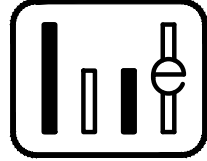
INTERIM SLOPE STABILIZATION PLAN
FOR
REEVES SAND COMPANY
6060 CARVER ROAD,
MODESTO, CA 95356



NOTES:

1. AS OF JANUARY 31, 2018, 84,900 CY HAVE BEEN REMOVED WITHIN THE LIMITS OF CURRENT EXCAVATION.
2. THE CUBIC YARDS CALCULATED FOR THIS PHASE 3 ARE 136,455 CY.
3. REMAINING YARDS TO BE REMOVED FROM PROPERTY IS 51,555 CY.
4. 136,455 CY WILL BE REQUIRED TO RESTORE SITE TO FINAL GRADES.
5. WATER TRUCK TO REMAIN ON SITE AT ALL TIMES.
6. EXCAVATED SOIL TO BE REPLACED WITH A MORE LOAMIER TYPE OF SOIL.
7. GROUND WATER TABLE IS 80 FT. BELOW THE GROUND SURFACE.
8. NO STRUCTURES TO BE BUILT. WATER TRUCK AND WHEELER LOADER TO BE REMOVED FROM PROPERTY UPON COMPLETION.
9. UPON COMPLETION OF EXCAVATED SAND AND REPLACEMENT OF LOAMIER SOIL, PROPERTY IS TO RETURN TO AGRICULTURE FOR ROW CROPS.
10. TOPOGRAPHIC SURVEY AND BOUNDARY LOCATION PERFORMED BY FARLEY'S SURVEYING.
11. WONG ENGINEERS, INC. ASSUMES NO LIABILITY FOR BOUNDARY LOCATION.
12. EXCAVATION FROM AREA A TO BE USED TO REBUILD SIDES SLOPES FOR PHASE 1 AND PHASE 2.
13. EARTH FILL MATERIAL USED TO STABILIZE THE INTERIM SLOPES SHALL BE COMPACTED TO A MINIMUM RELATIVE COMPACTION OF 90 PERCENT, UNLESS OTHERWISE RECOMMENDED BY THE GEOTECHNICAL SOILS REPORT.
14. ALL MATERIAL USED FOR INTERIM SLOPE STABILIZATION SHALL BE IN ACCORDANCE WITH AN APPROVED SOIL GEOTECHNICAL REPORT PREPARED BY A LICENSED PROFESSIONAL.
15. THE INVESTIGATION REPORT RECOMMENDS THAT UNDER CUTTING THE TOE OF THE SLOPE SHOULD NOT BE PERMITTED. UNDERCUTTING THE TOE OF THE SLOPE WILL AFFECT THE STABILITY OF THE ROADSIDE SLOPE.
16. ALL MATERIAL USED FOR INTERIM SLOPE STABILIZATION SHALL BE APPROVED BY A LICENSED GEOTECHNICAL ENGINEER AS BEING SUITABLE FOR AGRICULTURAL PURPOSES, AND BE FREE OF DELETERIOUS AND/OR HAZARDOUS MATERIALS. SOIL MUST ALSO BE REVIEWED AND APPROVED BY COUNTY AGRICULTURAL COMMISSIONER.

REVISIONS			
NO.	DESCRIPTION	DATE	BY
1	ADD X-SECTIONS	5/03/14	MF
2	ADD NOTES	5/21/14	MF
3	CHANGE SLOPE TO 3:1	7/10/14	MF
4	ADD PHASE 2	3/21/16	MF
5	REVISE PHASE 2	9/19/16	MF
6	ADD PHASE 3	3/6/18	MF
7	ADD TREE BUFFER ZONE ROUNDED CONTOURS	6/11/18	MF
8	REVISE EXCAVATION CONTOURS/VOLUME	6/14/18	ZK
9	SIGNED BY REGISTERED ENGINEER	6/26/18	ZK
10	REVISIONS PER STANISLAUS COUNTY REDLINE COMMENTS	8/29/18	MA
11	ADDED NOTES 15 & 16		



WONG ENGINEERS, INC.
PLANNING ENGINEERING SURVEYING
4578 FEATHER RIVER DRIVE, SUITE A
STOCKTON, CALIFORNIA (209) 476-0011

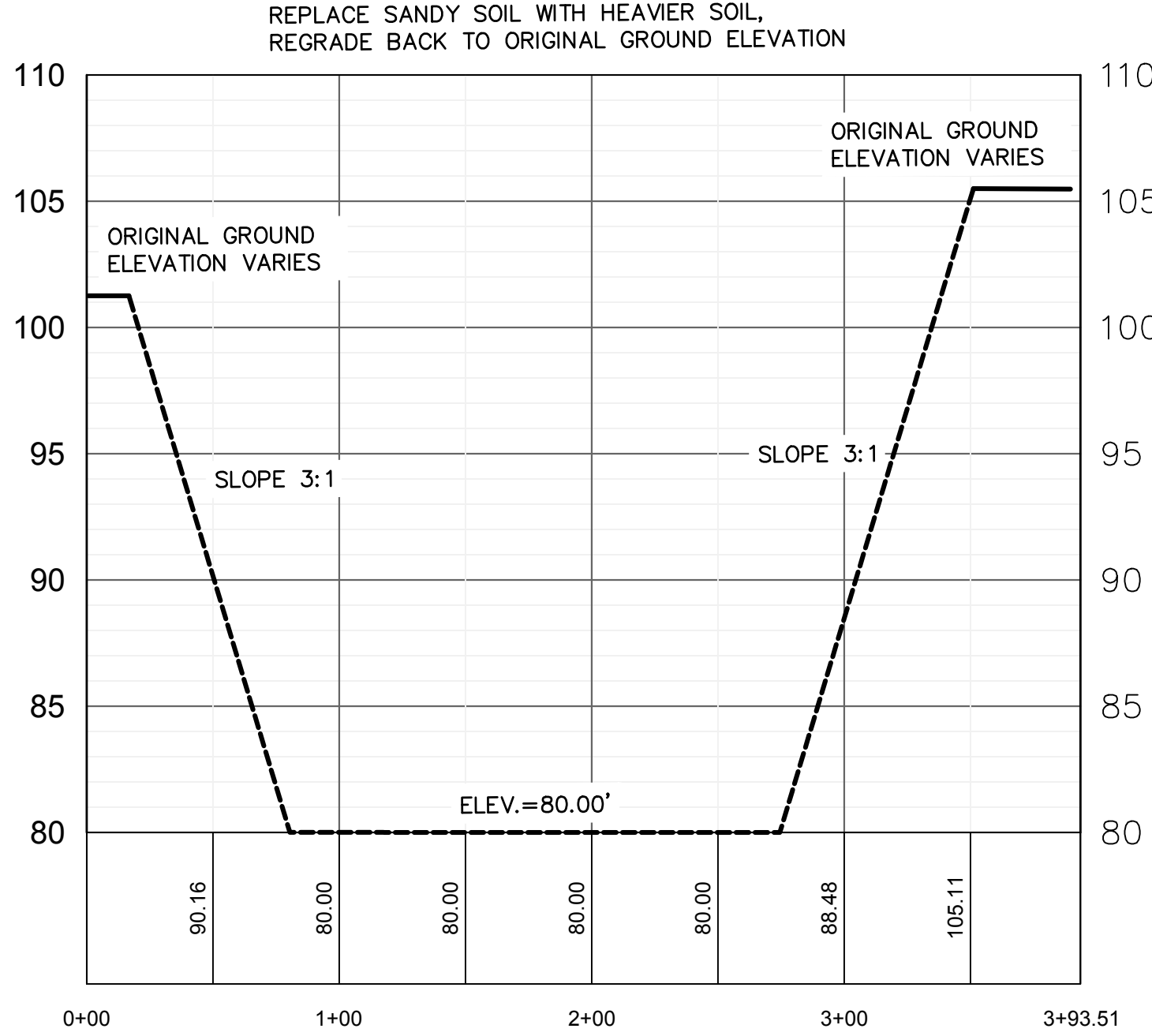
DATE 8/29/18 R.C.E. 48717

JOB NO.:	3980
DATE:	AUGUST 2018
SCALE:	AS SHOWN
DRAWN:	MF/ZK
DESIGN:	MF
CHECKED:	ZCW

6060 CARVER ROAD

SECTION A-A

Horizontal Scale: 1" = 60'
Vertical Scale: 1" = 6'



SURVEYOR INFO:

FARLEY'S SURVEYING
MIKE FARLEY
7500 N. WEST LANE,
STOCKTON, CA 95210
(209) 473-3645

OWNER INFO:

VICTOR & BERTHA MARQUEZ
6060 CARVER ROAD,
MODESTO, CA 95356



UNAUTHORIZED CHANGES AND USES:
THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.

STANISLAUS COUNTY

STIPULATED ORDER

STIPULATED ORDER FOR CORRECTIVE ACTION FOR VIOLATION OF APPENDIX J OF THE CALIFORNIA BUILDING CODE, STANISLAUS COUNTY ZONING ORDINANCE SECTIONS 21.20.030 AND 21.88.040, AND THE STATE MINING AND RECLAMATION ACT PUBLIC RESOURCES CODE SECTION 2770(a)

This Stipulated Order is being entered into this 6th day of July, 2018, between the County of Stanislaus ("County"), Reeves Sand & Gravel, Inc ("Operator") and Victor Marquez ("Owner"); pursuant to California Public resources Code section 2774.1(a), to set the terms and conditions for corrective action for violation of Appendix J (Grading) of the California Building Code (CBC), Stanislaus County Code Title 16, Zoning Ordinance Sections 21.20.030 and 21.88.040, and the State Mining and Reclamation Act (SMARA) Section 2770(a).

Section J106, "Excavations" of the California Building Code states that a cut surfaced shall be permitted to be at a slope of 1.5 units horizontal to one unit vertical (67-percent slope) provided that the site is protected against erosion, is no more than eight feet in height, is approved by the building code official, and ground water is not encountered. A Field inspection, performed by the Public Works Inspector on December 6, 2017, indicated that the slope of the cut surfaces was steeper than what was shown and approved on the improvement plans associated with grading permits GRA2014-0006 and GRA2016-0017. Improvement plans show steepness of the cut surfaces to be three units horizontal to one unit vertical (3:1) and a depth of cut not to exceed 13 feet. Actual steepness of the cut surfaces was observed to be 1:1 along certain cut surfaces and at a depth of approximately 30 feet. Photo-documentation of these cut slopes are provided in Exhibit A, Field Inspection Photographs.

Pursuant to Section 114.2 of the California Building Code, a Stop Work Order was issued on December 26, 2017, as the grading operations are not in conformance with approved plans and/or the terms and conditions of the grading permit requirements for grading permits GRA2014-0006 and GRA2016-0017. Additionally, a Notice of Violation, which is incorporated by reference and attached hereto as Exhibit B, Notice of Violation, was issued on December 28, 2017, pursuant to California Public Resources Code (SMARA) section 2774.1(a) for operation of a non-permitted mining operation.

The purpose of this Stipulated Order is to establish guidelines for: 1) stabilizing the existing slopes and securing the site so that the site, under the current circumstances, will not be detrimental to the health, safety, and general welfare of persons residing or working in the area, detrimental or injurious to property and improvements in the area, or to the general welfare of the County; 2) applying for a use permits to allow compliance with the California Environmental Quality Act (CEQA), and remediation and reclamation of the site; and 3) maintaining best management practices in accordance to California Stormwater Quality Association (CASQA) for controlling erosion, dust, and tracking of sediment onto County roadways. Failure to comply with this Stipulated Order will result in further enforcement action pursuant to the State Mining and Resources Act and any other applicable law.

The Operator and Owner shall be jointly responsible for completing all of the following requirements to satisfy the terms and conditions of the Stipulated Order:

VIOLATION 1 CREATING A HEALTH AND SAFETY ISSUE DUE TO UNSTABLE SLOPES AND A 30-FOOT MINING PIT

- A. Cease all earth moving activities at the site.
- B. No additional work may be conducted on the site until all necessary permits (County, State, and/or Federal) are acquired, unless a determination is made by County staff that work, such as stabilization of slopes, is needed for health and safety reasons. Any interim work allowed by the County shall only be permitted upon receipt of a new and limited interim slope stabilization plan and grading permit to be inspected on a daily basis by County staff physically. If any non-permitted work is determined by the County to have occurred on-site, video surveillance may be required in accordance with a County approved video surveillance plan. Upon notice of non-permitted work and request for video surveillance plan, the Operator and/or Owner shall submit a plan to the County within 5-days of receiving the notice. Equipment identified in the approved video surveillance plan shall be installed within 15-days of County approval.
- C. Operator and Owner shall comply with all orders issued by the County in order to obtain the permit.
- D. Maintain chain link fencing installed as required by the Notice of Violation, Exhibit B.
- E. To assure the Operator and Owner remain in compliance, one field inspection per day plus video surveillance may be conducted. If Operator and/or Owner remain in violation of the California Building Code Appendix J or Stanislaus County Code Title 16, field inspections will be increased to 2 or 3 inspections per day plus video surveillance. Cost of all inspections shall be paid at the current labor rate of \$95/hour, mileage reimbursement, and the cost of installing and maintaining video monitoring surveillance equipment.

VIOLATION 2 EXCEEDING THE APPROVED IMPROVEMENT PLANS FOR GRADING PERMITS APPLICATION GRA2014-0006 AND GRA2016-0017

- A. Submit an interim slope stabilization plan and grading permit to Public Works within 30 days of the date on the Stipulated Order for approval that incorporates the following elements:
 - 1. Correction of hazardous soil & earth conditions, if any. No deleterious material (e.g., clay lumps, shale, soft, friable, or laminated particles, vegetable matter, or other objectionable material) shall be used in fill.
 - 2. The original intent of the grading permit was to improve the ability to irrigate the land. Therefore, the interim slope stabilization plan and grading permit shall support achieving that objective. The Owner stated the original soil was too sandy to irrigate. Therefore the replacement soil used for stabilization needs shall be as specified, and as recommended, by a licensed geologist as being suitable for flood or furrow irrigation methods given available head pressure and intake volume.

3. No deleterious materials (e.g., discarded materials such as broken pipe, old tires, broken concrete, brush or trees) shall be allowed in the backfill.
 4. Owner may propose different class soils depending on depth--poorer soils at the bottom, best soils at the top. The proposed soil classifications shall be as recommended by a licensed geologist and approved by the County.
 5. An interim slope stabilization plan and grading permit shall be submitted showing existing grades and proposed final grades. Sufficient information shall be provided to ensure stable and safe conditions on surrounding properties and the County road.
 6. Fill material shall be compacted a minimum of 90% relative compaction, except for the top 24 inches that may be left loose for intended agricultural farming activities.
 7. Perform soil compaction testing, if determined to be necessary by a licensed geologist
 8. Remove and recompact soil to remediate expansive, compressible or seismically unstable soils, if present. The interim slope stabilization plan and grading permit shall include the removal and recompaction of unsuitable soil where new certified fill is to be placed.
 9. Existing and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work;
 10. The estimated quantities of cut/fill;
 11. Existing and finished grade at and near adjoining property lines in sufficient detail to identify how grades will be established to restore the site back the original ground conditions.
 12. A geotechnical report shall be prepared by a registered design professional and submitted for review. The report shall contain the following: Conclusion and recommendation for grading/fill procedures; back fill soil design criteria required to accomplish the proposed grading; slope stability studies, recommendations, and conclusions to ensure no adverse impacts to adjoining properties.
 13. The interim slope stabilization plan and grading permit shall bring existing graded slopes into conformance with the County Code requirements, which shall, at a minimum, consist of slope trimming; 3:1 (horizontal to vertical) for fill slopes or cut slopes exposing natural soil and 1.5:1 (horizontal to vertical) for cut slopes exposing competent bedrock.
 14. Pre-emergent pellets for weed abatement shall be seeded throughout slopes.
- B. An inspection of the site was conducted on May 29, 2018 for the purpose of documenting the existing site conditions and preparing an inspection report and Financial Assurance Cost Estimate (FACE). A FACE is required per Zoning Ordinance Section 21.88.100 to ensure that a disturbed site can be restored in the advent a mine operator were to abandon a site. Upon completion of the inspection report and a FACE, a Financial Assurance Mechanism (FAM) equal to or in excess of the amount determined by the FACE shall be submitted to Stanislaus County in the form of a surety bond, Certificate of Deposit, or a Trust Fund. (A FAM is required on all mines in the event that a mine is abandoned by the operator and the County becomes responsible for

site reclamation). The Financial Guarantee shall be submitted to cover foreseeable costs necessary to reclaim the site consistent with the FACE. These costs shall include the cost of preparing required reports, obtaining and maintaining necessary permits, and performing cut, fill and grading needed to bring the site into compliance with previously approved grading permits. The FAM amount will be based on the inspection report conducted by the County Mine Inspector on Tuesday, May 29, 2018. (Should the use permit and reclamation plan be approved by the Stanislaus County Planning Commission, the Financial Guarantee may be converted to the Financial Assurance Mechanism required for all active mines.)

VIOLATION 3 CONDUCTING SURFACE MINING AND EXCAVATION WITHOUT AN APPROVED USE PERMIT AND RECLAMATION PLAN

- A. A use permit application and reclamation plan for the existing non-permitted mine was submitted on May 30, 2018.
1. Written requests for information needed to process and maintain the use permit application and reclamation plan shall be submitted to the requesting department within five days of the dated request. Requested reports provided by a consultant will be granted a reasonable extension beyond the five days provided that the consultant provides the County with a scope of work and expected submittal date.
 2. A copy of all reports prepared for remediation, grading, mining, and reclamation. All figures depicting topography and or property boundaries shall be stamped by a state licensed professional surveyor. All figures with slope design shall be stamped by California licensed professional engineering geologist or civil engineer.
- B. Upon approval of the Reclamation Plan, the Operator shall submit a Financial Assurance Cost Estimate (FACE) prepared by a California licensed professional engineering geologist or civil engineer within thirty (30) days of project approval and before any earthmoving, mining, and/or reclamation begins.
- C. Upon approval of the FACE, the Operator shall submit a Financial Assurance Mechanism, in a form acceptable to the County, within thirty (30) days of FACE approval and before any earthmoving, mining, and/or reclamation begins.

Operator:

[Redacted Signature]

Roy Reeves

Property Owners:

[Redacted Signature]

Victor Marquez

[Redacted Signature]

Bertha Marquez

Exhibits:

- Exhibit A - Field Inspection Photos
Exhibit B - Notice of Violation, December 28, 2017

















DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10TH Street, Suite 3400, Modesto, CA 95354
Phone: 209.525.6330 Fax: 209.525.5911

DELIVERED VIA CERTIFIED MAIL, REGULAR US MAIL, AND EMAIL

December 28, 2017

Roy Reeves
Reeves Sand & Gravel, Inc.
PO Box 60
French Camp, CA 95231
reevesr211@att.net

Victor Marquez
6060 Carver Road
Modesto, CA 95356

*****NOTICE OF VIOLATION*****

SUBJECT: NON-PERMITTED MINING IN VIOLATION OF THE STATE SURFACE MINING & RECLAMATION ACT OF 1975

Dear Mr. Reeves and Mr. Marquez,

This Notice of Violation is issued pursuant to California Public Resources Code section 2774.1(a). The County has determined that you are operating a non-permitted mining operation, at 6060 Carver Road, in violation of the requirements of State Surface Mining and Reclamation Act ("SMARA"), by exceeding the limits of your grading permit and otherwise failing to obtain a SMARA compliant permit under California Public Resources Code section 2770 et seq.

In 2016, the County issued a grading permit to allow for agricultural grading and leveling of approximately 5.4± acres of an 8 acre parcel located at 6060 Carver Road, in the Modesto area, further identified as Assessor Parcel No. 004-066-052. The grading permit allowed you to excavate to a maximum depth of 12-feet to remove sandy soil that was to be replaced with heavier soil you stated was needed to increase irrigation efficiency on the subject property. The project was approved by the County based on your commitment that the excavated site would be returned to grade and that the site would be planted in alfalfa. The County issued the grading permit pursuant to your request for the project to be exempted from the State Mining and Reclamation Act (SMARA) and local requirements that required the project to obtain a Use Permit and Reclamation Plan for the purpose of mining. Excavations or grading conducted for farming are permitted in compliance with County Code Section 21.88.040A. Pursuant to your request, the County determined the described excavation of the site to be exempt from SMARA because of your assertions that the project was solely for agricultural purpose and the agricultural exemption was documented with the issuance of Staff Approval Permit No. PLN 2016-0030.

On December 5, 2017, the County received a complaint and a site inspection was conducted by the County Public Works Department. Upon inspection the County determined that a mining pit in excess of 30+ feet deep was present on-site. Consequently, you have exceed the authorization granted

under the subject grading permit and are engaged in non-permitted surface mining operations in violation of the County's Zoning Ordinance and California Public Resources Code section 2770(a).

In order to address this violation you must take the following corrective actions within 30 days of the date on this notice (California Public Resources Code section 2774.1(a)(1)(B)):

1. Install a 6-foot chain-link fence along the entire perimeter of the mined area and cease all operations. Except for actions necessary to protect against imminent danger to life or neighboring property; do not engage in any further excavation or related activity on the property until instructed, ordered, or permitted to do so by the County.
2. Enter into a Stipulated Order pursuant to California Public Resources Code section 2774.1(a)(2) to determine the remedial activities that must take place to address the dangerous conditions your unpermitted mining operation has created as well as the time for completion of those activities. To establish the terms of the Stipulated Order, you are required to schedule a meeting with Mr. Frederic Clark, Public Works Deputy Director [(209) 525-4302, clarkf@stancounty.com], or designee, within 5 calendar days of this notice; the meeting shall held no later than 14 calendar days from the date of this notice.

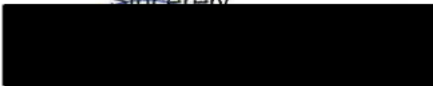
Because of the dangers to life and property arising out of your non-permitted mining activities, the County requests that you install a 24-hour security surveillance camera system with resolution of no less than 1280 x 1024 pixels at the excavation site. If installed, cameras shall be placed to monitor activity occurring within the excavation area, 50 feet beyond the excavation area, and all equipment staging areas as well as all entrances and exits to the excavation area; the surveillance camera system shall record continuously for 24-hours and at a minimum of ten frames per second; and all video and audio recordings shall be maintained in an unaltered stated for a period of 45 days and shall be marked with the date and time made.

Should you fail to comply with this Notice of Violation and fail to take the actions required within the times stated herein, the County will issue an Order to Comply pursuant to California Public Resources Code section 2774.1(a)(3)(A), which may lead to additional enforcement action, penalties, and/or legal action.

If you believe you are not in violation of the requirements of SMARA, you may follow the procedure set out in California Public Resources Code section 2774.1 to challenge this determination.

Please contact me at (209) 525-6330 or wyser@stancounty.com if there are any questions concerning this matter.

Sincerely,


Rachel Wyse
Senior Planner

CC:

Thomas Boze, Assistant County Counsel
Amanda DeHart, Deputy County Counsel
Angela Freitas, Director of Planning and Community Development
Pat Perez, Supervisor, California Division of Mine Reclamation
Matthew Machado, Public Works Director
Frederic Clark, Public Works Deputy Director