

October 10, 2019

Manira Sandhir
Principal Planner
Department of Planning and Development
County of Santa Clara
70 West Hedding Street
San Jose, CA 95110

Re: Permanente Quarry, Mine ID # 91-43-0004

Application for Reclamation Plan Amendment (PLN 19-0106)

Supplemental information to September 30, 2019 Response to Incompleteness Determination

Dear Ms. Sandhir:

Thank you for your time yesterday to review the September 30, 2019 Lehigh Southwest Cement Company (“Lehigh”) response Santa Clara County’s July 22, 2019 letter which informed Lehigh that its May 2019 Application for a Reclamation Plan Amendment (“Application”) is incomplete.

As agreed during the meeting, Lehigh is presenting additional information to item II. D. *Proposed Tree Removal and Replacement* and the correction of a typographical error for section III F. *Retention of WMSA – Visual Impacts*.

Proposed Tree Removal and Replacement

As stated on Lehigh’s September 30, 2019 letter, the Application already contains information regarding tree removal that is appropriate at this stage of the project. The accompanying Biological Resources Reports (see Binder 2) for the Rock Plant Reserve and North Highwall Reserve analyzed the effect of the project upon oak woodlands under the *County’s Guidelines for Tree Protection and Guide to Evaluating Oak Woodland Impacts*. As required by these guidelines, Lehigh performed an evaluation of the amount of oak woodland canopy affected by actions associated with the proposed reclamation plan amendment.

Tree density in the expansion areas is estimated at approximately 80 to 110 trees per acre. As calculated in the application reports cited above, initial site preparation and mining would remove approximately 12 acres of oak woodland/forest habitat within the North Highwall Reserve layback area, and approximately 14 acres of oak woodland/forest habitat in the Rock Plant Reserve disturbance area. Meanwhile, reclamation of the Permanente Quarry site under the proposed reclamation plan amendment and associated revegetation plan would establish more than 27 acres of oak woodland, with oak trees planted at densities of 200 to 470 trees per acre.

It is typical to estimate the impact of tree removal and establish an appropriate ratio for replacement during the application review process, then to inventory the trees removed based on final design and actual construction. Lehigh would accept such a condition imposed on the project.

Retention of WMSA – Visual Impacts

Lehigh would like to correct the typographical error in this section:

F. Retention of WMSA – Visual Impacts

The County states that the Application would increase the height of the WMSA by 160 feet. Lehigh presumes that the County calculated this according to the difference between the final reclaimed height of the WMSA under the 2012 Reclamation Plan (i.e., 1,900 amsl) and the reclaimed height under the Application (i.e., 2,060 amsl). For clarification, currently, the peak WMSA height is approximately 1,980 feet amsl (see Application, Appendix G-1, Figure 2.2). As such, the Application would increase the WMSA height by 80 feet at most in one area, not 160 feet as stated in the County's letter. Also, because a peak elevation of 2,060 amsl is proposed only for a small part of the WMSA, in most areas the increase would be less.

Finally, Lehigh would like to confirm that the information supplied will be integrated into our application binders filed on May 22, 2019. As we discussed, once the County has the opportunity to review and confirm that the materials satisfy its needs to determine the application to be complete for processing, we will update the binders with these materials, as well as other county suggestions from our meeting yesterday (ie: to include a footnote in the Reclamation Plan Table 12 under Section 4.9 *Reclamation Phasing* referencing the Reclamation Component Permanente Creek Reclamation Project (PCRP) to clarify that this project will occur once all related entitlements and approvals are granted to Lehigh per the February 2016 Amended Consent Decree between Lehigh and the Sierra Club, and modify the Figure 2 Easement Area and Volumes graphic attached to our September 30 letter to include aerial photograph rather than digital terrain). The updated binders will be supplied in their entirety with current dates to avoid any future confusion regarding the complete application being processed.

I appreciate your assistance and look forward to the County accepting Lehigh's Application for processing. Please do not hesitate to contact me if there are additional questions.

Thank you,

Erika Guerra
Erika Guerra

Director Environment and Land Resources
Lehigh Hanson – West Region

cc: Jacqueline R. Onciano, Director of Planning and Development
Rob Eastwood, Planning Manager, Santa Clara County
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