

Use Permit (P)

****A Pre-Application Meeting is Required Prior to Submittal of the Use Permit Application****

The following is a list of documentation required by the Planning Office in order to process your application for Use Permit. Your application will **not** be accepted unless it is signed by the **property owner**, accompanied by the current filing fee, and includes **all** the pertinent items described below. Following initial distribution and review of submitted materials additional information may be required. **Questions?** Contact the Santa Clara County Planning Office (408) 299-5770.

Checklist of Required Application Materials

The documents listed below are **required** for your Use Permit and **must be submitted in electronic form on a CD or thumb drive, along with 2 copies of the plans on paper. Incomplete submittals will not be accepted.** All plans must be legibly drawn to an appropriate scale, and the paper copies must be sheet size **18"x 24" minimum to 24"x36" maximum, and folded.**

- ☐ **Site Plan** (See "Sample Site Plan" and for items that are required to be shown on the site plan.)
- ☐ **Project Description** Include a detailed description of the project including detailed work or operational plan, activities, number of employees/volume of people, types of material to be used or stored on-site, traffic impact and/or number of vehicle trips per day, noise information.
- ☐ **Copy of Assessor's Parcel Map** (Available at the Assessor's Office-5th Floor, County Government Center)
- ☐ **Copy of Current Recorded Grant Deed**
- ☐ **Evidence showing legal creation of lot** (See handout enclosed with application packet)
- ☐ **Environmental Information Forms** (1 original and 10 copies) **including photos of project site & Fee**
An environmental assessment will be required for your project unless it is determined that your project qualifies for an exemption from Environmental Assessment.
- ☐ **Completed Well Information Questionnaire** (enclosed with application packet)
- ☐ **Hazardous Sites Questionnaire** (enclosed with application packet)
- ☐ **Acknowledgements and Agreements Form**, signed by owner.

Additional Application Materials that may be Required

The documents listed below **may** be required for your Use Permit. **Please consult staff to make an accurate determination.**

- ☐ **General Plan Conformance / Contiguity Statement**
Applicants proposing Architectural and Site Approval within a City's urban service area and under County jurisdiction must **first** file this form initiating annexation if the property is directly adjacent to city boundary, across the street from city boundary, or within 300 feet from the city boundary along a public road. Note: This form must be completed by the applicant, the County Planning Office, and the involved city before the application can be accepted.
- ☐ **Petition for Exemption from Environmental Assessment Form & Applicable Fee**
Your project **may** qualify for a Categorical Exemption from the required environmental review process. See list of Categorical Exemptions. If your petition for a categorical exemption is not approved, you will be required to apply for an environmental assessment and pay the applicable fee.
- ☐ **2 Geologic Reports & Applicable Fee** (1 paper copy and 1 electronic copy)
A geologic report may be required, depending on the project and location. If a geologic report is required, submit one (1) original wet signed paper copy and one (1) electronic copy (PDF on CD). Contact County Geologist at (408) 299-5774.
- ☐ **Williamson Act Compatible Use Determination.**
If the subject property is restricted by a Williamson Act contract, file for and obtain a Compatible Use Determination prior to filing the application for Use Permit. Refer to the Williamson Act Compatible Use Determination checklist for more details.
- ☐ **Identification of Potential Historic Resources (Part I and Part II forms)** If the project includes demolition of structures 50 years or older, submit a completed and signed *Identification of Properties for Potential Historic Significance* forms, a copy of the Santa Clara County Residential Unit Property Record (available from the County Assessor's Office, 5th Floor) for the subject property and photographs of each elevation of the subject structure and any related structures or associated features. Please note that the 50-year age reference is a discretionary guideline; there are circumstances where a property less than 50 years old may be potentially significant.
- ☐ **1 Set of Mailing Labels** (See mailing labels handout for details)
Mailing labels are only required if your property is within 300 feet of a County boundary line.

*****Turn page for additional requirements*****

- ☐ **Septic System Plan** (field checked and signed by Department of Environmental Health (DEH) field office) If a septic system is existing or proposed, each site must be evaluated by DEH. The evaluation entails a site assessment, a soil profile trench and a percolation test. One copy of the site plan should be field checked, stamped, and signed by DEH field office and then submitted with the Use Permit application. DEH charges an additional fee for site evaluations. Contact DEH at (408) 918-3400. South County office: (408) 779-0631
- ☐ **Fire Protection Information**
 - Total square footage of proposed structure(s).
 - Type of construction per California Building Code of all existing and proposed structures.
 - Water source (name of water provider or on-site well).
 - If the source of water is on-site well, show the location and capacity of existing or proposed aboveground water tank(s), and means of delivering water at required pressure (e.g., fire pump or gravity).
 - Hydrants: Show type (wharf or standard) and location of closest available or proposed hydrant(s).
 - Private Access Road/Driveways: Show drivable width, vertical clearance, surface, load-bearing capacity, turning radii, percent grade, turnarounds, turnouts and bridges.
- ☐ **Clean Water Program (CWP) Questionnaire**
Pursuant to the Federal Clean Water Act, the NPDES Municipal Storm Water Discharge Permit issued by the Regional Water Quality Control Board and County Nonpoint Source Pollution Ordinance, the County requires storm water treatment measures and pesticide use reduction measures for certain types of projects. A CWP questionnaire is required if your project is both: (1) located within the San Francisco Bay Watershed, and (2) is not an individual single-family home. The questionnaire assists the Land Development Engineering Section in determining whether the project will require storm water treatment measures.
- ☐ **Rural Resources Impact Study** (See rural resources impact study template for details). If located in rural areas such as RR, HS, A, or AR zoning districts, certain land use classifications, such as Clubs- Private and Non-profit, Hospitals and Clinics, Manufacturing: Small Scale Rural, Non-Profit Institutions, Religious Institutions, Retail Sales and Services – Local Serving, Schools, and Commercial Uses within the San Martin Commercial and Industrial Use Permit Area may require a rural resources impact study per County Zoning Ordinance Section 2.20.090.
- ☐ **Other Reports/Studies**
Your project may require a detailed report or study. For example, a biological, archeological, noise, or traffic study could be required depending on the location and/or intensity of the project.

Use Permit Pre-Application (PA)

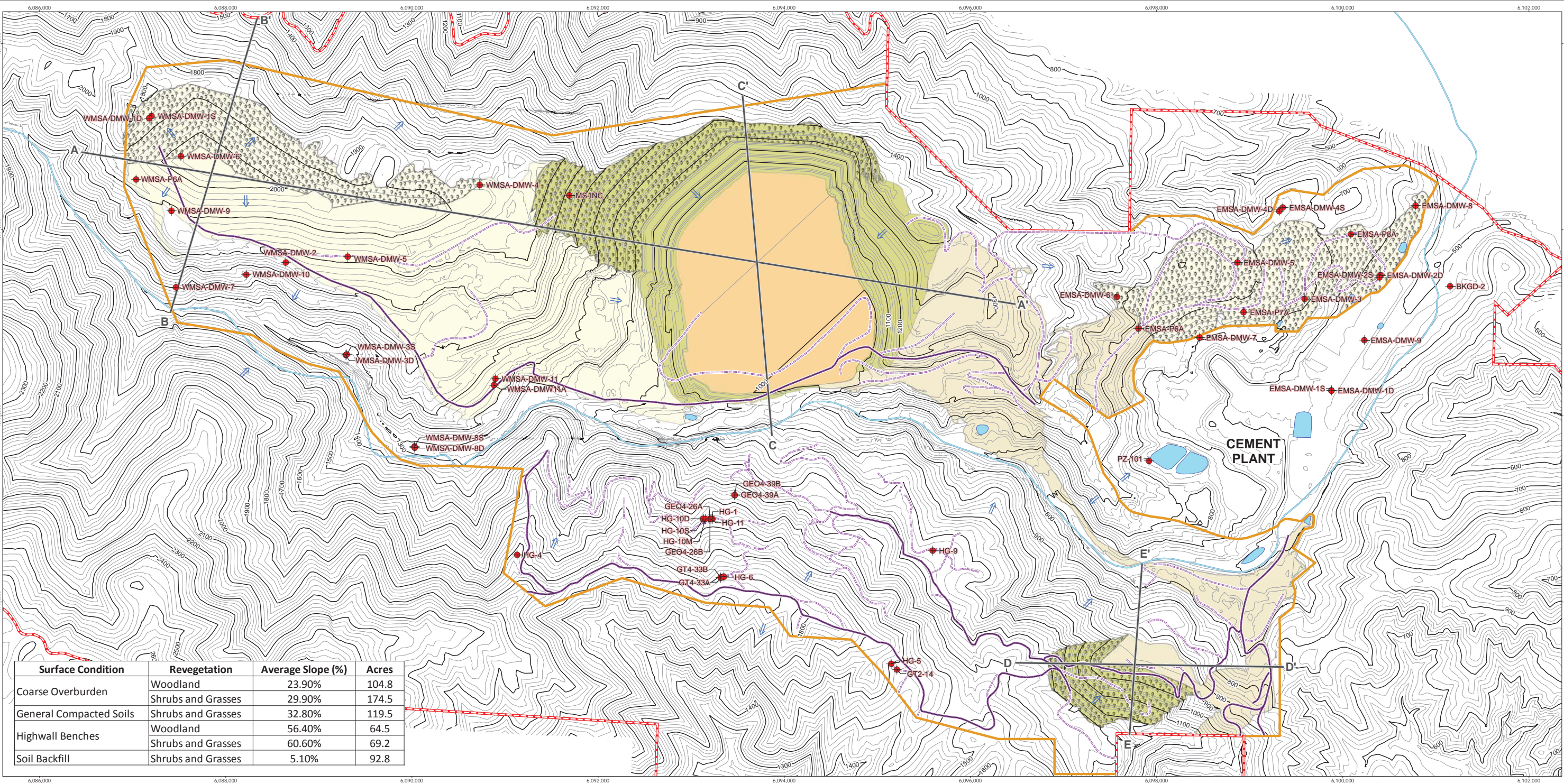
The following is a list of documentation required by the Planning Office in order to process your Use Permit Pre-Application meeting. Your application will **not** be accepted unless it is signed by the property owner or authorized representative, accompanied by the current filing fee, and includes **all** the pertinent items described below. Following initial distribution and review of submitted materials additional information may be required. **Questions?** Contact the Santa Clara County Planning Office (408) 299-5770.

Checklist of Required Application Materials
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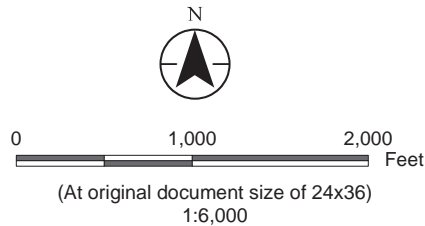
- ☒ **Site Plan** (See "Sample Site Plan" for items that are required to be shown on the site plan). 2019 Amended Reclamation Plan
- ☒ **Project Description Form**
Include a detailed description of the project including a detailed work or operational plan, proposed and existing buildings, use of buildings, activities, number of employees/volume of people, hours of operation, types of material to be used or stored on-site, noise information
- ☒ **Copy of Assessor's Parcel Map** (Available at the Assessor's Office-5th Floor, County Government Center) Consolidated Parcels Map
- ☐ **General Plan Conformance / Contiguity Statement** NA
Applicants proposing a Use Permit within a City's urban service area and under County jurisdiction must **first** file this form for general plan conformance. Annexation must also be initiated if the property is directly adjacent to city boundary, across the street from city boundary or within 300 feet from the city boundary along a public road. Note: the applicant, the County Planning Office, and the involved city must complete this form before the application can be accepted.
- ☒ **Photos of the Site** (where the proposed project and all improvements are proposed to be constructed or already exist)
- ☐ **Fire Protection Information** NA
 - Total square footage of proposed structure(s).
 - Type of construction per California Building Code of all existing and proposed structures.
 - Water source (name of water provider or on-site well).
 - If the source of water is on-site well, show the location and capacity of existing or proposed aboveground water tank(s), and means of delivering water at required pressure (e.g., fire pump or gravity).
 - Hydrants: Show type (wharf or standard) and location of closest available or proposed hydrant(s).
 - Private Access Road/Driveways: Show drivable width, vertical clearance, surface, load-bearing capacity, turning radii, percent grade, turnarounds, turnouts and bridges.

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Legend

- Well Location
- Surface Flow Drainage
- Permanente Creek
- Road (Retained)
- Road (Reclaimed)
- Cross-Section
- Phase 4 - Reclamation Topography
- 100 ft Index Contour
- 20 ft Contour
- Stormwater Pond
- RPA Boundary
- Property Boundary
- Coarse Overburden (Woodland)
- Coarse Overburden (Shrubs and Grasses)
- General Compacted Soils (Shrubs and Grasses)
- Highwall Benches (Woodland)
- Highwall Benches (Shrubs and Grasses)
- Soil Backfill (Shrubs and Grasses)



- Notes**
- Coordinate System: NAD 1983 StatePlane California III FIPS 0403 Feet
 - Background: Phase 4 - Reclamation Topography
 - The planned surface disturbance boundary and depth are shown; however, the extent of operations may or may not reach these limits. Total acreage to be disturbed and reclaimed will be within the limits of the reclamation plan boundary. Facilities and configurations within this boundary are approximate. All acreages are approximate and not intended to reflect goals for any particular surface type. Variations are subject to actual mined conditions and will not affect success of postmining land uses.
 - Some mined materials will be unusable and varying market conditions may result in additional unsaleable materials (e.g., greenstone). Thus, the volumes of overburden and fill material and, therefore, the ultimate configuration of the reclaimed quarry may vary from the configuration shown. The graphic represents the types of surfaces that would be reclaimed (e.g., overburden, backfill, highwall benches). The final configuration of these surfaces has no bearing on the success of mine reclamation because reclamation would be completed according to plan surface treatment criteria.



Project Location
T07S, R02W
Santa Clara County, CA

Client/Project
Lehigh Southwest Cement Company
Permanent Quarry Reclamation Plan Amendment

Figure No.
3-1

Title
Reclamation Plan

Review
Prepared by CBB on 2019-02-21
Technical Review by PK on 2018-02-22

DRAFT

PERMANENTE QUARRY 2019 RECLAMATION PLAN AMENDMENT PRE-APPLICATION MEETING PROJECT DESCRIPTION

1. BACKGROUND

Permanente Quarry (Quarry) is a limestone and aggregate mining operation located in the Santa Clara County foothills west of the city of Cupertino. Lehigh Southwest Cement Company (Lehigh) operates the Quarry in conformance with the *Reclamation Plan Amendment for Permanente Quarry* (2012 Reclamation Plan), which Lehigh Southwest Cement Company (2011) prepared and Santa Clara County (County) approved in 2012. The County is the lead agency for the Quarry under the California Surface Mining and Reclamation Act (SMARA) and California Environmental Quality Act.

The primary feature of the 2012 Reclamation Plan is to reclaim the central mining excavation, known as the North Quarry, by backfilling the excavation with overburden that is currently material stockpiled on-site in an area known as the West Materials Storage Area (WMSA). The purpose behind this strategy was to meet certain water quality and slope stability requirements.

2. SITE LOCATION

The Quarry occupies a portion of an approximately 3,510-acre property managed by Lehigh. Of the total site acreage, 2,656 acres are subject to the County's land use jurisdiction (Santa Clara County 2011). The remaining 854 acres are located within the cities of Palo Alto and Cupertino. The majority of the remaining acreage is relatively undisturbed, steep, heavily vegetated, and has limited access. The Permanente Cement Plant, which is also on the property, is separately permitted and is not regulated under SMARA as part of the Quarry.

Lehigh's property is bordered by large open space areas to the north, south, and west, and is near urban areas to the east. To the north and northeast are Rancho San Antonio County Park and Midpeninsula Regional Open Space District land. The closest residential areas are in the cities of Cupertino, Los Altos, Palo Alto, and Saratoga. At the closest points of these residential areas to the project site, Cupertino is approximately ½ mile to the east, Los Altos is approximately 1 mile to the northeast, and Saratoga is approximately 3 miles to the southeast.

3. BACKGROUND

3.1 Vested Property and Operations

The Quarry is a "vested mine" operation. A vested mine is a mine that was established legally within the regulations in place at that time. These mines are "grandfathered" and do not require use permits for certain types of future expansions. The County Board of Supervisors determined the Quarry's vested rights in a February 8, 2011, public hearing. Even where a quarry is vested, it must have an approved reclamation plan pursuant to SMARA and the County's regulations.

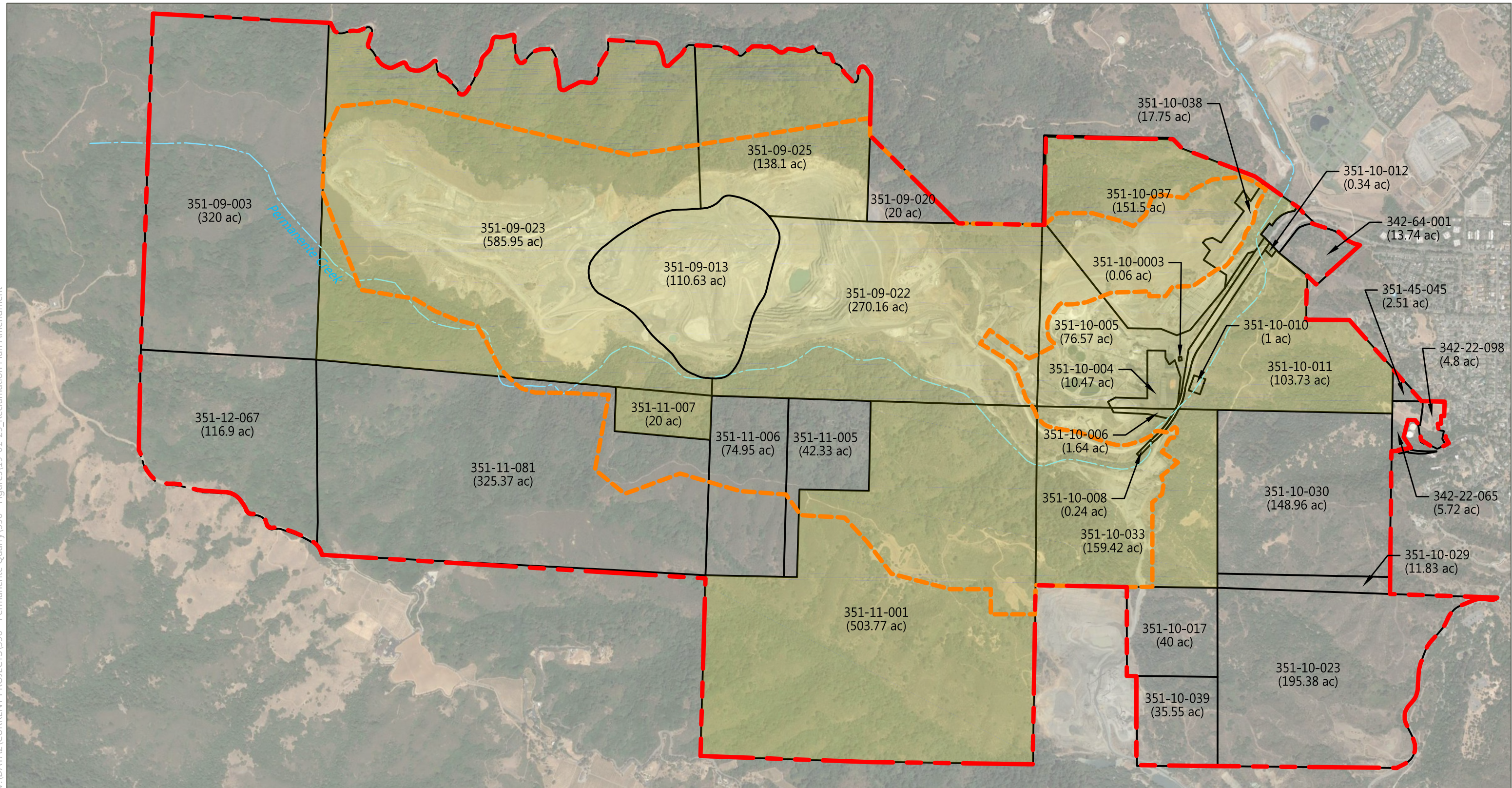
4.0 PROPOSED RECLAMATION PLAN AMENDMENT

SMARA encourages reclamation plans to be amended as mining progresses, conditions change, and better reclamation strategies are developed. This application is prepared to update the reclamation plan, and seek related entitlements, to incorporate the results of various

hydrologic and geotechnical investigations that have occurred since 2012. The Permanente Quarry Reclamation Plan is being amended for the following purposes:

1. Planned reserve development must be incorporated per SMARA
2. Incorporate results of groundwater investigations and new requirements by RWQCB, prompting reconsideration of backfill materials
3. Incorporate geotechnical investigations and engineering to address greenstone slide and ridgeline stability

V:\DATA2\CURRENT PROJECTS\396 - Permanente Quarry\396 - Figures\19-01-29_Reclamation Plan Amendment



SOURCES: AERIAL: Google Earth (2018-08-09); SITE BOUNDARY/RECLAMATION BOUNDARY: Lehigh Southwest Cement Company, generated in 2018; PARCELS: Santa Clara County parcel data accessed in 2018; compiled by Benchmark Resources in 2019

NOTES:

1. ac = acres
2. Property boundary for illustrative purposes only. See Appendix D-2, "County Parcel Boundaries," for maps of the site and boundaries prepared by a California-licensed professional and Appendix D-1, "Legal Description," for owner information and property details.
3. See Appendix D-5, "Topographic Survey and Parcels," for parcel boundaries and acreages.

