

September 21, 2020

**Robert Salisbury, Senior Planner**  
**County of Santa Clara Planning Office**  
**Department of Planning and Development**  
70 West Hedding Street, East Wing, 7th Floor  
San Jose, California 95110. Rob Salisbury

<b>SUBJECT</b>	<b>STEVENS CREEK QUARRY: CONDITIONAL USE PERMIT AND RECLAMATION PLAN AMENDMENT APPLICATION</b>
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Dear Mr. Salisbury:

Stevens Creek Quarry, Inc. (SCQ) respectfully submits this Conditional Use Permit and Reclamation Plan Amendment application, which consists of an electronic file and one (1) hard copy of the following information:

- Application Fees;
- Master Application and Acknowledgement and Related Application Forms;
- Reclamation Plan Amendment;
- Project Description;
- Reclamation Plan that complies with SMARA and the Santa Clara County Surface Mining Ordinance;
- Technical Evaluations; and other support data; and
- Letter from SCQ counsel reserving the right to assert vested rights for Parcel B in the event the use permit is denied.

Thank you for your assistance in meeting this important deliverable. We look forward to the County's completeness review.

Sincerely,



**Jason Voss**

cc: Andrew White, Benchmark Resources  
Patrick Mitchell, Mitchell Chadwick



**MITCHELL  
CHADWICK**

Patrick G. Mitchell  
pmitchell@mitchellchadwick.com  
916-462-8887  
916-788-0290 Fax

September 21, 2020

**VIA EMAIL AND U.S. MAIL**

Robert Salisbury  
Senior Planner  
Santa Clara County Department of Planning and Development  
County Government Center  
East Wing, 7<sup>th</sup> Floor  
70 West Hedding Street  
San Jose, CA 95110

**Re: Stevens Creek Quarry – RPA and UP Application**

Dear Mr. Salisbury:

This letter is sent regarding the Use Permit (“UP”) and Reclamation Plan Amendment (“RPA”) application submittals dated today prepared by Benchmark Resources for my client Stevens Creek Quarry, Inc. (“SCQ”). As you know, the UP and RPA applications are due to the County on September 21, 2020, pursuant to the agreement between Santa Clara County (“County”) and SCQ.

While SCQ is submitting the UP application in good faith per its Compliance Agreement and Stipulated Order to Comply (as amended) with the County, in the event that the UP for the proposed project is denied by the County, SCQ reserves the right to assert a vested right as to Parcel B and to challenge the County’s actions in a court of competent jurisdiction.

Sincerely yours,

Pat Mitchell

cc: Jacqueline Onciano, Santa Clara County  
Rob Eastwood, Santa Clara County  
Rich Voss, SCQ  
Jason Voss, SCQ  
David Brown, Benchmark Resources

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