

March 24, 2020

**VIA ELECTRONIC MAIL**

Jacqueline R. Onciano  
Director of Planning and Development  
County of Santa Clara  
70 West Hedding Street, 7<sup>th</sup> Floor  
San Jose, CA 95110

***Re: Permanente Quarry, California Mine ID No. 91-43-0004  
Reclamation Plan Amendment Application Status***

Dear Ms. Onciano:

Thank you for your March 13, 2020 letter, which provided an update regarding Santa Clara County's processing of Lehigh's May 2019 Major Reclamation Plan Amendment application (PLN19-0106), and also responded to our February 24, 2020 letter. Note that your letter was sent by email on March 19, 2020.

Lehigh appreciates the County's reassurance that it is processing the application. We note, however, that under the County's procedures, the County must provide applicants with a scope of work and budget as a predicate to beginning the CEQA review.<sup>1</sup> Lehigh has not yet been provided a scope of work or a budget yet. Lehigh is eager to proceed with the CEQA process and we ask that you provide these as soon as possible.

To make concrete steps towards a decision on the application, it benefits both the County and Lehigh to endorse a processing schedule, and Lehigh has prepared the attached schedule for the County to consider. It assumes a diligent pace that is reasonable given the existence of the prior environmental review and the recent technical studies included in the application. The schedule also tracks Mr. Eastwood's comments at the December 19, 2020 HLUET meeting regarding a likely processing time (minimum of 9-12 months). Please confirm that this schedule is agreeable.

Finally, your letter attributes the processing delay to the County not having a "consolidated" reclamation plan amendment from Lehigh. In fact, Lehigh did provide a consolidated amendment to the County on December 2, 2019 in connection with its State Mining and Geology Board submittal. Lehigh would be pleased to provide additional copies as needed. Certainly, we see no reason to delay based on

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<sup>1</sup>County of Santa Clara, Department of Planning and Development Office, *Procedures for Consultants to Prepare Environmental Documents for Private Projects in Santa Clara County*, rev. December 8, 2015, p. 9.

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the administrative clarifications requested by the County’s November 8, 2019 letter, which accepted the application as complete, and asked for a consolidated version to “complete the environmental review process and schedule the project for a hearing.” (Emphasis added.)

We look forward to your reply concerning the attached schedule.

Sincerely,

HARRISON, TEMBLADOR, HUNGERFORD & JOHNSON



By  
Mark D. Harrison, Esq.

cc: Rob Salisbury, Senior Planner, Santa Clara County  
Rob Eastwood, Planning Manager, Santa Clara County  
Michael L. Rossi, Esq., Lead Deputy County Counsel  
Elizabeth G. Pianca, Esq., Lead Deputy County Counsel  
Erika Guerra, Lehigh Southwest Cement Company