

EXECUTIVE SUMMARY

ES.1 Introduction

Hanson Permanente Cement, Inc. (Hanson) owns, and the Lehigh Southwest Cement Company (Lehigh Southwest) operates (collectively “Lehigh”), two adjacent facilities in the Santa Clara County foothills west of the City of Cupertino in an unincorporated area of Santa Clara County: Permanente Quarry and the Lehigh Cement Plant. 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 then amended in 2012 (2012 Reclamation Plan Amendment).

Lehigh submitted a Grading Approval application for the Permanente Creek Restoration Project (PCRP) to restore and modify specific segments of Permanente Creek located within and outside of the existing Reclamation Plan boundary for the Permanente Quarry. This Draft Supplemental Environmental Impact Report (SEIR) analyzes the direct, indirect, and cumulative environmental impacts of the PCRP, which includes revisions made by Lehigh to the March 2011 (draft) Permanente Creek Long-term Restoration Plan (2011 Creek Restoration Plan), the environmental impacts of which were analyzed by the County of Santa Clara (the County) as part of the 2012 Lehigh Permanente Quarry Reclamation Plan Amendment Environmental Impact Report, State Clearinghouse No. 2010042063 (2012 EIR). Lehigh has revised the draft 2011 Creek Restoration Plan since 2012 in part to fulfill the requirements set forth in the Amended Consent Decree between the Sierra Club and Lehigh dated May 11, 2016 (Amended Consent Decree). The creek restoration requirements, set forth in paragraphs 33 through 42 of the Amended Consent Decree, reflect restoration duties imposed on Lehigh that originally stem from San Francisco Regional Water Quality Control Board Cleanup and Abatement Order No. 99-018, which led to the development of the draft 2011 Creek Restoration Plan. The revised restoration plan is called the Permanente Creek Restoration Plan (PCRP). Events leading up to the development of the draft 2011 Creek Restoration Plan, the County’s 2012 EIR, and the 2016 Amended Consent Decree are described in Section 1.1, *Project Context*. The draft 2011 Creek Restoration Plan and the 2012 EIR are available for review on the County’s website;¹ a copy of the Amended Consent Decree is provided in **Appendix B**, *Amended Consent Decree*; a copy of the *Permanente Creek Restoration Plan Updated 90% Level Submittal Design Basis Technical Memorandum* (90% Design Memo), which is the technical document that describes the PCRP, is provided in **Appendix C**.

¹ County of Santa Clara, 2021. Permanente Creek Restoration Project (File PLN17-2250). <https://plandev.sccgov.org/policies-programs/smara/permanente-quarry-lehighhanson/PLN17-2250>.

Both the draft 2011 Creek Restoration Plan and the PCRP (which is the Project being analyzed in this SEIR) focus on the removal of structures in and adjacent to Permanente Creek, and restoration of the creek's riparian zone. The draft 2011 Creek Restoration Plan proposed to restore portions of Permanente Creek within the subset of the Permanente Quarry's existing Reclamation Plan boundary that the 2012 EIR called the Permanente Creek Restoration Area (PCRA). The PCRP builds on the earlier-approved restoration work by proposing to restore and modify specific segments of Permanente Creek within and beyond the earlier plan. More specifically, pursuant to the PCRP, creek restoration activities would be implemented within an up-to 135.6-acre area, which consists of the 120.2-acre PCRA described and analyzed in the 2012 EIR, a 12.9-acre portion of the existing Reclamation Plan boundary where creek restoration activities were not described and analyzed in the 2012 EIR, and an additional 2.5 acres beyond the existing Reclamation Plan boundary where restoration work would occur pursuant to the PCRP. The 135.6-acre area where the PCRP would be implemented is the "Project site" for purposes of this SEIR. The PCRP is described and shown in detail on figures included in the 90% Design Memo.

Grading is proposed in the PCRP outside the existing Reclamation Plan boundary in Reaches 6 through 8. See **Figure 2-3, Correlation of PCRA Subareas and PCRP Reaches**. Accordingly, grading work in these areas would require the County of Santa Clara Department of Planning and Development (County Planning Department) to issue a discretionary Grading Approval (County File No. PLN17-2250). Discretionary decisions such as this require environmental review pursuant to the California Environmental Quality Act (CEQA, Public Resources Code Section 21000 et seq.) and its implementing regulations (the CEQA Guidelines, 14 Cal. Code Regs. Section 15000 et seq.). Because only minor additions or changes would be necessary to make the 2012 EIR adequately apply to the Project in the changed situation, the County has elected to prepare an SEIR.

The SEIR analyzes whether the PCRP would cause one or more new significant impacts or a substantial increase in the severity of a significant impact than was disclosed in the 2012 EIR and, on the basis of this analysis, has determined that it would not. The analysis in Chapter 3, *Project Impacts and Mitigation Measures*, focuses on three things:

1. PCRP areas outside of the existing Reclamation Plan boundary for which Grading Approval would be required (i.e., in Reaches 6 through 8).
2. PCRP areas within the Reclamation Plan boundary and within the 120.2-acre PCRA but outside of the PCRA's 49.2-acre disturbance area.
3. More generally, whether the PCRP proposes work at greater intensity than previously considered in the 2012 EIR.

Based on the explanation provided in Section 2.3, *Focus of the Supplemental EIR*, including as summarized in Table 2-1, *Specific Areas of Focus for the Supplemental EIR*, the analysis of Project impacts in Chapter 3, *Project Impacts and Mitigation Measures*, focuses on Reaches 6 through 13 and Reaches 17 and 18 as key areas for evaluation. See Section 2.4, *Correlation between 2012 EIR PCRA and the PCRP*, for a correlation of the restoration activities described and analyzed in the 2012 EIR and the restoration activities described in the PCRP and analyzed in

this SEIR. Section 2.5, *Permanente Creek Restoration Plan*, details the PCRCP’s proposed activities on a reach-by-reach basis.²

ES.2 Purpose, Focus, and Use of this SEIR

ES.2.1 Purpose of this SEIR

This SEIR is an informational document whose purpose is not to recommend either approval or denial of the requested Grading Approval, but to inform agency decision-makers and the public of the potential environmental effects of the PCRCP as they compare to the project analyzed in the 2012 EIR. This SEIR assesses the direct, indirect, and cumulative environmental impacts that could occur as a result of Lehigh’s proposed revisions of the creek restoration project that are documented in the PCRCP relative to the draft 2011 Creek Restoration Plan. It also assesses the impacts of the alternatives to the PCRCP described in Chapter 4, *Alternatives*.

ES.2.2 Focus of this SEIR

In its initial evaluation of the PCRCP as described in Lehigh’s Grading Approval application and supporting materials, the County preliminarily determined that the PCRCP had the potential to cause one or more new significant impacts or substantially increase the severity of one or more significant impacts previously disclosed and evaluated in the 2012 EIR in some resource areas. However, for most resource areas, the 2012 EIR was sufficient to analyze the effects of the PCRCP. The County sought input from trustee, responsible, and other agencies, as well as from members of the public, as to the scope of the SEIR in its Notice of Preparation (NOP), which advised agencies and the public of its intention to focus the analysis on seven specific resource areas (i.e., air quality, biological resources, cultural resources, energy conservation, geology and soils, greenhouse gas (GHG) emissions, and hydrology and water quality). No comments were received from agencies or the public questioning this planned approach. A copy of the NOP and input received in response to the NOP are included in **Appendix A, Scoping Report**. Accordingly, these seven topics are evaluated in detail in Chapter 3, *Project Impacts and Mitigation Measures*, and in Chapter 4, *Alternatives*.

The remaining CEQA Guidelines Appendix G Environmental Checklist resource areas are addressed in Section 3.8, *Project Consistency with 2012 EIR*. Topics for which the PCRCP has been confirmed to be consistent with the 2012 EIR include: aesthetics, agriculture and forestry resources, hazards and hazardous materials, land use/planning, mineral resources, noise, population and housing, public services, recreation, transportation, and utilities and service systems. The discussion in Section 3.8 explains the basis for the determinations of consistency. Further, although the 2012 EIR did not analyze potential impacts on tribal cultural resources or wildfire, which were not added to the CEQA Guidelines Appendix G Environmental Checklist as

² The United States Geological Survey (USGS) defines “reach” as “a section of a stream or river along which similar hydrologic conditions exist, such as discharge, depth, area, and slope. It can also be the length of a stream or river (with varying conditions) between two stream gages, or a length of river for which the characteristics are well described by readings at a single stream gage. In practical use, a reach is just any length of a stream or river. The term is often used by hydrologists when they’re referring to a small section of a stream or river rather than its entire length.” (USGS 2021)

suggested topics of consideration until December 2018, this SEIR does so. As analyzed in Section 3.8.12, *Tribal Cultural Resources*, and in Section 3.8.14, *Wildfire*, the PCRCP would not result in a significant impact on either of these considerations.

ES.2.3 Use of this SEIR

The County will rely on the SEIR as it may be amended in response to agency and public input received following their review of this Draft SEIR, along with other information in the formal record, in deciding whether to approve, approve with modifications, or disapprove the requested authorization. Because environmental considerations are but one of multiple factors that may be considered when an agency is deciding whether to approve a project, factors that are outside the scope of CEQA that were raised during the scoping process or that may be raised in comments following the issuance of the Draft SEIR may be considered as part of the decision-making process. Other agencies with trustee responsibilities or permitting authority over the PCRCP, including but not limited to the San Francisco Regional Water Quality Control Board (RWQCB) and the California Department of Fish and Wildlife (CDFW), also may rely on this document in deciding whether to approve or issue other authorizations for the PCRCP. See Section 2.6, *Permits and Approvals*, for additional details.

ES.2.4 Materials Incorporated by Reference

The information in this SEIR supplements and incorporates by reference information from the documents listed below, each of which is available for review on the County Planning Department's website (<https://plandev.sccgov.org/policies-programs/surface-mining-and-reclamation-act-smara/permanente-quarry-lehighhanson/permanente-quarry-reclamation-plan-amendments#2250-2012>):

- County of Santa Clara, 2011. Lehigh Permanente Quarry Reclamation Plan Amendment Draft Environmental Impact Report.
- County of Santa Clara, 2012a. Lehigh Permanente Quarry Reclamation Plan Amendment Final Environmental Impact Report. As noted on the list of Key Acronyms and Terms, the 2011 Draft EIR and the 2012 Final EIR collectively are referred to as the “2012 EIR.”
- County of Santa Clara, 2012b. Final Conditions of Approval for the Reclamation Plan Amendment for Lehigh Permanente Quarry. Approved by Planning Commission, June 7, 2012, and modified by the Board of Supervisors on June 26, 2012 (a copy of which is provided in **Appendix H** to this Draft SEIR).

ES.3 Overview of Impacts and Mitigation Measures

The analysis of impacts in the 2012 EIR and this SEIR are analyzed in relation to pertinent significance criteria. Impacts are classified as one of five categories:

1. **Significant and Unavoidable:** A substantial or potentially substantial adverse change from the environmental baseline that meets or exceeds significance criteria, where either no feasible mitigation can be implemented, or the impact remains significant after implementation of mitigation measures.

2. **Less than Significant with Mitigation Incorporated:** A substantial or potentially substantial adverse change from the environmental baseline that can be avoided or reduced to below applicable significance thresholds.
3. **Less-than-Significant Impact:** An adverse impact that does not meet or exceed the significance criteria of a particular resource area and therefore does not require mitigation.
4. **Beneficial Effect:** An impact that would result in an improvement to the physical environment relative to baseline conditions.
5. **No Impact:** A change associated with the Project that would not result in an impact on the physical environment relative to baseline conditions.

ES.3.1 Significant and Unavoidable Impacts

Section 15126.2 of the CEQA Guidelines requires that an EIR describe any significant impacts, including those that can be mitigated but not reduced to less-than-significant levels if a project is implemented. Draft 2012 EIR Section 7.1 (at page 7-1 et seq.) identified significant unavoidable impacts of the Reclamation Plan Amendment (including creek restoration work in the PCRA as one component of the project as a whole) in four resource areas: aesthetics, biological resources, cultural resources, and hydrology. As a reminder, the 2012 EIR analyzed the amendment of a March 1985 surface mine Reclamation Plan for a 20-year period, where mine reclamation activities would occur within a 1,238.7-acre area that included the 120.2-acre PCRA. The 2012 EIR analyzed the impacts of that project as whole, and did not segment significance determinations specifically attributable to the PCRA. For this reason, impacts identified in the 2012 EIR as significant and unavoidable were not necessarily caused by the proposed creek restoration work.

As demonstrated by the analysis in Chapter 3, *Project Impacts and Mitigation Measures*, the PCRCP would cause no new significant unavoidable impacts and no substantial increase in the severity of a significant unavoidable impact, either at the Project-level or cumulatively, than was previously disclosed and evaluated in the 2012 EIR.

ES.3.2 Summary of Other Impacts and Mitigation Measures

For each of the resource areas identified in Section ES.2.2, *Focus of this SEIR*, Sections 3.1 through 3.7 provide an overview of the setting; analyze the potential direct, indirect, and cumulative impacts of the PCRCP; and identify mitigation measures designed to reduce potential significant impacts below established thresholds for each of the seven resource areas of focus. In each case, the implementation of one or more mitigation measures could reduce the severity of potential significant impacts below established thresholds, resulting in conclusions that these impacts would be less than significant with mitigation incorporated.

For the resource areas where the PCRCP was found to be consistent with the 2012 EIR, Section 3.8 briefly summarizes the rationale for concluding that the proposed creek restoration would not result in a potential significant impact on the resource that would be new or substantially more severe than was disclosed in the 2012 EIR. The PCRCP would cause either no impact or a less-than-significant impact with respect to each of the factors considered for these resources.

As discussed in Chapter 2, *Project Description*, the PCRCP includes the construction best management practices (BMPs) identified in Section 2.5.9.1 and the additional applicant-proposed measures (APMs) identified in Section 2.5.9.2. These BMPs and APMs are part of the Project and are not mitigation measures for purposes of CEQA.

Mitigation measures imposed by the County in the context of the 2012 EIR are ongoing obligations of Lehigh. Compliance with them is enforceable by the County independent of its consideration of the PCRCP. Accordingly, the 2012 mitigation measures are being carried forward (unchanged) for purposes of this analysis as part of the baseline condition. See **Appendix H1**, *Summary of Impacts and Mitigation Measures for the 2012 Permanente Quarry Reclamation Plan Amendment*. Other conditions of the 2012 approval that would be implemented or occur as part of the baseline condition for the PCRCP are set forth in **Appendix H2**, *2012 Conditions of County Approval*.

Table ES-1, *Summary of Environmental Issue Areas and Impact Conclusions*, identifies the environmental issue areas analyzed in the County's certified 2012 EIR, those analyzed in this Draft SEIR, and the CEQA significance conclusions reached for each area in each document.

Where the PCRCP (including BMPs and APMs) could result in a change in the baseline physical environment (including with the implementation of the 2012 EIR mitigation measures and conditions of approval) such that a new significant impact or a substantial increase in the severity of a previously identified significant impact could result, this SEIR recommends the addition of modified versions of one or more of the mitigation measures identified in the 2012 EIR or identifies one or more new mitigation measures, the implementation of which could reduce the severity of the impact below established thresholds. **Table ES-2**, included at the end of this Executive Summary, summarizes the impacts of and mitigation measures for the PCRCP independent of and in addition to the 2012 EIR mitigation measures, the implementation of which continue to be required by the existing 2012 approvals. Detailed analyses of impacts are contained in Chapter 3.

**TABLE ES-1
SUMMARY OF ENVIRONMENTAL ISSUE AREAS AND IMPACT CONCLUSIONS**

Environmental Impacts Identified in the 2012 EIR	Significance Conclusion Reached in 2012 EIR	Significance Conclusion Reached in this Draft SEIR	New Significant Impact or Substantial Increase in the Severity of a Significant Impact Identified in the 2012 EIR?
Aesthetics, Visual Quality, and Light and Glare			
4.1-1: Construction of the Project would have a substantially adverse effect on a scenic vista during an interim period. (Draft 2012 EIR, p. 4.1-40)	Significant and Unavoidable	No Impact (SEIR Section 3.8.2)	No
4.1-2: Monitoring and Maintenance of the Project would not have a substantially adverse long-term effect on a scenic vista. (Draft 2012 EIR, p. 4.1-41)	Less than Significant	No Impact (SEIR Section 3.8.2)	No
4.1-3: Construction of the Project would substantially damage scenic resources within a state- or County-designated scenic highway or route during the period of time when active reclamation activities are occurring. (Draft 2012 EIR, p. 4.1-42)	Significant and Unavoidable	No Impact (SEIR Section 3.8.2)	No
4.1-4: Neither active reclamation activities nor monitoring and maintenance of the Project would result in long-term substantial damage to scenic resources within a state- or County-designated scenic highway or route. (Draft 2012 EIR, p. 4.1-44)	Less than Significant	No Impact (SEIR Section 3.8.2)	No
4.1-5: The Project would alter and substantially degrade the existing visual character or quality of the Project area during the period of time when active reclamation activities are occurring. (Draft 2012 EIR, p. 4.1-45)	Significant and Unavoidable	No Impact (SEIR Section 3.8.2)	No
4.1-6: The implementation of active reclamation activities would alter, but not permanently substantially degrade, the existing visual character or quality of the Project area. (Draft 2012 EIR, p. 4.1-47)	Less than Significant	No Impact (SEIR Section 3.8.2)	No
4.1-7: Lighting required for the Project would not adversely affect daytime or nighttime views in the Project area. (Draft 2012 EIR, p. 4.1-48)	Less than Significant with Mitigation Incorporated	No Impact (SEIR Section 3.8.2)	No
4.1-8: The Project would not create new permanent sources of light or glare that would affect daytime or nighttime views in the area. (Draft 2012 EIR, p. 4.1-49)	Less than Significant	No Impact (SEIR Section 3.8.2)	No
6-1: Project construction activities could make a cumulatively considerable contribution a substantial adverse effect on a scenic vista and degradation of the existing visual character or quality of the Project area. (Draft 2012 EIR, p. 6-14)	Significant and Unavoidable	No Impact (SEIR Section 3.8.2)	No
Agriculture and Forestry Resources			
No impacts	No impacts	No impact (SEIR Section 3.8.3)	No
Air Quality			
4.3-1: The Project would generate emissions of criteria air pollutants that could contribute to existing nonattainment conditions and further degrade air quality. (Draft 2012 EIR, p. 4.3-18)	Less than Significant	Less than Significant (SEIR Section 3.1.3.4)	No

TABLE ES-1 (CONTINUED)
SUMMARY OF ENVIRONMENTAL ISSUE AREAS AND IMPACT CONCLUSIONS

Environmental Impacts Identified in the 2012 EIR	Significance Conclusion Reached in 2012 EIR	Significance Conclusion Reached in this Draft SEIR	New Significant Impact or Substantial Increase in the Severity of a Significant Impact Identified in the 2012 EIR?
Air Quality (cont.)			
4.3-2: Project traffic associated with operational and reclamation activities would generate localized [carbon monoxide] CO emissions on roadways and at intersections in the Project vicinity. (Draft 2012 EIR, p. 4.3-21)	Less than Significant	Less than Significant (SEIR Section 3.1.3.4)	No
4.3-3: The Project would expose people to increased levels of toxic air contaminants, which could lead to an increase in the risk of cancer. (Draft 2012 EIR, p. 4.3-26)	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated (SEIR Section 3.1.3.4)	No
4.3-4: The Project would expose people to increased levels of toxic air contaminants, which could increase acute and chronic health risks. (Draft 2012 EIR, p. 4.3-31)	Less than Significant	Less than Significant (SEIR Section 3.1.3.4)	No
4.3-5: The Project would increase emissions of [particulate matter less than 2 microns in diameter] PM _{2.5} , which could adversely affect human health. (Draft 2012 EIR, p. 4.3-32)	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated (SEIR Section 3.1.3.4)	No
Biological Resources			
4.4-1: Project activities could result in adverse effects on special-status and migratory birds. (Draft 2012 EIR, p. 4.4-32)	Less than Significant	Less than Significant (SEIR Section 3.2.3.3)	No
4.4-2: Project activities could result in adverse effects on special-status bats. (Draft 2012 EIR, p. 4.4-34)	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated (SEIR Section 3.2.3.3)	No
4.4-3: Project activities could result in adverse effects on the San Francisco dusky-footed woodrat. (Draft 2012 EIR, p. 4.4-36)	Less than Significant	Less than Significant (SEIR Section 3.2.3.3)	No
4.4-4: Project activities could result adverse effects on special status aquatic organisms. (Draft 2012 EIR, p. 4.4-36)	Less than Significant	Less than Significant (SEIR Section 3.2.3.3)	No
4.4-5: Project activities could result in selenium-burdened runoff reaching aquatic habitats and, thereby, in deleterious effects to aquatic organisms and their prey base. (Draft 2012 EIR, p. 4.4-37)	Significant and Unavoidable	Less than Significant with Mitigation Incorporated (SEIR Section 3.2.3.3)	No
4.4-6: Project activities could result in the loss or degradation of riparian habitat associated with Permanente Creek. (Draft 2012 EIR, p. 4.4-38)	Less than Significant	Less than Significant (SEIR Section 3.2.3.3)	No
4.4-7: Project activities could result in the loss of native oak woodland as defined by Oak Woodlands Conservation Law. (Draft 2012 EIR, p. 4.4-39)	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated (SEIR Section 3.2.3.3)	No
4.4-8: Project activities could result in substantial adverse effects on wetlands and jurisdictional waters associated with Permanente Creek through direct removal, filling, hydrological interruption, or other means. (Draft 2012 EIR, p. 4.4-41)	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated (SEIR Section 3.2.3.3)	No

TABLE ES-1 (CONTINUED)
SUMMARY OF ENVIRONMENTAL ISSUE AREAS AND IMPACT CONCLUSIONS

Environmental Impacts Identified in the 2012 EIR	Significance Conclusion Reached in 2012 EIR	Significance Conclusion Reached in this Draft SEIR	New Significant Impact or Substantial Increase in the Severity of a Significant Impact Identified in the 2012 EIR?
Cultural and Paleontological Resources			
4.5-1: Project activities could cause an adverse change in the significance of an historical resource pursuant to Section 15064.5 of the CEQA Guidelines and the County's Historic Preservation Ordinance. (Draft 2012 EIR, p. 4.5-24)	Significant and Unavoidable	No Impact (SEIR Section 3.3.3.4)	No
4.5-2: Project activities could cause an adverse change in the significance of an archaeological resource as defined in Section 15064.5 of the CEQA Guidelines. (Draft 2012 EIR, p. 4.5-26)	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated (SEIR Section 3.3.3.4)	No
4.5-3: Project activities could directly or indirectly destroy a unique paleontological resource or site. (Draft 2012 EIR, p. 4.5-27)	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated (SEIR Section 3.5.3.2)	No
4.5-4: Project activities could disturb human remains, including those interred outside of formal cemeteries. (Draft 2012 EIR, p. 4.5-29)	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated (SEIR Section 3.3.3.4)	No
Energy Conservation			
4.6-1: The Project would include means for avoiding or reducing wasteful and/or unnecessary consumption of energy. (Draft 2012 EIR, p. 4.6-6)	Less than Significant	Less than Significant (SEIR Section 3.4.3.4)	No
Geology, Soils, and Seismicity			
4.7-1: Rock and soil slopes constructed as part of the proposed reclamation of the [East Materials Storage Area] EMSA, quarry pit, and [West Materials Storage Area] WMSA could fail under static or seismic forces if not properly engineered and constructed. (Draft 2012 EIR, p. 4.7-29)	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated (SEIR Section 3.5.3.2)	No
4.7-2: In the event of a major earthquake in the region, seismic ground shaking could result in injury to site workers, damage to quarry equipment and structures, or trigger slope failures. In addition, a large earthquake on the San Andreas Fault could result in minor ground deformation along traces of the Berrocal or Monte Vista Fault Zones. (Draft 2012 EIR, p. 4.7-37)	Less than Significant	Less than Significant (SEIR Section 3.5.3.2)	No
4.7-3: Earthmoving and other ground disturbance associated with the phased reclamation of the site could temporarily promote accelerated erosion and soil loss. (Draft 2012 EIR, p. 4.7-39)	Less than Significant	Less than Significant (SEIR Section 3.5.3.2)	No
Greenhouse Gas Emissions			
4.8-1: The Project could result in an increase in GHG emissions and contribute to climate change. (Draft 2012 EIR, p. 4.8-11)	Less than Significant with Mitigation Incorporated	Less than Significant with Mitigation Incorporated (SEIR Section 3.6.3.3)	No
4.8-2: The Project could conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG. (Draft 2012 EIR, p. 4.8-14)	Less than Significant	Less than Significant (SEIR Section 3.6.3.3)	No

TABLE ES-1 (CONTINUED)
SUMMARY OF ENVIRONMENTAL ISSUE AREAS AND IMPACT CONCLUSIONS

Environmental Impacts Identified in the 2012 EIR	Significance Conclusion Reached in 2012 EIR	Significance Conclusion Reached in this Draft SEIR	New Significant Impact or Substantial Increase in the Severity of a Significant Impact Identified in the 2012 EIR?
Hazards and Hazardous Materials			
4.9-1: The Project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. (Draft 2012 EIR, p. 4.9-14)	Less than Significant	Less than Significant (SEIR Section 3.8.4)	No
4.9-2: The Project could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. (Draft 2012 EIR, p. 4.9-16)	Less than Significant	Less than Significant (SEIR Section 3.8.4)	No
4.9-3: Sedimentation basins planned for erosion control at the Project site could provide breeding grounds for vectors. (Draft 2012 EIR, p. 4.9-16)	Less than Significant	Less than Significant (SEIR Section 3.8.4)	No
Hydrology and Water Quality			
4.10-1: Post-reclamation conditions in the EMSA, WMSA, and quarry pit would increase selenium concentrations in Permanente Creek to levels exceeding baseline conditions and RWQCB Basin Plan objectives. (Draft 2012 EIR, p. 4.10-29)	Less than Significant with Mitigation Incorporated	N/A	No
4.10-2: Interim reclamation activities within the Project area would contribute concentrations of selenium, Total Dissolved Solids (TDS), and sediment in Permanente Creek. (Draft 2012 EIR, p. 4.10-42)	Significant and Unavoidable	Less than Significant (SEIR Section 3.7.3.2)	No
4.10-3: The PCRA reclamation activities would contribute concentrations of selenium, TDS, and sediment in Permanente Creek. (Draft 2012 EIR, p. 4.10-47)	Less than Significant	Less than Significant (SEIR Section 3.7.3.2)	No
4.10-4: The Project would alter the existing drainage pattern of the site, which could result in increased stormwater runoff rates and on- or off-site flooding. (Draft 2012 EIR, p. 4.10-48)	Significant and Unavoidable	Less than Significant (SEIR Section 3.7.3.2)	No
4.10-5: Groundwater discharge from the quarry pit after backfilling and reclamation is complete would adversely alter surface water flows to Permanente Creek. (Draft 2012 EIR, p. 4.10-49)	Less than Significant	N/A	No
4.10-6: The Project would alter the existing drainage pattern of the site, which could result in increased stormwater ponding, accumulation of selenium, and flooding. (Draft 2012 EIR, p. 4.10-50)	Less than Significant with Mitigation Incorporated	N/A	No
6-2: Incremental Project-specific activities could contribute to downstream flooding. (Draft 2012 EIR, p. 6-24)	Significant and Unavoidable	Less than Significant (SEIR Section 3.7.3.2)	No
Land Use and Planning			
4.11-1: The Project would be incompatible with adjacent land uses. (Draft 2012 EIR, p. 4.11-10)	Less than Significant	Less than Significant (SEIR Section 3.8.5)	No

TABLE ES-1 (CONTINUED)
SUMMARY OF ENVIRONMENTAL ISSUE AREAS AND IMPACT CONCLUSIONS

Environmental Impacts Identified in the 2012 EIR	Significance Conclusion Reached in 2012 EIR	Significance Conclusion Reached in this Draft SEIR	New Significant Impact or Substantial Increase in the Severity of a Significant Impact Identified in the 2012 EIR?
Mineral Resources			
4.12-1: The planned backfill of the quarry pit would hinder further extraction of cement-grade limestone and aggregate resources from the quarry pit, thereby resulting in the loss of availability of a mineral resource of state, regional, and local significance. (Draft 2012 EIR, p. 4.12-4)	Less than Significant	Less than Significant (SEIR Section 3.8.6)	No
Noise			
4.13-1: Operations associated with reclamation during Phase 1 would exceed County noise standards and increase ambient noise levels at noise-sensitive uses in the vicinity. (Draft 2012 EIR, p. 4.13-17)	Less than Significant with Mitigation Incorporated	Less than Significant (SEIR Section 3.8.7)	No
4.13-2: Operations associated with reclamation during Phase 2 would increase ambient noise levels at noise-sensitive uses in the vicinity. (Draft 2012 EIR, p. 4.13-22)	Less than Significant	Less than Significant (SEIR Section 3.8.7)	No
4.13-3: Operations associated with reclamation Phase 3 may be audible at noise-sensitive uses in the vicinity. (Draft 2012 EIR, p. 4.13-24)	Less than Significant	Less than Significant (SEIR Section 3.8.7)	No
Noise (cont.)			
4.13-4: Operations within the PCRA may be audible at noise-sensitive uses in the vicinity. (Draft 2012 EIR, p. 4.13-26)	Less than Significant	Less than Significant (SEIR Section 3.8.7)	No
Population and Housing			
No impacts	No impacts	No impacts (SEIR Section 3.8.8)	No
Public Services			
No impacts	No impacts	No impacts (SEIR Section 3.8.9)	No
Recreation			
4.16-1: The Project would be near a public park and trail and could affect existing or future recreational opportunities. (Draft 2012 EIR, p. 4.16-5)	Less than Significant	Less than Significant (SEIR Section 3.8.10)	No
Transportation/Traffic			
4.17-1: The Project would cause increases in traffic volumes on area roadways, but would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. (Draft 2012 EIR, p. 4.17-7)	Less than Significant	Less than Significant (SEIR Section 3.8.11)	No
b) Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3(b) [vehicle miles traveled analysis]?	Not evaluated in 2012 EIR	Less than Significant (SEIR Section 3.8.11)	No
4.17-2: Traffic generated by Project activities could affect traffic safety of pedestrians and bicyclists. (Draft 2012 EIR, p. 4.17-9)	Less than Significant	Less than Significant (SEIR Section 3.8.11)	No

TABLE ES-1 (CONTINUED)
SUMMARY OF ENVIRONMENTAL ISSUE AREAS AND IMPACT CONCLUSIONS

Environmental Impacts Identified in the 2012 EIR	Significance Conclusion Reached in 2012 EIR	Significance Conclusion Reached in this Draft SEIR	New Significant Impact or Substantial Increase in the Severity of a Significant Impact Identified in the 2012 EIR?
Transportation/Traffic (cont.)			
4.17-3: The Project would provide safe access, and would not obstruct access to nearby uses or fail to provide for future street right-of-way. (Draft 2012 EIR, p. 4.17-9)	Less than Significant	Less than Significant (SEIR Section 3.8.11)	No
4.17-4: Traffic generated by the Project would contribute to pavement wear-and-tear on area roadways. (Draft 2012 EIR, p. 4.17-9)	Less than Significant	Less than Significant (SEIR Section 3.8.11)	No
Tribal Cultural Resources			
a) Whether the Project could cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).	Not evaluated in 2012 EIR	Less than Significant with Mitigation Incorporated (SEIR Section 3.8.12)	No
b) Whether the Project could cause a substantial adverse change in the significance of a tribal cultural resource that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision(c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Not evaluated in 2012 EIR	Less than Significant with Mitigation Incorporated (SEIR Section 3.8.12)	No
Utilities and Service Systems			
4.18-1: The Project would require and result in the construction of new stormwater drainage facilities, the construction of which could cause environmental effects. (Draft 2012 EIR, p. 4.18-8)	Less than Significant	Less than Significant (SEIR Section 3.8.13)	No
4.18-2: The Project may not be able to be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs. (Draft 2012 EIR, p. 4.18-8)	Less than Significant	Less than Significant (SEIR Section 3.8.13)	No
Wildfire			
a) The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Draft 2012 EIR, p. 4.9-13)	No Impact	No Impact (SEIR Section 3.8.14)	No
b) The Project would not, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.	Not evaluated in 2012 EIR	Less than Significant (SEIR Section 3.8.14)	No

TABLE ES-1 (CONTINUED)
SUMMARY OF ENVIRONMENTAL ISSUE AREAS AND IMPACT CONCLUSIONS

Environmental Impacts Identified in the 2012 EIR	Significance Conclusion Reached in 2012 EIR	Significance Conclusion Reached in this Draft SEIR	New Significant Impact or Substantial Increase in the Severity of a Significant Impact Identified in the 2012 EIR?
Wildfire (cont.)			
c) The Project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts on the environment.	Not evaluated in 2012 EIR	Less than Significant (SEIR Section 3.8.14)	No
d) The Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.	Not evaluated in 2012 EIR	Less than Significant (SEIR Section 3.8.14)	No

ES.4 Significant Irreversible Changes

CEQA requires that an EIR analyze the extent to which the effects of a proposed project would impact the environment by committing non-renewable resources to uses that future generations would not be able to reverse (Public Resources Code Section 21100(b)(2)(B)). Section 15126.2(c) of the CEQA Guidelines defines an irreversible impact as an impact that uses nonrenewable resources during the initial and continuing phases of the project. Irreversible impacts also can result from damage caused by environmental accidents associated with a project. Irretrievable commitments of resources are evaluated to ensure that such consumption is justified.

Draft 2012 EIR Section 7.2 (at page 7-2 et seq.) explains why the Reclamation Plan Amendment, including creek restoration work within the PCRA, would not result in significant irreversible changes. That conclusion and the rationale provided remain accurate for purposes of the PCRP and this SEIR.

ES.5 Growth-Inducing Impacts

CEQA Guidelines Section 15126.2(d) states that an EIR must discuss “the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.” Growth can be induced in a number of ways, including directly through implementation of projects that create new housing and employment opportunities, and indirectly through elimination of obstacles to growth and stimulation of economic activity within a region. CEQA requires a discussion of how a project could increase population, employment, or housing in the areas surrounding the project, as well as an analysis of the infrastructure and planning changes that would be necessary to implement the project.

Draft 2012 EIR Section 7.3 (at page 7-3 et seq.) explains why the Reclamation Plan Amendment, including creek restoration work within the PCRA, would not result in growth inducement. That conclusion and the rationale provided remain accurate for purposes of the PCRCP and this SEIR. See also Section 3.8.8, *Population and Housing*.

ES.6 Summary of Alternatives

Draft 2012 EIR Section ES.5 (at page ES-4 et seq.) summarized three alternatives to the 2011 Reclamation Plan Amendment: Alternative 1 – Complete Backfill Alternative; Alternative 2 – Central Materials Storage Area Alternative; and No Project Alternative. None of the three focuses specifically on the creek restoration work proposed in the PCRA.

This SEIR provides detailed analysis of two alternatives to the PCRCP: Alternative A – No Grading Approval Alternative, and Alternative B – No Project. Alternatives A and B are described below. Additional potential alternatives were initially considered, but not carried forward for more detailed analysis for the reasons explained in Section 4.2, *Potential Alternatives Initially Considered but Not Carried Forward for Detailed Review*.

ES.6.1 Alternative A – No Grading Approval Alternative

Under the No Grading Approval Alternative, no Grading Approval would be issued, but the remainder of the restoration proposed in the PCRCP could occur. In this case, the Project site would be restored in accordance with the PCRCP, except in areas outside the existing Reclamation Plan boundary (where Grading Approval would be required) because, within the Reclamation Plan boundary, no further discretionary authorization would be required from the County Planning Department and because other agencies with jurisdiction over resources in and adjacent to Permanente Creek reasonably could be expected to authorize the proposed restoration. Thus, under this scenario, the restoration activities would proceed as proposed in all areas of the Project site except in Reaches 6–8. See Table 2-1, *Specific Areas of Focus for the Supplemental EIR*, for a summary of the activities and locations of the restoration work that would occur under the No Grading Approval Alternative (i.e., in Reaches 1–5 and 9–22).

ES.6.2 Alternative B – No Project Alternative

CEQA Guidelines Section 15126.6(e) requires consideration of a No Project Alternative. This analysis discusses the existing conditions at the time the NOP was published (i.e., on or about April 13, 2021, when the County Planning Department issued notice of its intention to prepare this SEIR), as well as what reasonably would be expected to occur in the foreseeable future if neither the lead agency nor any of the responsible or trustee agencies approved necessary authorizations to implement the PCRCP.

Under the No Project Alternative, the Project site would be restored in accordance with 2011 Creek Restoration Plan as analyzed in the 2012 EIR. None of the revisions included as part of the PCRCP would be implemented within the existing Reclamation Plan boundary.

ES.6.3 Environmentally Superior Alternative

The CEQA Guidelines define the environmentally superior alternative as that alternative with the least adverse impacts to the project area and its surrounding environment. In the case of a restoration project, the County considers the environmentally superior alternative to be that alternative with the greatest long-term benefit to the physical environment of the Project area and its surroundings. This Draft SEIR identifies the PCRCP as the environmentally superior alternative for CEQA purposes because it would cause no new or more significant impacts relative to the project analyzed in the 2012 EIR and because it would result in the restoration and related long-term benefits to acres outside the existing Reclamation Plan boundary.

ES.7 Known Areas of Controversy

CEQA Guidelines Section 15123(b)(2) requires that an EIR include a brief summary of areas of known controversy. Any of the environmental issues considered during scoping or in this Draft SEIR could become an issue of controversy. Preliminarily, the County has identified areas of controversy as including the issues and questions raised in agency and public comments received during pre-scoping and scoping activities, which relate to: air quality, biological resources, cultural resources, hydrology and water quality, and mineral resources. The County also received input during scoping requesting clarification of the PCRCP relative to the Lehigh Permanente Quarry Reclamation Plan Amendment that was submitted in May 2019, and regarding the identification of alternatives to the Project and considerations to be evaluated as part of the cumulative scenario. See Section 1.3.3, *Pre-scoping Activities*; Appendix A, *Scoping Report*, County of Santa Clara (2020) (County Planning Department's January 22, 2020 completeness letter); Environmental Science Associates (2021) (Data Request 3); and Lehigh (2021) (Response to Data Request 3). Each of these areas of known controversy is being evaluated by County Planning Department decision-makers as part of their consideration of potential significant impacts, mitigation measures, and alternatives and in the context of any decision whether to approve the requested Grading Approval for the Project.

ES.8 Issues to be Resolved

CEQA Guidelines Section 15123(b)(3) requires that an EIR identify issues to be resolved, which include the choice among alternatives and whether or how to mitigate significant impacts. The following major issues are to be resolved:

- Determine whether the SEIR adequately describes the environmental impacts of the Project.
- Choose among alternatives.
- Determine whether the recommended mitigation measures should be adopted or modified.
- Determine whether or not additional mitigation measures need to be applied to the Project.

**TABLE ES-2
PCRP IMPACTS AND MITIGATION MEASURES**

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Air Quality		
Impact 3.1-1: The PCRP would generate emissions of criteria air pollutants that could contribute to existing nonattainment conditions and further degrade air quality.	None required.	None required.
Impact 3.1-2: PCRP-related traffic would generate localized [carbon monoxide] CO emissions on roadways and at intersections in the PCRP vicinity.	None required.	None required.
Impact 3.1-3: The PCRP would expose sensitive receptors to increased levels of toxic air contaminants, which could lead to an increase in the risk of cancer.	<p>Mitigation Measure 4.3-3a: Within 90 days of Project approval, the Applicant shall submit to the County and the [Bay Area Air Quality Management District (BAAQMD)] a comprehensive inventory of all Project-related off-road construction equipment expected to be used during any portion of the Project. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated and submitted annually throughout the duration of the Project.</p> <p>Mitigation Measure 4.3-3b: Within 90 days of Project approval, the Applicant shall provide a plan for approval by the County and the BAAQMD demonstrating that Project-related off-road equipment would achieve a Project (EMSA-specific) wide fleet-average 35 percent reduction in [diesel particulate matter (DPM)] emissions compared to the proposed fleet in the ALG report (ALG 2011a) during Phase 1 of the Project. The plan shall be updated and submitted annually throughout the duration of the Project. Options for reducing emissions may include, but are not limited to:</p> <ul style="list-style-type: none"> • Using newer model engines (e.g., engines that meet U.S. EPA interim/final Tier 4 engine standards); • Use of Retrofit Emission Control Devices that consist of diesel oxidation catalysts, diesel particulate filters, or similar retrofit equipment control technology verified by [the California Air Resources Board (CARB)] (http://www.arb.ca.gov/diesel/verdev/verdev.htm); • Use of low-emissions diesel products or alternative fuels; • Use of alternative material handling options (e.g., conveyor system); or 	No additional mitigation measures required.

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Air Quality (cont.)		
Impact 3.1-3 (cont.)	<ul style="list-style-type: none"> • Other options as may become commercially available and verifiable. Or Mitigation Measure 4.3-3c: The Applicant shall submit evidence establishing to the County's satisfaction that there are legally-binding restrictions precluding any occupancy of the caretaker's residence during the entirety of Phase 1 of the Project.	
Impact 3.1-4: The PCRCP would expose sensitive receptors to increased levels of toxic air contaminants, which could increase chronic and acute health risks.	None required.	None required.
Impact 3.1-5: The PCRCP would increase exhaust emissions of PM _{2.5} , which could adversely affect human health.	Mitigation Measure 4.3-3a and either Mitigation Measure 4.3-3b or Mitigation Measure 4.3-3c.	No additional mitigation measures required.
Biological Resources		
Impact 3.2-1: The Project may have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special-status species.	California Red-legged Frog: None required.	California Red-legged Frog Mitigation Measure 3.2-1, California Red-legged Frog (CRLF). The Applicant shall obtain authorization for incidental take of CRLF through consultation under Section 7 of the federal Endangered Species Act between [the U.S. Army Corps of Engineers (USACE)] and [U.S. Fish and Wildlife Service (USFWS)]. All requirements imposed by USACE and USFWS under Section 7 shall be fulfilled by the Applicant. The Applicant shall also implement avoidance and minimization measures consistent with the 2014 Programmatic Biological Opinion for CRLF (USFWS 2014), the 2022 Section 10(a)(1)(B) Incidental Take Permit for the Lehigh Southwest Cement Company's Permanente Site Operation and Maintenance Project (USFWS 2022b), or alternative Project-specific measures identified in the formal Section 7 consultation with USFWS. At a minimum, the following measures shall be implemented: <ul style="list-style-type: none"> • Qualified biologists and monitors approved by USFWS shall be retained to ensure all required impact avoidance and minimization measures are properly implemented. Biologists and monitors shall have authority to stop work if environmental requirements are not being fulfilled and if a CRLF is determined to be in danger.

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Biological Resources (cont.)		
Impact 3.2-1 (cont.)		<ul style="list-style-type: none"> • Employee education training shall be conducted for on-site employees working on PCRCP activities. Personnel shall be required to attend the presentation, which shall describe CRLF characteristics and natural history; avoidance, minimization, and conservation measures; legal protection of CRLF; and other related issues. • To the extent practicable, restoration activities in the Permanente Creek channel and suitable pond habitats shall be conducted between August 15 and October 15, to minimize potential impacts on CRLF tadpoles. • Specific methodology for capture and relocation of CRLF found in PCRCP work areas shall be developed and approved by USFWS before on-site PCRCP activities begin. This methodology shall identify the on-site location(s) to which CRLF shall be relocated. • Preconstruction surveys for CRLF shall be conducted by a USFWS-approved biologist/monitor within 24 hours before the start of initial PCRCP ground disturbance. If any CRLF adults, subadults, juveniles, tadpoles, or eggs are observed and determined to be in potential danger, a USFWS-approved biologist shall remove them from the work area and relocate them in compliance with established USFWS-approved methodology. • To the maximum extent practicable, PCRCP activities in CRLF habitat shall not occur during rain events or within 24 hours following a rain event. A USFWS-approved biologist/monitor shall inspect work areas and all equipment/materials for the presence of CRLF before Project activities resume after rain events. Any CRLF found in the work area shall be avoided and allowed to leave on its own or relocated in compliance with established USFWS-approved methodology. • Restoration activities within suitable aquatic habitat for CRLF shall be conducted under the supervision of a USFWS-approved biologist/monitor. Aquatic habitat shall be surveyed for CRLF at the beginning of each day and periodically throughout the workday. Any CRLF in the work area and determined to be in potential danger shall be relocated in compliance with established USFWS-approved methodology. • Plastic monofilament netting, loosely woven netting, or other materials using fixed weaves, polypropylene, polymer, or other synthetic materials shall not be used during Project implementation.

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Biological Resources (cont.)		
Impact 3.2-1 (cont.)	<p>Aquatic Life:</p> <p>Mitigation Measure 4.4-5: Selenium-related Impacts to Aquatic Habitat. Implement Mitigation Measures 4.10-2a: Interim Stormwater Control and Sediment Management; 4.10-2b: EMSA Interim Stormwater Monitoring Plan; Mitigation Measure 4.10-2c: Monitoring and Determination of BMP Effectiveness for the EMSA; Mitigation Measure 4.10-2d: Monitoring and Determination of BMP Effectiveness for the WMSA and Quarry Pit; and Mitigation Measure 4.10-2e: Design, Pilot Testing, and Implementation of Selenium Treatment Facility or Alternative for the EMSA and/or the WMSA and Quarry Pit.</p> <p>Nesting Birds: None required.</p> <p>Bats:</p> <p>Mitigation Measure 4.4-2a: Use of Buffers near Active Roosts. During the November 1 to March 31 hibernation season, work shall not be conducted within 100 feet of woodland habitat that provides suitable bat roosting habitat. Bat presence is difficult to detect using emergence surveys during this period due to decreased flight and foraging behavior. If a qualified bat biologist</p>	<ul style="list-style-type: none"> • For on-site storage of pipes, conduits, and other materials that could provide shelter for CRLF, an open-top trailer shall be used to elevate the materials above ground. • Trenches or pits 1 foot or deeper to be left unfilled for more than 48 hours shall be securely covered with boards or other materials to prevent CRLF from falling into them. If this is not possible, dirt or wooden ramps or other structures of suitable surface that provide adequate footing for CRLF shall be placed in the trench or pit to allow for their unaided escape. The trench, pit, or hole shall be inspected by a USFWS-approved biologist/monitor each workday morning prior to initiation of work and in the late afternoon no more than 1 hour after work has ceased to determine if any individuals have become trapped. If the ramps fail to allow the animal to escape, a USFWS-approved biologist shall remove the CRLF and transport it to a safe location in compliance with established capture and relocation methodology. • A USFWS-approved biologist shall remove aquatic exotic wildlife species such as bullfrogs and crayfish (if any) during PCRPs activities. <p>Aquatic Life: No additional mitigation measures required.</p> <p>Nesting Birds: None required.</p> <p>Bats:</p> <p>Mitigation Measure 3.2-2: Roosting Bats, Maternity Roosting Season. Nighttime evening emergence surveys, acoustic surveys, inspection for guano and culled insect parts, and/or visual inspection for roosts within large tree cavities shall be conducted by a qualified biologist during the maternity season (April 1 to August 31) to determine presence/absence of bat maternity roosts in and within 100 feet of Project work areas. All active roosts identified during surveys shall be protected by a buffer to be</p>

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Biological Resources (cont.)		
Impact 3.2-1 (cont.)	<p>determines that woodland areas do not provide suitable hibernating conditions for bats and they are unlikely to be present in the area, work may commence as planned.</p> <p>Mitigation Measure 4.4-2c: Bat Roost Replacement. All special-status bat roosts destroyed by the Project shall be replaced by the Applicant at a 1:1 ratio on site with a roost suitable for the displaced species (e.g., bat houses for colonial roosters). The design of such replacement habitat shall be coordinated with [the California Department of Fish and Wildlife (CDFW), formerly known as the California Department of Fish and Game (CDFG)]. The new roost shall be in place prior to the time that the bats are expected to use the roost (e.g., prior to April 1 if the roost destroyed by the Project was used by a maternity colony), and shall be monitored periodically for 5 years to ensure proper roosting habitat characteristics (e.g., suitable temperature and no leaks). The roost shall be modified as necessary to provide a suitable roosting environment for the target bat species.</p> <p>San Francisco Dusky-footed Woodrat: None required.</p>	<p>determined by a qualified bat biologist in consultation with CDFW. The buffer shall be determined by the type of bat observed, topography, slope, aspect, surrounding vegetation, sensitivity of roost, type of potential disturbance, etc. Each exclusion zone shall remain in place until the end of the maternity roosting season. If no active roosts are identified, then work may commence as planned. Survey results are valid for 30 days from the survey date. Should work commence later than 30 days from the survey date, surveys shall be repeated.</p> <p>Operations may continue for many years. Surveys do not need to be repeated annually unless additional clearing of potential roosting or hibernation habitat could occur outside of the non-roosting season.</p> <p>San Francisco Dusky-footed Woodrat: None required</p>
Impact 3.2-2: The Project may have a substantial adverse effect on riparian habitat or other sensitive natural community.	None required.	None required.
Impact 3.2-3: The Project may have a substantial adverse effect on state or federally protected wetlands.	<p>Mitigation Measure 4.4-8a: Wetland Identification and Avoidance. A qualified wetland biologist shall physically delineate all federal and state waters and wetland features mentioned above and identified in the 2008 wetland delineation (WRA 2008). This shall occur before any PCRA activities begin, and when feasible, reclamation activities shall completely avoid these areas. Silt fence shall be installed between jurisdictional waters or wetlands and areas sprayed with hydroseed to prevent filling of wetlands with tackifier or other hydroseed material. Use of hand-seeding or working with hand tools may be required to avoid equipment impacting wetlands.</p> <p>Mitigation Measure 4.4-8b: Wetland Mitigation Plan. If avoidance of jurisdictional waters or wetlands is not feasible, the following measures shall be implemented:</p> <p>A qualified wetland biologist shall prepare a Mitigation and Monitoring Plan (MMP) for impacts on wetlands and waters under state or federal jurisdiction. The MMP shall outline the anticipated mitigation obligations for temporary and permanent impacts to waters of the state and/or U.S., including wetlands, resulting from PCRA activities. The MMP shall include:</p> <p>–</p>	No additional mitigation measures required.

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Biological Resources (cont.)		
Impact 3.2-3 (cont.)	<ul style="list-style-type: none"> • Baseline information; • Anticipated habitat enhancements to be achieved through compensatory actions, including whether mitigation will occur within the Project Area along Permanente Creek or at an offsite location, as well as mitigation site location and hydrology; • When possible, a preference for mitigation within the Permanente Quarry property, for impacts to both jurisdictional waters and wetlands; • Performance and success criteria for habitat enhancement of Permanente Creek or other waterways to compensate for impacts to Other Waters, including: <ul style="list-style-type: none"> – A replanting plan for appropriate native riparian woody vegetation, including but not limited to arroyo willow, white alder, California wild rose, and snowberry, bigleaf maple, western creek dogwood, and Oregon ash; – An 80 percent overall revegetation planting success for all mitigation areas over a 10-year period; – A minimum overall mitigation ratio of 1.1:1 acres for permanent impacts and 1:1 acres for temporary impacts; – Plantings that are self-reliant, exhibit average or better health and vigor and have observable growth in stems and leaves at least two years prior to the end of the ten-year monitoring period; – Visual inspection of all revegetation sites during each growing season, with qualitative and quantitative measures of plant cover and performance; – Observations of total percent plant cover in the planting area, natural recruitment of native species, and establishment of new non-native species; and – Annual monitoring reports submitted to CDFG and RWQCB documenting revegetation conditions, including recommendations to adapt maintenance and replacement of failed plantings. • Performance and success criteria for wetland creation or enhancement including, but not limited to, the following: <ul style="list-style-type: none"> – At least 70 percent survival of installed plants for each of the first three years following planting. 	

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Biological Resources (cont.)		
Impact 3.2-3 (cont.)	<ul style="list-style-type: none"> – Performance criteria for vegetation percent cover in Years 1–4 as follows: at least 10 percent cover of installed plants in Year 1; at least 20 percent cover in Year 2; at least 30 percent cover in Year 3; at least 40 percent cover in Year 4. – Performance criteria for hydrology in Years 1–5 as follows: Fourteen or more consecutive days of flooding, ponding, or a water table 12 inches or less below the soil surface during the growing season at a minimum frequency of three of the five monitoring years; OR establishment of a prevalence of wetland obligate plant species. – Invasive plant species that threaten the success of created or enhanced wetlands shall not be allowed to contribute relative cover greater than 35 percent in Year 1, 20 percent in Years 2 and 3, 15 percent in Year 4, and 10 percent in Year 5. 	
<p>Impact 3.2-4: The Project may have a substantial adverse effect on oak woodland habitat.</p>	<p>Mitigation Measure 4.4-7: Sudden Oak Death Minimization Measures. To reduce the possibility of spreading Sudden Oak Death [SOD] to oak woodlands in the study area, the Applicant shall implement the following measures:</p> <ul style="list-style-type: none"> • Prior to any reclamation work within the Project area, equipment shall be sanitized, including shoes, pruning gear, trucks, and heavy equipment such as earthmoving, tree trimming, chipping, or mowing equipment. Except for trucks, this equipment shall remain on site for the duration of Project activities and shall not be transferred between this and other worksites, as doing so increases the potential of transferring infected spores to or from another site. • After the completion of work activities, any accumulation of plant debris (especially leaves), soil, and mud shall be washed off of equipment or otherwise removed on site, and air filters shall be blown out. • All contractors shall have sanitation kits on site for cleaning equipment. Sanitation kits should contain chlorine bleach (10/90 mixture bleach to water) or Clorox Clean-Up or Lysol, scrub brush, metal scraper, boot brush, and plastic gloves. • All organic material imported for mixing with quarry pit backfill shall have been composted at a facility that meets the standards of Title 14 California Code of Regulations, Division 7, Chapter 3.1; alternative sources of organic material may be used if approved by the County of Santa Clara Agricultural Commissioner as being as effective as the composting process to sanitize SOD-infected materials. 	No additional mitigation measures required.

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Biological Resources (cont.)		
Impact 3.2-4 (cont.)	<ul style="list-style-type: none"> All other imported fill material, soil amendments, gravel, etc. required for construction and/or restoration activities to be placed within the upper 12 inches of the ground surface shall be free of vegetation or plant material. 	
Impact 3.2-5: The Project may conflict with the provisions of an adopted habitat conservation plan.	None required.	None required.
Cultural Resources		
Impact 3.3-1: Project activities could cause an adverse change in the significance of a historical resource pursuant to Section 15064.5 of the CEQA Guidelines and the County's Historic Preservation Ordinance.	<p>Mitigation Measure 4.5-1a: The Applicant shall document the physical characteristics and their historic context of the contributing features of the Kaiser Permanente Quarry Mining District, including archival photo-documentation, mapping, and recording of historical and engineering information including measured drawings about the property according to the standards of the Historic American Buildings Survey/Historic American Engineer Record/Historic American Landscapes Survey (HABS/HAER/HALS), to be placed in a local public archive such as the Archives of the County of Santa Clara.</p> <p>Mitigation Measure 4.5-1b: The Applicant shall salvage and/or relocate a representative portion of the Permanente Quarry Conveyor System and the remains of the early 1940s crusher, which constitute character-defining features that otherwise would be lost as a part of implementation of the Project.</p> <p>Mitigation Measure 4.5-1c: The Applicant shall prepare public information programs to educate the general public on the historic nature of the potential Kaiser Permanente Quarry Mining District, including but not limited to exhibits at the Quarry office, publications available at the Quarry office, and an online presentation available on the Applicant's website (www.lehighpermanente.com).</p>	No additional mitigation measures required.
Impact 3.3-2: Project activities could cause an adverse change in the significance of an archaeological resource as defined in Section 15064.5 of the CEQA Guidelines.	Mitigation Measure 4.5-2: If cultural resources are encountered during Project implementation, the Applicant shall notify the County and all activity within 100 feet of the find shall halt until it can be evaluated by a qualified archaeologist and a Native American representative. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or	No additional mitigation measures required.

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Cultural Resources (cont.)		
Impact 3.3-2 (cont.)	privies; and deposits of metal, glass, and/or ceramic refuse. If the archaeologist and Native American representative determine that the resources may be significant and cannot be avoided, they shall notify the County and an appropriate treatment plan for the resources shall be developed by the Applicant in consultation with the County and the archaeologist. Measures in the treatment plan could include preservation in place (capping) and/or data recovery. The archaeologist shall consult with Native American representatives in determining appropriate treatment for prehistoric or Native American cultural resources. Ground disturbance shall not resume within 100 feet of the find until an agreement has been reached as to the appropriate treatment of the find.	
Impact 3.3-3: Project activities could disturb human remains, including those interred outside of formal cemeteries.	Mitigation Measure 4.5-4: In the event that human skeletal remains are encountered, the Applicant is required by Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, Title 14 California Code of Regulations Section 15064.5I, and County Ordinance No. B6-18 to immediately notify the County Coroner. Upon determination by the County Coroner that the remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision(c) of §7050.5 of the Health and Safety Code and the County Coordinator of Indian affairs. No further disturbance of the site shall be made except as authorized by the County Coordinator of Indian Affairs in accordance with the provisions of state law and the County Ordinance. If artifacts are found on the site, a qualified archaeologist shall be contacted along with the County Planning Office. No further disturbance of the artifacts shall be made except as authorized by the County Planning Office.	No additional mitigation measures required.
Energy		
Impact 3.4-1: The Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction.	None required.	None required.
Geology and Soils		
Impact 3.5-1: Restoration activities proposed under the PCRPP could cause slope instability and failure if restoration components are not properly engineered and constructed. (Project-specific and cumulative)	Mitigation Measure 4.7-1: Avoidance and containment of shallow slumps and/or fall-back of overburden material. In all areas requiring the use of excavators for grading within the PCRA (e.g., access road in-sloping, installation/repair of sedimentation basins, and removal of slide debris), the Applicant and/or its contractor shall begin excavations from the top of slope and proceed downward. The Applicant and/or its contractor shall not	No additional mitigation measures required.

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Geology and Soils (cont.)		
Impact 3.5-1 (cont.)	undercut sloped materials unless no other option is feasible as determined by a registered geotechnical engineer (e.g., excessively sloped or otherwise inaccessible terrain). In all areas of the PCRA where excavations would occur in sloped materials, the Applicant and/or its contractor shall install barriers immediately downslope of the activity. Downslope barriers shall be designed and installed in a manner that would be adequate to prevent overburden and/or native materials from falling, sloughing or sliding farther downslope, or into Permanente Creek. Such measures may consist of temporary interlocking soldier piles, wooden shoring systems, wire mesh, or other containment measures(s), and the Applicant and/or its contractor shall not be permitted to conduct excavation or grading activities downgradient of the barrier, or prior to its installation. The ultimate location, design, and installation method of such measures shall be prepared and certified, or reviewed and approved by a California State registered geotechnical engineer.	
Impact 3.5-2: Seismic ground shaking and associated ground failures could disrupt or damage restoration elements of the PCRFP.	None required.	None required.
Impact 3.5-3: Earthmoving, excavation, and other ground disturbance associated with the restoration could temporarily promote accelerated erosion and soil loss.	None required.	None required.
Impact 3.5-4: Project activities could directly or indirectly destroy a unique paleontological resource or site. (Project-specific and cumulative)	Mitigation Measure 4.5-3: If a paleontological resource is encountered during implementation of the [Reclamation Plan Amendment (RPA)], the Applicant shall notify the County and all activity within 100 feet of the find shall halt until it can be evaluated by a qualified paleontologist as defined by the Society of Vertebrate Paleontology Guidelines (SVP 1995). The paleontologist shall evaluate the resource and determine its significance. If significant, the paleontologist shall notify the County and the Applicant, in consultation with the County and the paleontologist, shall prepare a treatment plan such that the fossil would be recovered and scientific information preserved. The paleontologist shall implement the treatment plan in consultation with the County and Applicant prior to allowing work in the 100-foot radius to resume.	No additional mitigation measures required.

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Greenhouse Gas Emissions		
<p>Impact 3.6-1: The PCRPs could result in an increase in greenhouse gas emissions and contribute to climate change. (Project-specific and cumulative)</p>	<p>Mitigation Measure 4.8-1a: Develop Annual GHG Inventory. The Applicant shall become a reporting member of The Climate Registry. Beginning with the first year of the Project and continuing for the duration of the Project, the Applicant shall conduct an annual inventory of GHG emissions and shall report those emissions to The Climate Registry. The annual inventory shall be conducted according to The Climate Registry protocols and third-party verified by a verification body accredited through The Climate Registry.</p> <p>Mitigation Measure 4.8-1b: Greenhouse Gas Emissions Reduction Plan. The Applicant shall prepare, submit for County and BAAQMD approval, make available to the public, and implement a Greenhouse Gas Emissions Reduction Plan (GHG Plan) containing quantifiable strategies to ensure that the Project-related incremental increase of GHG emissions does not exceed 1,100 MT CO₂e per year. The GHG Plan shall include, but not be limited to, the following measures:</p> <ol style="list-style-type: none"> 1. Replacement of on-road and off-road vehicles and construction equipment with lower GHG-emitting engines, such as electric or hybrid. 2. Use of the Overland Conveyor System, powered by electric motors, to move more than 75 percent of the waste rock from the West Materials Storage Area (WMSA) to reclaim the quarry pit. <p>If the Applicant is unable to reduce the Project-related incremental increase of GHG emissions to below 1,100 MT CO₂e per year using the above measures, the Applicant shall offset all remaining Project incremental emissions above that threshold. Any offset of Project emissions shall be demonstrated to be real, permanent, verifiable, enforceable, and additional. To the maximum extent feasible, as determined by the County in coordination with the BAAQMD, offsets shall be implemented locally. Offsets may include but are not limited to, the following (in order of preference):</p> <ol style="list-style-type: none"> 1. On-site offset of Project emissions, for example through development of a renewable energy generation facility or a carbon sequestration project (such as a forestry or wetlands project for which inventory and reporting protocols have been adopted). If the Applicant develops an offset project, it must be registered with the Climate Action Reserve or otherwise approved by the BAAQMD in order to be used to offset Project 	<p>No additional mitigation measures required.</p>

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Greenhouse Gas Emissions (cont.)		
Impact 3.6-1 (cont.)	<p>emissions. The number of offset credits produced would then be included in the annual inventory, and the net (emissions minus offsets) calculated.</p> <p>2. Funding of local projects, subject to review and approval by the BAAQMD, that would result in real, permanent, verifiable, enforceable, and additional reduction in GHG emissions. If the BAAQMD or County of Santa Clara develops a GHG mitigation fund, the Applicant may instead pay into this fund to offset Project incremental GHG emissions in excess of the significance threshold.</p> <p>3. Purchase of carbon credits to offset Project incremental emissions to below the significance threshold. Carbon offset credits must be verified and registered with The Climate Registry, the Climate Action Reserve, or other source that is approved by CARB as being consistent with the policies and guidelines of the California Global Warming Solution Act of 2006 (AB 32), or available through a County- or BAAQMD-approved local GHG mitigation bank or fund.</p>	
Impact 3.6-2: The PCRPP would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG.	None required.	None required.
Hydrology and Water Quality		
Impact 3.7-1: Construction of the PCRPP would not violate water quality standards, waste discharge requirements, or otherwise substantially degrade water quality.	Mitigation Measure 4.10-1a: Professional Geologist Verification of Non-Limestone-Containing Material Use. A California-certified Professional Geologist shall be on site during reclamation to verify that non-limestone run-of-mine rock is used as cover on the EMSA and WMSA. In addition, the Geologist shall observe and document activities associated with placing the final overburden on the quarry pit (i.e., ensuring that organic material is mixed to specifications). Using visual and field testing methods, with occasional bulk sampling and laboratory analysis, the Geologist shall observe and document the type of rock placed over the limestone-containing material during reclamation activities. The Geologist shall inspect and document whether limestone is present at the source area (quarry pit and WMSA), whether limestone rock is transported from the source area to segregation stockpiles, and whether limestone is present within the lifts of the proposed 1-foot layer of run-of-mine cover rock (in the EMSA, WMSA, and quarry pit). Inspection involves observing the excavation, hauling, stockpiling, and placement of the non-limestone cover material, performing a visual assessment of the rock, and conducting random spot sampling and field testing of	

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Hydrology and Water Quality (cont.)		
Impact 3.7-1 (cont.)	<p>suspect rock fragments. If observation, field testing, or laboratory analysis indicates that significant amounts of limestone are intermixed with the supposed non-limestone cover material, the Geologist shall document its presence, temporarily halt fill operations, and notify the County Planning Office and field superintendent. Once notified, the Applicant shall remove the limestone-containing materials and then perform verification field sampling in addition to laboratory verification.</p> <p>Mitigation Measure 4.10-1b: Verification Water Quality Monitoring. The Applicant shall implement the following water monitoring and verification program within 90 days of Project approval and continue the program throughout the backfilling and reclamation phases and for 5 years following completion of reclamation. As part of this program, the Applicant shall:</p> <ul style="list-style-type: none"> • Collect quarterly quarry pit water samples and analyze for general water chemistry and dissolved and total metals, including selenium. • Perform quarterly electrical conductivity and pH measurements of the quarry water. • Measure and record daily volumes of any water that is pumped from the pit area. • Conduct annual seep surveys in March or April of each year within the quarry pit. Any seeps identified shall be sampled for general water chemistry and minerals and dissolved metals, and the seep flow rate shall be estimated. • Perform routine testing of each of the various rock types that comprise the overburden to further characterize bulk and leachable concentrations of key metal constituents (selenium in particular). Such testing shall be performed until the average concentrations and the variability within a rock type is no longer changing significantly as new data are gathered. • Sample and test runoff from the EMSA and WMSA throughout and following reclamation to confirm the concepts and closure plans (i.e., that cover with non-limestone material and revegetation results in runoff water quality that meets Basin Plan Water Quality Objectives and all other applicable water quality standards). Stormwater runoff monitoring and sampling shall be conducted following the placement and final grade of the 1-foot-run-of-mine non-limestone cover material to ensure that surface water discharging from this cover does not contain selenium at concentrations exceeding the Basin Plan Water Quality Objectives. Three rounds of representative surface 	

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Hydrology and Water Quality (cont.)		
Impact 3.7-1 (cont.)	<p>water samples shall be collected and analyzed to verify rock cover performance prior to the placement of the vegetative growth layer.</p> <ul style="list-style-type: none"> The data obtained through this mitigation measure shall be used to reevaluate the water balance components such as runoff and groundwater inflow and the water quality associated with these within the last 5 years of active mining. Based on the results of any refined water balance and water quality projections, the Applicant shall also review and refine the water management procedures. Reclamation of the quarry pit, EMSA, and WMSA areas shall not be considered complete until 5 years of water quality testing as described above demonstrate, to the satisfaction of the Director of Planning and Development, that selenium in surface water runoff and any point source discharges has been reduced below all applicable water quality standards, including Basin Plan Objective 	
Impact 3.7-2: The PCRCP would not substantially alter existing drainage patterns, including through the alteration of Permanente Creek, in a manner that would result in substantial erosion, sedimentation, or additional sources of polluted runoff.	None required.	None required.
Impact 3.7-3: The PCRCP would not substantially alter existing drainage patterns, including through the alteration of Permanente Creek, such that conveyance capacity is exceeded and flooding on- or off site occurs.	Mitigation Measure 4.10-4: Construction of On-site Detention Facility. The Applicant shall design and construct detention facilities that would: (1) manage increased runoff caused by the reclaimed quarry pit, (2) reduce excessive discharges to Permanente Creek, and (3) develop the capacity to detain and release the 100-year flow using on-site detention basins while optimizing groundwater infiltration. The final drainage design shall ensure that off-site, downstream flows would not cause an increased flooding potential or lead to hydromodification effects. In addition to the detention facilities for the quarry pit, the Applicant shall ensure that the desiltation ponds proposed in other smaller project areas (such as the EMSA) are engineered to function as detention basins and manage 100-year peak flow to the extent practical. The Applicant shall also consider a broader watershed approach and consult with [the Santa Clara Valley Water District (SCVWD)] on ways to detain peak flows offsite in relation areas of existing flooding and to the current SCVWD flood control	No additional mitigation measures required.

SEIR Impact	Applicable 2012 EIR Mitigation Measures	Additional Mitigation
Hydrology and Water Quality (cont.)		
Impact 3.7-3 (cont.)	<p>improvement project. Design considerations for on-site detention basins shall include the following performance standards. The basin shall be designed to:</p> <ul style="list-style-type: none"> • Maintain turbidity of receiving water outflows within discharge limitations for Permanente Creek, as set forth by the San Francisco Bay Regional Water Quality Control Board Basin Plan or other more stringent, site-specific limitations set forth by the RWQCB. • Effectively drain between storm events within the period of time specified by the County of Santa Clara 2007 Drainage Manual. • Enhance the settlement of fine sediment while limiting the potential for sediment-laden water to be discharged to Permanente Creek. • Incorporate appropriate sediment traps (i.e., low areas that promote sediment settlement) in areas away from outflow structures to limit discharge of sediment at high flow periods. • Control surface water inflows to the detention facility using energy reduction features (i.e., riprap aprons, vegetated swales) to reduce inflow velocity and agitation of sediment within the basin. • Infiltrate surface water to the extent practicable while accounting for and protecting the local groundwater condition and water quality <p>In addition to the detention facilities for the quarry pit, the Applicant shall ensure that the desiltation ponds proposed in other smaller project areas (such as the EMSA) are engineered to function as detention basins and manage 100-year peak flow to the extent practical. The Applicant shall also consider a broader watershed approach and consult with SCVWD on ways to detain peak flows off site in relation areas of existing flooding and to the current SCVWD flood control improvement project.</p>	
Impact 3.7-4: The PCRPP would not place structures that would impede or redirect flood flows within a 100-year flood hazard area.	Mitigation Measure 4.10-4: Construction of Onsite Detention Facility.	No additional mitigation measures required.

ES.9 References

- County of Santa Clara, 2011. Lehigh Permanente Quarry Reclamation Plan Amendment Draft Environmental Impact Report.
- County of Santa Clara, 2012a. Lehigh Permanente Quarry Reclamation Plan Amendment Final Environmental Impact Report.
- County of Santa Clara, 2012b. Final Conditions of Approval for the Reclamation Plan Amendment for Lehigh Permanente Quarry. Approved by Planning Commission, June 7, 2012, and modified by the Board of Supervisors on June 26, 2012.
- County of Santa Clara, 2020. Letter from Robert Salisbury, Senior Planner, to Erika Guerra regarding *Grading Approval for Permanente Creek Restoration Project (File No. PLN17-2250)*. January 22, 2020.
- Environmental Science Associates, 2021. Memorandum from Janna Scott, Project Manager, to Robert Salisbury and Manira Sandhir with copy to Erika Guerra, Lehigh regarding *Permanente Creek Restoration Plan Supplemental EIR: Data Request 3*. June 25, 2021.
- Lehigh, 2021. Email of Erika Guerra, Environmental and Land Resources Director to Janna Scott regarding *PCRPP: Response to Data requests: #2, 2a & 3*. July 23, 2021.