

County of Santa Clara

Department of Planning and Development
Planning Office

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March 13, 2020

Mr. Mark D. Harrison, Esq.
Harrison, Temblador, Hungerford, & Johnson
2801 T Street
Sacramento, CA 95816

Re: February 24, 2020 letter regarding the County's February 13, 2020 request to consolidate Major Reclamation Plan Amendment applications

Mr. Harrison,

The County of Santa Clara ("County") is in receipt of your letter dated February 24, 2020. We appreciate Lehigh's agreement to withdraw the Utility Road Application (File No. PLN19-0067). Lehigh's February 24, 2020 conditions Lehigh's withdrawal of the Utility Road Application on the County agreeing to Lehigh being able to "use the Plant Quarry Road and other internal roads on Lehigh's Property while the combined application is processed."

The County understands this statement to mean that Lehigh may continue to use the Plant Quarry Road and maintenance roads—as shown on Figure 1 (attached)—while the County processes File No. PLN19-0067 ("Application Number [No.]1") and PLN19-0106 ("Application No. 2") as one single, internally consistent, and unified application for a Major Reclamation Plan Amendment. The County does not object to this statement if Lehigh accepts the County's understanding of it. Please confirm by March 24, 2020 that Lehigh accepts the County's understanding. Please be advised that the Lehigh's FACE and FAM may need to be modified to ensure there are adequate financial resources available to fund reclamation of these roadways and the Utility Road.

As noted in the County's February 13, 2020 letter, to continue processing the application the County requests that Lehigh submit a modified Reclamation Plan that incorporates modifications to Application No. 2 (County File No. PLN19-0106) as necessary and appropriate, incorporating any geographic areas and elements from Application No. 1 not shown in Application No. 2 in a manner that avoids internal inconsistencies in the project description.

The County looks forward to receiving Lehigh's written confirmation as described above, which will satisfy the County's February 13, 2020 request that Lehigh submit a written request to withdraw Application No. 1 (PLN19-0067) together with Lehigh February 24, 2020 letter. If you have any additional questions regarding these applications, please contact Robert Salisbury at robert.salisbury@pln.sccgov.org / (408) 299-5785.

Sincerely,



Jacqueline R. Onciano
Director, Department of Planning and Development

Attachments

Figure 1, Plant Quarry Road, Utility Haul Road, and maintenance roads

cc: Rob Eastwood, Planning Manager, AICP, County of Santa Clara
Manira Sandhir, Principal Planner, AICP, County of Santa Clara
Robert Salisbury, Senior Planner
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