

# CHAPTER 1

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## Introduction

### 1.1 Project Context

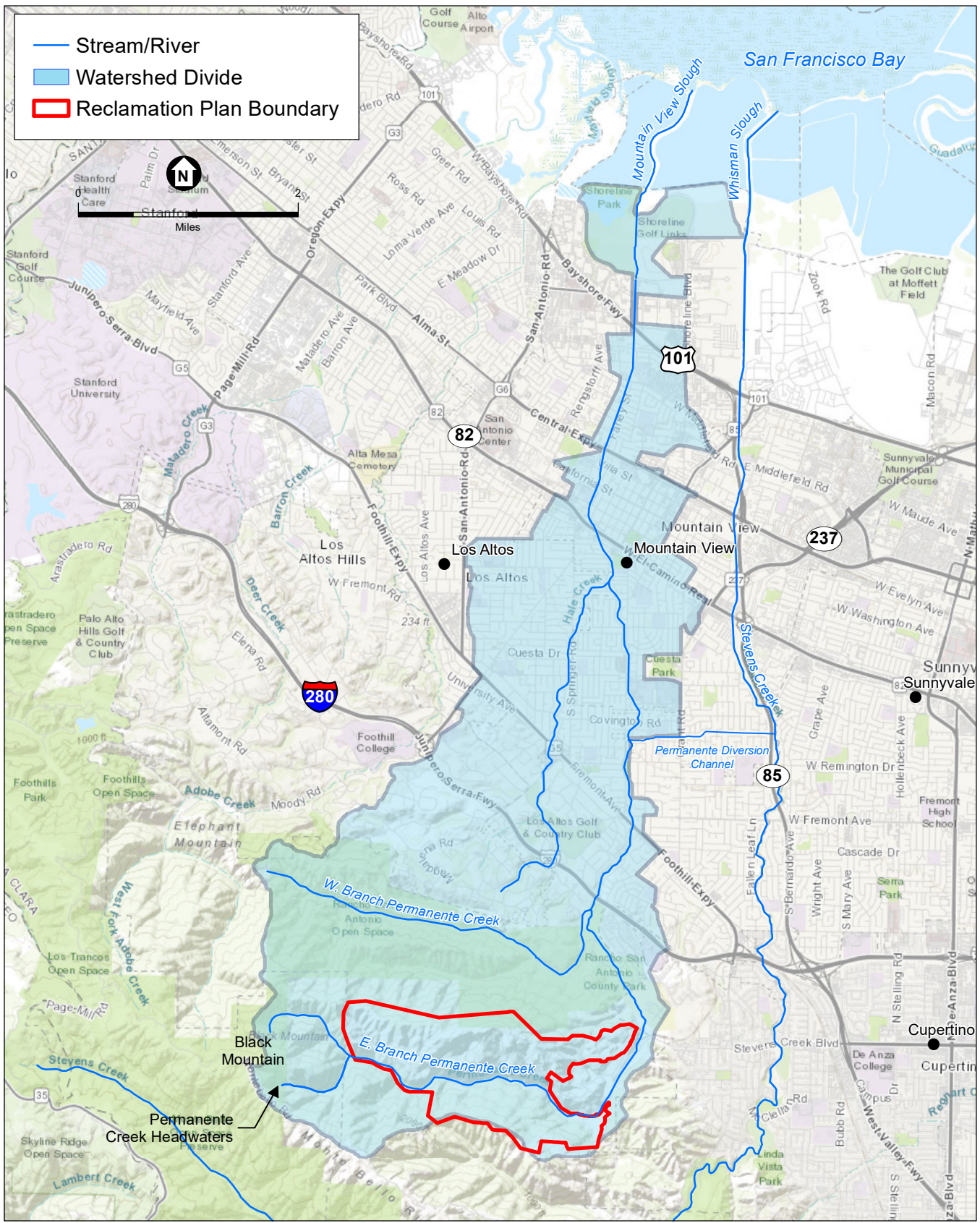
Hanson Permanente Cement, Inc. (Hanson) owns, and Lehigh Southwest Cement Company (Lehigh Southwest) operates, two adjacent facilities located in the foothills west of Cupertino in unincorporated Santa Clara County: the Permanente Quarry and the Lehigh Cement Plant. (This document refers to the two cement companies collectively as “Lehigh.”) The Permanente Quarry is a limestone and aggregate mining operation that operates subject to vested rights and the provisions of a Reclamation Plan that was originally approved in 1985 and amended in 2012 (referred to herein as the “2012 Reclamation Plan Amendment”). The cement plant operates pursuant to a use permit issued by the County of Santa Clara (County), approved by the Planning Commission on April 28, 1939.

These facilities are located along the east branch of Permanente Creek within the Permanente Creek watershed (**Figure 1-1**). Permanente Creek’s main channel is approximately 13.1 miles long. The creek’s headwaters rise on the southeast side of Black Mountain approximately 0.6 mile west of the western boundary of Lehigh’s property. Approximately 4.2 miles of Permanente Creek traverse the property, including portions of the creek that have been realigned into a straight channel or placed in underground culverts. From Lehigh’s property, Permanente Creek flows through the cities of Los Altos and Mountain View in two locations: The creek flows into Mountain View Slough and north into San Francisco Bay; it also flows east into the Permanente Creek Diversion Channel, with flows continuing north in Stevens Creek and Whisman Slough before discharging into the bay (Figure 1-1).

Mining wastes, overburden,<sup>1</sup> and sediment have entered Permanente Creek over time to the detriment of water quality, habitat, and the creek’s natural function. In March 2011, Lehigh proposed the draft Permanente Creek Long-Term Restoration Plan (2011 Creek Restoration Plan) to the San Francisco Bay Regional Water Quality Control Board (RWQCB) pursuant to San Francisco Bay RWQCB–imposed Cleanup and Abatement Order No. 99-018. Details about Cleanup and Abatement Order No. 99-018, and the subsequent consent decree entered into by Lehigh that refined the 2011 Creek Restoration Plan to become the Permanente Creek Restoration Project (Project), are provided below.

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<sup>1</sup> In the quarry context and as defined in the Draft 2012 Reclamation Plan Amendment Environmental Impact Report (page ES-3), *overburden* refers to rock materials that are not suitable for use as limestone or aggregate.



SOURCE: Creek and Watershed Map of the Santa Clara basin, 2005; Benchmark Resources, 2021

Permanente Creek Restoration Plan Supplemental Environmental Impact Report

**Figure 1-1**  
Permanente Creek

As part of the draft 2011 Creek Restoration Plan, Lehigh proposed to restore the streambed, banks, and floodplain in an area in and adjacent to Permanente Creek that overlapped with Lehigh's then-proposed quarry reclamation activities. The County analyzed the potential environmental impacts of the quarry reclamation and creek restoration in the 2012 Reclamation Plan Amendment Environmental Impact Report (2012 EIR) (State Clearinghouse No. 2010042063), certified by the County Board of Supervisors in June 2012. The 2012 EIR referred to the area of overlap as the "Permanente Creek Restoration Area" or "PCRA."

After the County certified the 2012 EIR, Lehigh further developed and refined the draft 2011 Creek Restoration Plan, in part to fulfill the requirements of an amended consent decree between the Sierra Club and Lehigh/Hanson Permanente Cement, Inc., dated May 11, 2016 (Amended Consent Decree). For a copy of the Amended Consent Decree, see **Appendix B**. Provisions of the Amended Consent Decree, specifically including the creek restoration requirements in paragraphs 33–42, identify restoration duties imposed on Lehigh that stem from Cleanup and Abatement Order No. 99-018. The resulting modifications to the draft 2011 Creek Restoration Plan are reflected in Lehigh's *Permanente Creek Restoration Plan Updated 90% Level Submittal Design Basis Technical Memorandum* (90% Design Memo), prepared in 2019 and updated in 2022 by Waterways Consulting Inc. (**Appendix C**). The refined plan is called the Permanente Creek Restoration Plan (PCRP). See Section 1.2 and Chapter 2 for details.

Modifications in the PCRP have changed the Project analyzed in the 2012 EIR in a way that warrants further discretionary approval by the County, in the form of a Grading Approval by the Planning Official at the County of Santa Clara Department of Planning and Development (County Planning Department) for work proposed outside the Reclamation Plan boundary that was approved in 2012. Accordingly, the County Planning Department must conduct additional environmental review under the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and its implementing regulations (the CEQA Guidelines, California Code of Regulations [Cal. Code Regs.] Title 14, Section 15000 et seq.) before the proposed creek restoration work may proceed (Public Resources Code Section 21166; 14 Cal. Code Regs. Section 15162). See Section 1.3.1 regarding necessary approvals and Section 1.3.2 regarding the CEQA process for the PCRP.

On July 27, 1999, the San Francisco Bay RWQCB issued Cleanup and Abatement Order No. 99-018 regarding the "discharge of concrete and other wastes into Permanente Creek" from the Permanente Quarry and Lehigh Cement Plant (RWQCB 1999). The order required the implementation of interim and long-term corrective actions. To fulfill the last requirement of Order No. 99-018, Lehigh<sup>2</sup> prepared the draft 2011 Creek Restoration Plan.

The draft 2011 Creek Restoration Plan identified reach-specific and site-specific restoration recommendations, identified optional restoration design alternatives, contained implementation

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<sup>2</sup> Henry J. Kaiser founded the Kaiser Permanente Cement Plant in 1939. Hanson Permanente Cement, Inc., acquired Kaiser Cement in 1986, and the cement company was renamed Hanson Permanente Cement in 1999. The Permanente Quarry and Cement Plant are currently owned by Hanson Permanente Cement, Inc., and operated by Lehigh Southwest Cement, a wholly owned subsidiary of Lehigh Cement Company LLC, which is a wholly owned subsidiary of Lehigh Hanson, Inc. Lehigh Hanson, Inc. is a wholly owned indirect subsidiary of Heidelberg Cement AG.

schedules, and updated prior reports based on more recent field reconnaissance. The plan focused on the long-term removal of structures in and adjacent to the creek and restoration of the creek's riparian zone. In the draft 2011 Creek Restoration Plan, Lehigh presented a prioritized list of recommended actions that could be implemented without interfering with active operations. The actions were recommended to address erosion or other potential sediment sources to Permanente Creek, previously installed infrastructure no longer necessary or beneficial, and geomorphological conditions that could be improved.

On December 19, 2011, the Sierra Club sued Lehigh in federal district court, alleging ongoing violations of the Clean Water Act at the Permanente Quarry and Cement Plant. The lawsuit included allegations that Lehigh caused overburden and sediment to enter the bed and banks of Permanente Creek without the necessary permitting pursuant to Clean Water Act Section 404 (U.S. Code Title 33, Section 1344) and that such fill could degrade the creek's water quality, habitat, and natural function. The lawsuit resulted in a negotiated Consent Decree between Lehigh and the Sierra Club in June 2013. The Consent Decree was substantively amended in 2016 to update the scope of the PCRCP (Appendix B).

At the same time the San Francisco Bay RWQCB was evaluating water quality issues related to the quarry and cement plant, the County was evaluating Lehigh's proposed 2012 Reclamation Plan Amendment. The County issued a draft EIR in December 2011, issued the final EIR in May 2012, and certified it in June 2012. The draft version of the 2012 EIR is referred to in this document as the "Draft 2012 EIR." The final 2012 EIR, including responses to comments and revisions made to the Draft 2012 EIR, is referred to in this document as the "Final 2012 EIR." The certified EIR, including the Draft 2012 EIR together with the responses to comments and revisions identified in the Final 2012 EIR, is referred to simply as the "2012 EIR."

In June 2012, Lehigh received County approval to extend the term of its Reclamation Plan until 2032. The area within the 2012 Reclamation Plan Amendment's boundaries totaled 1,238.7 acres, including an up to 49.2-acre area of disturbance along Permanente Creek, as well as the adjacent hillsides within a 120.2-acre area referred to in the 2012 EIR as the PCRA (Draft 2012 EIR Section 1.2, page 1-2). The PCRA had been affected by mining activities, erosion events, and activities to control erosion in that area (Draft 2012 EIR Section 2.6.7, page 2-12). The 2012 EIR identified the PCRA as one of the primary areas to be reclaimed, and a subset of those activities includes the PCRCP (Draft 2012 EIR Section ES.4.1, page ES-3; Section 2.1, page 2-1). For mapping and illustrative purposes, the PCRA was divided into seven subareas (Draft 2012 EIR Section 2.7.8, page 2-26).

## 1.2 Permanente Creek Restoration Plan

The PCRCP further develops and refines the previously proposed creek restoration work that was analyzed in the 2012 EIR. The work described in the plan would restore and modify specific segments of Permanente Creek located within and outside of the existing Reclamation Plan boundary for the Lehigh Permanente Quarry. It is described and shown in detail on figures included in the 90% Design Memo (Appendix C); see also Figure 2-3, *PCRA Subareas and PCRCP Reaches*, in Chapter 2. The PCRCP would be implemented within an area of up to 135.6 acres and result in the

restoration of approximately 9,000 linear feet of Permanente Creek along the southern edge of Lehigh's property.

The PCRP, to the extent that Lehigh's 90% Design Memo differs from what was analyzed in the PCRA in the 2012 EIR, is the proposed "Project" for purposes of this analysis. To the extent that the PCRP activities and impacts are the same in Lehigh's 90% Design Memo as described and analyzed in the 2012 EIR, this document does not reanalyze them.

The Project includes the following major components:

- **Concrete Channel Area:** In this area (Reach 6), Lehigh would:
  - Encourage the development of a mature riparian canopy along the southern bank to shade the existing concrete channel to reduce solar heat gain on instream flow and discourage the establishment of tules.
  - Preserve existing native vegetation.
  - Remove non-native species and suppress weeds around existing native seedlings and smaller native plants to encourage their establishment.
  - Install native vegetation.
- **Channel Widening Area, Including the Rock Pile and Pond 13:** In this area (Reaches 8-13), Lehigh would:
  - Remove concrete road segments.
  - Decommission or narrow dirt roads, construct floodplain bench areas with habitat elements, and reduce access road width.
  - Remove 1,190 linear feet of culverts (approximately 260 linear feet at the Channel Widening Area and an additional 930 linear feet at the Rock Pile Area), and daylight the creek to improve passage conditions for fish (e.g., rainbow trout) and increase ecological complexity.
  - Install large woody debris at two culvert removal sites.
  - Remove imported sediment from the bed and banks of a tributary reach.
  - Selectively remove rock slope protection and concrete rubble bank protection in an area where adequate mature riparian vegetation is providing root reinforcement to bank soils.

Specifically in the Rock Pile Area, Lehigh would:

- Remove concrete road segments and road-related fill material.
- Remove additional culverts and daylight the creek to help improve fish passage conditions and ecological complexity.
- Construct a new channel with floodplain bench areas with habitat elements.



- Remove the existing stockpile of aggregate material and the idled rock plant conveyor system and associated infrastructure.

Lehigh would also remove the Pond 13 dam infrastructure and construct a restored channel through the area. Native vegetation would be installed throughout the Channel Widening Area.

- **Material Removal Area, including the “Old Crusher Foundation”:** In this area (Reaches 17 and 18), Lehigh would:
  - Remove overburden/fill and cut back a portion of what is referred to as the “old concrete crusher foundation” that abuts the creek channel,<sup>3</sup> and remove two upslope relic concrete structures.
  - Move the north toe of the slope northward.
  - Construct a new channel with floodplain bench areas with habitat elements that would help improve fish passage conditions and ecological complexity.
  - Install native vegetation.

## 1.3 CEQA Process Overview

### 1.3.1 Discretionary Approvals Required

Permits and other authorizations, including a discretionary permit from the County Planning Department, are expected to be required to implement the PCRFP. The following approvals are expected to be necessary.

- *From the County:* A County Planning Department–level discretionary Grading Approval to authorize grading proposed in areas outside the existing Reclamation Plan boundary (County File No. PLN17-2250).
- *From the San Francisco Bay RWQCB:* A Clean Water Act Section 401 certification associated with the U.S. Army Corps of Engineers (USACE) Section 404 nationwide permit.
- *From CDFW:* A California Fish and Game Code Section 1602 streambed alteration agreement.
- *From USACE:* A Clean Water Act Section 404 nationwide permit, and USACE’s consultation with the U.S. Fish and Wildlife Service (USFWS) regarding federally listed species, including the California red-legged frog, pursuant to federal Endangered Species Act Section 7 (USACE File No. 2008-00356; USFWS File No. 08ESMF00-2016-TA-2377).

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<sup>3</sup> Work on the old concrete crusher foundation would be performed using reasonable methods and equipment, including small equipment with materials and spoils lowered and raised via a constant rate descender or equivalent.

## 1.3.2 Decision to Prepare a Supplemental Environmental Impact Report

A lead agency may choose to prepare a supplement to an existing EIR if any of the conditions described in CEQA Guidelines Section 15162 would require the preparation of a subsequent EIR, and if only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation (Public Resources Code Section 21166; 14 Cal. Code Regs. Section 15163[a]).

In the 2012 EIR, the County evaluated the impacts of Lehigh's proposed restoration of Permanente Creek within the seven subareas collectively identified as the PCRA. Lehigh now proposes to implement the PCRCP with the modifications described in Chapter 2, *Project Description*, and has requested that the County consider a Grading Approval application for a modification of the previously proposed and evaluated work. The County Planning Department is continuing in its lead agency role for purposes of the Project's CEQA analysis. In this capacity, the County Planning Department has determined that only minor additions or changes would be necessary for the 2012 EIR to adequately apply to the PCRCP, and thus has decided to prepare a supplemental EIR (SEIR). An SEIR need only contain the information necessary to make the previous EIR adequate for the project as revised (14 Cal. Code Regs. Section 15163[b]).

This SEIR has been prepared in accordance with CEQA and the CEQA Guidelines. It focuses exclusively on the PCRCP, including:

- Aspects of restoration proposed outside the existing Reclamation Plan boundary, where a Grading Approval authorization would be required.
- Aspects of restoration proposed within the Reclamation Plan boundary but outside the disturbance areas within the PCRA subareas, where a Grading Approval would not be required (County Ordinance Section C12-407).
- To ensure that the impacts of the whole of the Project are considered, aspects of restoration proposed within one or more of the previously analyzed PCRA subareas.

The SEIR focuses on whether the Project as revised could cause a new significant impact or a substantial increase in the severity of a significant impact previously identified and evaluated in the 2012 EIR. It does not reevaluate other aspects of the 2012 EIR or other activities that may occur on Lehigh's property, such as operation of the cement plant, ongoing mining activities, or any proposed amendments to the Lehigh Permanente Quarry 2012 Reclamation Plan Amendment (File PLN19-0106).

The County Planning Department is aware that "a development proposal cannot be 'segmented' or otherwise divided into parts for purposes of CEQA analysis," and it has not done so here. CEQA defines "project" as "the development proposal" received by an agency, and "the activity which is being approved" or considered for approval (14 Cal. Code Regs. Sections 15378[c] and 15378[d]). The County Planning Department received and is considering an application for a Grading Approval for the creek restoration work that would occur outside the existing Reclamation Plan boundary. The scope of this CEQA analysis is appropriately tailored to the

environmental considerations attendant to the evaluation of the potential impacts of the whole of the grading work.

### 1.3.3 Pre-scoping Activities

The County Planning Department initiated pre-scoping activities after receiving the application for Grading Approval. Pre-scoping activities included initial agency outreach, which resulted in input that was considered as part of the application completeness process and that identified potential issues of concern for further consideration as part of the CEQA process. Pre-scoping input was received, for example, from the following agencies:

- The San Francisco Bay RWQCB, regarding the following topics (Wines, pers. comm., 2019):
  - The 2019 version of the 90% Design Memo prepared by Waterways Consulting, Inc. (which, as updated in 2022, is included in Appendix C).
  - The Geologic and Geomorphic Assessment of Permanente Creek prepared by Golder in 2019 (**Appendix G1**).
  - Differentiation of native soils and overburden/mining wastes.
  - Geotechnical recommendations.
  - The nature of materials in the channel near the Yeager Yard slope.
  - Characteristics of the proposed silt fencing.
  - Characterization of existing selenium levels in sediments in ponds.
  - Continued operation of the Final Treatment System–Upper (“FTS-Upper”), which treats water generated from the site.
- CDFW, regarding proposed activities and potential impacts in the Rock Pile Area and site-specific geotechnical and engineering geologic studies (Garrison, pers. comm., 2019).
- USFWS, regarding the potential for “take” (i.e., harm, capture, injury, or mortality) of California red-legged frog as a result of the excavation of sediments within the Project site (Terry, pers. comm., 2019).

### 1.3.4 Scoping Activities

CEQA Guidelines Section 15083 provides that a “Lead Agency may...consult directly with any person...it believes will be concerned with the environmental effects of the project.” Scoping is the process of early consultation with affected agencies and the public before completion of a draft EIR. CEQA Guidelines Section 15083(a) states that scoping can be “helpful to agencies in identifying the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in an EIR and in eliminating from detailed study issues found not to be important.” Scoping is an effective way to bring together and consider the concerns of affected state, regional, and local agencies, the project proponent, and other interested persons (14 Cal.



Code Regs. Section 15083[b]). The purpose of scoping is to determine the scope of information and analysis to be included in an EIR, and thereby to ensure that an appropriately comprehensive and focused EIR will be prepared that provides a firm basis for informed decision-making.

The scoping process for this SEIR included the following:

- **Notice of preparation (NOP):** On April 13, 2021, the County Planning Department published and distributed an NOP to advise interested federal, state, regional, and local agencies and the public that an SEIR would be prepared for the Project. The NOP was provided to the State Clearinghouse and the County Clerk, and was emailed to recipients on the “Lehigh interested parties” list. An electronic copy of the NOP also was posted on the County Planning Department’s website: <https://plandev.sccgov.org/policies-programs/smara/permanente-quarry-lehighhanson/PLN17-2250>.
- **Agency-specific scoping:** County Planning Department staff held an agency-specific scoping call with San Francisco Bay RWQCB staff on June 24, 2021, regarding key issues to be addressed in the SEIR and related data needs.
- **Public scoping meeting:** The County Planning Department conducted a virtual public scoping meeting on Thursday, April 29, 2021, from 6 to 8 p.m. The presentation included an overview of the Project, the environmental review process, and instructions for public participation.
- **Scoping period:** The SEIR scoping period lasted from April 13, 2021, to May 13, 2021. In addition to oral comments made at the public scoping meeting, nine comment letters were received during the scoping period. The County Planning Department received scoping input regarding air quality, biological resources, cultural and tribal cultural resources, hydrology and water quality, mineral resources, the Project description, and potential alternatives. All input received on or before the end of the scoping period is documented in the scoping report provided in **Appendix A** to this Draft SEIR.

### 1.3.5 Draft SEIR

Preparation of the Draft SEIR has followed and been informed by the scoping process. Article 9 of the CEQA Guidelines (14 Cal. Code Regs. Sections 15120–15132) establishes the required contents of an EIR. These contents, as they apply to the environmental analysis of the Project, are summarized below.

- **Table of contents or an index:** A table of contents is provided.
- **Summary:** An executive summary is provided.
- **Project description:** A description of the Project is provided in Draft SEIR Chapter 2.
- **Environmental Setting:** The environmental setting for the Project is described on a resource-by-resource basis in the 2012 EIR and, for the areas of focus in this SEIR, in Draft SEIR Chapter 3.
- **Analysis of direct, indirect, and cumulative impacts of the proposed project:** Potential impacts of the PCRCP are described in Draft SEIR Chapter 3 to determine whether the

conclusions about potential effects of the PCRCP may differ from the analysis documented in the 2012 EIR.

- **Consideration and discussion of mitigation measures proposed to minimize potential significant impacts:** As described in Draft SEIR Chapter 3, the PCRCP would cause no new significant impacts and no substantial increase in the severity of significant impacts previously identified in the 2012 EIR. Consequently, no new mitigation measures are required to reduce the effects of the PCRCP activities. **Table 3.0-1, *Summary of Environmental Issue Areas and Impact Conclusions***, identifies the impact conclusions from the 2012 EIR, and identifies the mitigation measures that would continue to be implemented in connection with the Permanente Creek restoration activities.
- **Consideration and discussion of alternatives to the proposed project, including a No Project Alternative:** The alternatives development screening process, alternatives rejected from detailed consideration, and the alternatives evaluated in detail are described in Draft SEIR Chapter 4.
- **Organizations and persons consulted:** Federal, state, and local agencies; tribal entities and members; and organizations and individuals consulted pursuant to the preparation of this Draft SEIR are identified in Section 5.3, *Entities Consulted and Recipients of the Draft SEIR*.

### 1.3.6 Agency and Public Review

As required by CEQA, this Draft SEIR is being made available for agency and public review and comment for at least 45 days. Copies were provided to the State Clearinghouse for circulation to interested state agencies. Printed copies of the Draft SEIR and electronic copies of all appendices and all documents referenced in the Draft SEIR are available for public review during normal business hours at the County Planning Department. An electronic copy of the Draft SEIR is available for all-hours access on the County's website:

<https://www.sccgov.org/sites/dpd/Programs/SMARA/PermanenteQuarry/Pages/PermanenteCreekRestoration.aspx>.

Notifications of the availability of the Draft SEIR and information about how to access it were sent directly to responsible, trustee, and local agencies; the County Clerk's office; and the tribal entities and members, organizations, and individuals identified in Section 5.3, *Entities Consulted and Recipients of the Draft SEIR*. Notice of the availability of the Draft SEIR was also published in the *Cupertino Courier*.

Please submit any written comments on the Draft SEIR to the following address:

County of Santa Clara Department of Planning and Development, Planning Office  
**Attention: Robert Salisbury**  
County Government Center  
70 West Hedding Street, 7th Floor, East Wing  
San Jose, CA 95110  
Email: [Robert.Salisbury@pln.sccgov.org](mailto:Robert.Salisbury@pln.sccgov.org)

The County Planning Department will review all substantive comments received during the review period and provide written responses in a Final SEIR. The Final SEIR will be made available to agencies and the public, and will provide a basis for agency decision-making.

### 1.3.7 Final EIR

After the end of the Draft SEIR's public review period, the County Planning Department will review and consider the Final SEIR before taking action on the requested Grading Approval for the PCRCP.

### 1.3.8 Findings of Fact and Decision-Making

After publication of the Final SEIR and before deciding whether to certify the SEIR or approve, modify, or deny the requested Grading Approval for the PCRCP, the Planning Official will make the following findings regarding each significant impact consistent with Public Resources Code Section 21081:

- Changes or alterations have been required in, or incorporated into, the PCRCP that mitigate or avoid the significant effects on the environment.
- Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency. OR
- Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the SEIR.

With respect to any significant effects that are subject to the third finding, the Planning Official must find that specific overriding economic, legal, social, technological, or other benefits of the Project outweigh its potential to result in significant unavoidable adverse effects on the environment before it could approve the Project. A statement of overriding considerations would not otherwise be required.

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## 1.4 References

Garrison, Kristin. Environmental Scientist. California Department of Fish and Wildlife, Bay-Delta Region, Habitat Conservation Program, Fairfield, CA. December 10, 2019—email to Claudia Garcia of Ascent Environmental containing comments on Lehigh Revised Materials for Permanente Creek Restoration Project.

San Francisco Bay RWQCB (San Francisco Bay Regional Water Quality Control Board). 1999. Cleanup and Abatement Order No. 99-018 Hanson Permanente Cement Company, Inc. (Formerly Kaiser Cement Corporation) Cupertino, Santa Clara County, California.

Terry, Joseph. U.S. Fish and Wildlife Service. February 11, 2019—email to Erika Guerra, Lehigh Hanson, containing responsive information on Permanente Creek Restoration Project, Santa Clara County (File Number 2008-00356).

URS Corporation. 2011. *Permanente Creek Long-Term Restoration Plan*. Oakland, CA. Prepared for Lehigh Southwest Cement Company, Cupertino, CA. March 11, 2011.

Wines, Brian. Water Resource Control Engineer. San Francisco Bay Regional Water Quality Control Board. December 9, 2019—email to Claudia Garcia of Ascent Environmental and Lindsay Whalin, Lisa McCann, and John Madigan of San Francisco Bay Regional Water Quality Control Board containing comments on Lehigh Revised Materials for Permanente Creek Restoration Project.