

# County of Santa Clara

Department of Planning and Development  
Planning Office

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August 29, 2019

Erika Guerra  
Environmental and Land Management Director  
Lehigh Hanson, Inc.  
24001 Stevens Creek Blvd  
Cupertino, CA 95014

FILE NUMBER: PLN19-0067  
SUBJECT: Major Reclamation Plan Amendment  
SITE LOCATION: 24001 Stevens Creek Blvd.  
DATE RECEIVED: July 12, 2019

Dear Erika Guerra:

The purpose of this letter is to inform you that the Major Reclamation Plan Amendment application ("Application") as resubmitted by Lehigh Southwest Cement Company on July 12, 2019 is now complete. The County has commenced environmental review of the project, as required under the California Environmental Quality Act. For a list of reports/documents that are required to be submitted in order to complete environmental review, please see Section I below.

## **Project Description**

Lehigh Southwest Cement Company (Lehigh) submitted a Minor Reclamation Plan Amendment (RPA) application on March 25, 2019 in response to the County's August 17, 2018 Notice of Violation (NOV). The March 25, 2019 RPA proposed to amend the Reclamation Plan for the Permanente (Lehigh) Quarry, adopted by the Board of Supervisors on June 26, 2012, to add approximately 63 acres of land to the existing 1,238.6-acre reclamation plan boundary. The proposed boundary adjustment included three new areas; a 1.3 acre Utility Road Area, a 5.4-acre of the existing Plant Quarry Road, and a 4.2-acre area that includes Maintenance Roads.

The County determined that the March 25, 2019 RPA was incomplete and issued an Incomplete Letter to Lehigh on April 29, 2019. The April 29, 2019 Incomplete Letter requested that Lehigh revise the March 25, 2019 RPA to include additional information, resubmit within 180 days, and attend a resubmittal appointment prior to resubmitting the application. In response to County's request, Lehigh attended a meeting with County staff on May 13, 2019 to discuss revisions to the March 25, 2019 RPA. The Resubmittal Application was submitted to the County by Lehigh on July 12, 2019.

## **I. Information required to complete CEQA review**

Lehigh Permanente has applied for use of prior CEQA document – 2012 Reclamation Plan Amendment EIR – and in order to verify that there will no new significant impacts that would preclude the preparation and use of this prior CEQA document, the County is requesting Lehigh submit the following two reports within 30 days of this letter to allow the County to complete the CEQA review process:

### **Biological Resources Report**

1. In order to assess the impacts to wildlife habitat, if any, resulting from the unpermitted grading of the Utility Road, a biological resources report prepared by a qualified biologist that clearly identifies the amount of oak woodland that was removed as part of the haul road, and clearly identifies the amount of habitat for endangered, threatened, or rare wildlife of plants is required. The Application included a memorandum, prepared by GEI Consultants on October 12, 2018, which discusses the methodology and results of the estimated number of trees and cords of wood removed from the utility road due to illegal grading. However, the memorandum does not discuss nor identify the amount of habitat for endangered, threatened, or rare wildlife of plants. To complete CEQA review, the County must assess and quantify the impacts to biological resources resulting from the tree removal and grading activities conducted to construct the Utility Road. Please submit a biological resources report, prepared by a qualified biologist, that clearly identifies the amount of habitat for endangered, threatened, or rare wildlife of plants that was removed as part of the illegal grading along the utility road. The report must also discuss how Lehigh plans to avoid impacts to special status species including California red-legged frog.

### **Slope Stability Analysis**

2. The Application includes a Utility Road Grading Plan and Geotechnical Analysis (“Grading Plan”) prepared by Stantec, dated May 21, 2019. In order to evaluate long-term slope stability of the Utility Road area, slope stability analysis is required for the east-facing cut and fill slopes located north of the “County Jurisdiction” line in Drawing 1 titled “Utility Road Grading Plan” on page 9 of the Grading Plan, as indicated by the D-D’ line added in the revised drawing included as Attachment A. Please submit this slope stability analysis

Once this information has been submitted, provided it is adequate, the County will continue and complete environmental review, and then schedule the application for a hearing before the Planning Commission.

If you have any questions regarding the information requested to complete environmental review, or the review process, please contact me at [robert.salisbury@pln.sccgov.org](mailto:robert.salisbury@pln.sccgov.org) / (408) 299-5785.

Sincerely,



Robert Salisbury  
Senior Planner

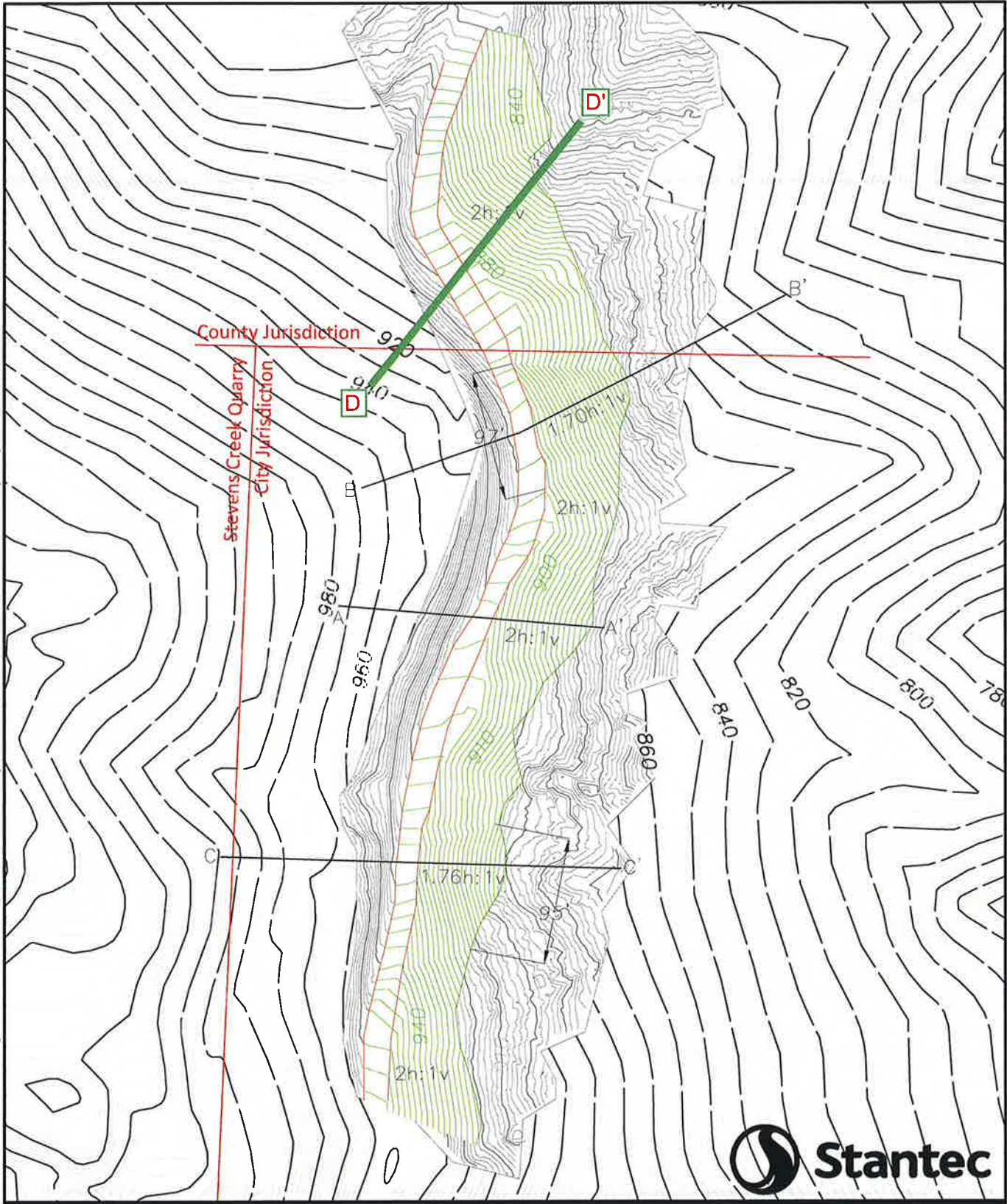
cc: Jacqueline Onciano, Planning Manager, AICP, County of Santa Clara  
Manira Sandhir, Principal Planner, AICP, County of Santa Clara  
Jim Baker, County Geologist, County of Santa Clara  
Elizabeth G. Pianca, Lead Deputy County Counsel, County of Santa Clara  
Kristina Loquist, Office of Supervisor Simitian, County of Santa Clara  
Paul Fry, Engineering and Geology Unit Manager, Division of Mine Reclamation  
Roger Lee, Acting Public Works Director, City of Cupertino

**Attachments:**

A) Revised Drawing 1, "Utility Road Grading Plan"

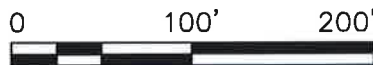
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**Legend**

- 2007 Topography
- 2018 Topography
- Proposed Topography
- Proposed Utility Road
- Property Boundary
- Extent of Fill
- Cross-Section



Client/Project

Lehigh Southwest Cement Company  
Permanente Quarry

Drawing

1

Title

Utility Road Grading Plan