

Subject **Notice of Preparation of a Subsequent Environmental Impact Report for the proposed 2023 Lehigh Permanente Quarry Reclamation Plan Amendment (County File No. PLN23-100)**

From Salisbury, Robert <Robert.Salisbury@PLN.SCCGOV.ORG>

To Salisbury, Robert <Robert.Salisbury@PLN.SCCGOV.ORG>

Date 2025-06-12 04:46 PM



- Lehigh RPA\_NOP\_final (signed by RS and LM).pdf(~2.1 MB)
- Figure 1 Project Area.pdf(~1.7 MB)

To all Lehigh Interested Parties:

The Santa Clara County Department of Planning and Development is preparing a Subsequent Environmental Impact Report to analyze the potential impacts of the proposed 2023 Reclamation Plan Amendment for Lehigh Permanente Quarry. Please see the attached Notice of Preparation for additional information about the SEIR, the upcoming scoping meeting, and how to submit comments about the scope and content of the environmental information to be included in the SEIR.

The proposed 2023 Reclamation Plan Amendment can be found here:

<https://plandev.santaclaracounty.gov/programs-and-studies/smara/permanente-quarry-lehighhanson/reclamation-plan-proposed-permits-projects>, under the tab “2023 Reclamation Plan Amendment for Lehigh Quarry (PLN23-100)”. We look forward to any comments you might have about the scope and content of the SEIR.

Kind regards,



**Robert Salisbury**

Principal Planner | Zoning Administrator | SMARA Program Manager

**Department of Planning and Development  
County of Santa Clara**

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**County of Santa Clara**  
**Department of Planning and Development**  
 County Government Center, East Wing  
 70 West Hedding Street, 7<sup>th</sup> Floor  
 San Jose, California 95110



**NOTICE OF PREPARATION OF A SUBSEQUENT ENVIRONMENTAL IMPACT REPORT  
 FOR THE PERMANENTE QUARY RECLAMATION PLAN AMENDMENT PROJECT  
 (STATE CLEARINGHOUSE #2010042063; STATE MINE ID# 91-43-0004)**

**Project Applicant:** Hanson Permanente Cement, Inc. as property owner, and Lehigh Southwest Cement Company (Lehigh Southwest) as operator of the Permanente Quarry (collectively, Lehigh)  
**File Number:** PLN23-100  
**Application For:** Reclamation Plan Amendment

The County of Santa Clara (County) will be the Lead Agency and will prepare a Subsequent Environmental Impact Report (SEIR) to the 2012 Lehigh Permanente Quarry Reclamation Plan Amendment EIR for a proposed amendment to the 2012 Reclamation Plan for the Permanente Quarry (“RPA” or “project”). The County requests your input on the scope and content of the environmental information to be included in the SEIR that is germane to your agency’s statutory responsibilities in connection with the project. A brief description of the project, its site boundary, and a summary of the potential environmental effects are provided on the following pages. Approval of the project will require actions by the County of Santa Clara, including the preparation and certification of an SEIR and approval of a major reclamation plan amendment by the Planning Commission. The SEIR also may be used by your agency when considering approvals for the project.

A Public Scoping/Community Meeting to solicit input in response to this Notice of Preparation will be held virtually via Zoom on Tuesday, July 8, 2025, from 6:00 p.m. to 7:00 p.m. unless all who wish to speak have been heard from before the posted end time. The deadline for your response is Monday, July 14, 2025, at 5:00 p.m.; however, an earlier response, if possible, would be appreciated. Please send your response to:

County of Santa Clara Planning Office  
**Attention: Robert Salisbury**  
 County Government Center  
 70 West Hedding, 7<sup>th</sup> Floor, East Wing, San Jose CA 95110  
 E-mail: [Robert.Salisbury@pln.sccgov.org](mailto:Robert.Salisbury@pln.sccgov.org)

<b>Prepared by:</b> Robert Salisbury Principal Planner	<i>Robert Salisbury</i> _____ Signature	6/12/2025 _____ Date
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<b>Approved by:</b> Leza Mikhail Deputy Director	DocuSigned by: <i>Leza Mikhail</i> _____ Signature	6/12/2025 _____ Date
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**Board of Supervisors:** Sylvia Arenas, Betty Duong, Otto Lee, Susan Ellenberg, Margaret Abe-Koga  
**County Executive:** James R. Williams

## Public Scoping Meeting

CEQA encourages public input throughout the planning process. Consistent with CEQA and CEQA Guidelines section 15083, comments may be presented at a meeting where the County will solicit input on the scope and content of the SEIR, including environmental impacts of concern and mitigation measures or alternatives that should be considered. The scoping meeting will be held online for 60 minutes unless all who wish to speak have had an opportunity to do so before the meeting's noticed end time. Scoping meeting details are as follows:

Date: Tuesday, July 8, 2025

Time: 6 p.m. -7 p.m.

Registration link: <https://bit.ly/LPQScopingMtg>

Webinar ID: 889 8898 0255

If joining by phone: (888) 788-0099

## Introduction

As the lead agency for purposes of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), its implementing regulations (the CEQA Guidelines) (14 Cal. Code Regs. section 15000 et seq.), the Surface Mining and Reclamation Act (SMARA), and the Santa Clara County Surface Mining Ordinance (§4.10.370), the County plans to analyze the potential environmental impacts associated with the reclamation plan amendment application submitted by Hanson Permanente Cement, Inc. (property owner) and Lehigh Southwest Cement Company (mine operator) of the Permanente Quarry (collectively, Lehigh).

Pursuant to these authorities, the County approved an amended reclamation plan for the Quarry in 2012 (the "2012 Reclamation Plan") following the County's certification of the 2012 Lehigh Permanente Quarry Reclamation Plan Amendment Environmental Impact Report (2012 EIR). Thereafter, the County Planning Official approved a Grading Authorization in 2024 to allow the restoration and modification of specific segments of Permanente Creek located within and outside of the existing reclamation plan boundary as part of the Permanente Creek Restoration Project (PCRP) following certification of a Supplemental Environmental Impact Report for the PCRP (PCRP SEIR). The 2012 EIR and PCRP SEIR are referred to collectively as the "Prior Analysis." Lehigh now proposes to reclaim the Permanente Quarry with the modifications described below relative to the original description of the work as provided in the 2012 Reclamation Plan Amendment and the PCRP.

When any of the conditions described in Public Resources Code section 21166 and CEQA Guidelines section 15162 are present, a lead agency must undertake further CEQA review. Consistent with CEQA, the County intends to prepare a Subsequent EIR that revises the Prior Analysis as needed to describe and analyze the project changes proposed in Lehigh's application. The SEIR will not reconsider other issues discussed in the Prior Analysis.

## Project Location

The Permanente Quarry is a limestone and aggregate mining operation located in the western foothills of the County, approximately 0.5-mile west of the City of Cupertino, approximately 2 miles west of the intersection of Interstate 280 and Highway 85, at 24001 Stevens Creek Boulevard. Quarry access is via Stevens Creek Boulevard and Foothill Expressway, continuing to the terminus of Permanente Road. The application separates the area within the reclamation plan boundary into six mapping units, which include: the quarry pit, two overburden disposal areas (the West Materials Storage Area [WMSA] and East Materials Storage Area

[EMSA]), Shop and Office Area, Rock Plant and Haul Road, and the Permanente Creek Restoration Area. See Figure 1, Project Area.

## Project Description

Lehigh seeks necessary authorizations from the County to revise the existing reclamation plan to facilitate final reclamation of the Quarry site over a 40-year period to return the site to a hillside open space condition suitable for subsequent uses allowed by the Santa Clara County Zoning Ordinance. The application, as resubmitted by Lehigh on December 18, 2024, would remove aggregate stockpiles; grade steep areas for stability; backfill the Quarry with primarily imported materials and some on-site materials; cover the remaining materials in the WMSA, the materials in the EMSA, and the quarry pit with suitable closure material that is a combination of material generated on-site and imported material; buttress quarry pit walls with imported fill; and revegetate. Please view the complete application materials and general information regarding Lehigh on the County website at: <https://plandev.santaclaracounty.gov/programs-and-studies/smara/permanente-quarry-lehighhanson/reclamation-plan-proposed-permits-projects>.

Briefly, however, the application to amend the 2012 Reclamation Plan would:

- Remove the “Exploration Area” identified in the 2012 Reclamation Plan and thereby reduce the existing, approximately 1,238.6-acre reclamation plan boundary to an approximately 921-acre area that consists of only the areas needed for processing stockpiled aggregates and reclamation and closure work.
- Use approximately 42 million cubic yards (cy) of clean fill to backfill (reclaim) the quarry pit as part of final reclamation design. Under the approved 2012 Reclamation Plan, overburden material at the WMSA was proposed to be used to backfill the quarry pit. The application instead proposes that 31.2 million cubic yards of off-site clean fill would be used in combination with acceptable WMSA overburden material to fill the quarry pit. The remaining WMSA overburden material would be left in place, covered with suitable material, and revegetated.
- Reclaim slopes along Permanente Creek that are within the 2012 Reclamation Plan boundary but which would not have been reclaimed under the 2012 Reclamation Plan.

## Required Project Approvals and Processes

In addition to County certification of an SEIR and approval of a reclamation plan amendment and updated financial assurances, the project may require a Clean Water Act Section 401 certification and revised Title 27 Waste Discharge Requirements from the State Water Resources Control Board and/or the San Francisco Bay Regional Water Quality Control Board (RWQCB), a Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW), and a Clean Water Act Section 404 nationwide permit from the U.S. Army Corps of Engineers (the Corps). A Federal Endangered Species Act Section 7 consultation by the Corps with the U.S. Fish and Wildlife Service (USFWS) regarding effects on federally listed species also may be required.

## Potential Environmental Effects of the Project

Electronic copies of the Prior Analysis are available online: <https://plandev.santaclaracounty.gov/programs-and-studies/smara/permanente-quarry-lehighhanson/reclamation-plan-proposed-permits-projects>.

The purpose of an SEIR is to explore environmental impacts that were not previously considered. Therefore, the SEIR will evaluate only those environmental resource areas in which modifications to the 2012

Reclamation Plan could cause new or more severe significant impacts relative to those analyzed in the Prior Analysis.

Although all of the environmental considerations in the CEQA Guidelines Appendix G checklist that were considered in the Prior Analysis will be considered, the SEIR is expected to focus on the following specific environmental topics:

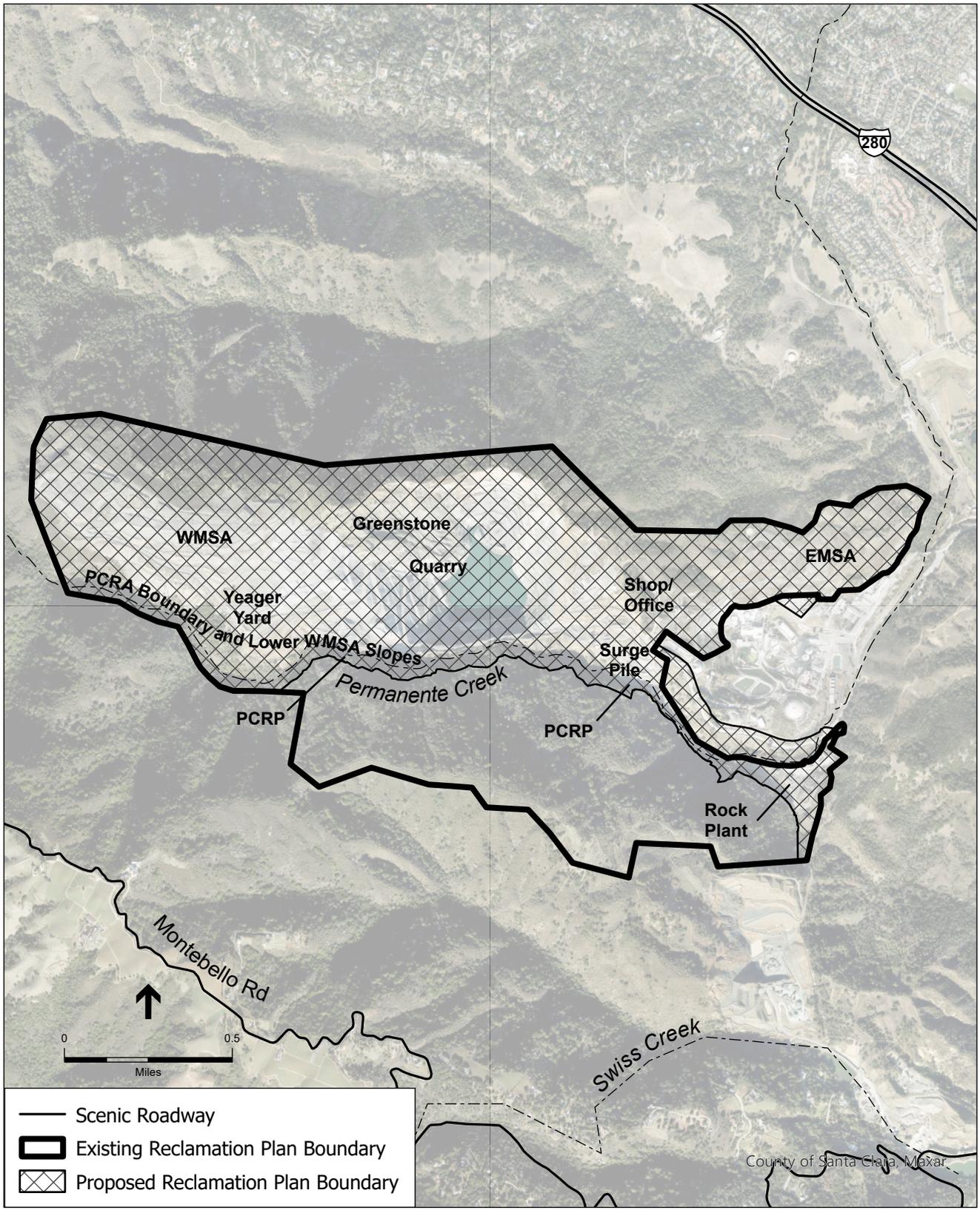
- **Air Quality** – The air quality analysis presented in the SEIR will address regional air quality conditions and air-pollutant sensitive receptors (including land uses or activities) in the vicinity of the Permanente Quarry and determine whether the project would cause a new or more severe potential significant air quality impact than was disclosed in the Prior Analysis. The County will prepare an Air Quality and Greenhouse Gas Emissions Technical Study and will seek input from the Bay Area Air Quality Management District as part of the SEIR process.
- **Biological Resources** – The SEIR will present information on applicable biological resources in the Project area, including special-status wildlife and plant species, natural communities, and wetlands or other jurisdictional waters and will evaluate how the proposed changes to the 2012 Reclamation Plan would affect the analysis of impacts to biological resources disclosed in the Prior Analysis. The County will seek input from CDFW and USFWS as part of this effort.
- **Cultural Resources and Tribal Cultural Resources** – The SEIR will assess whether the project would cause a new potential significant impact or a more severe significant impact on historical resources, archaeological and unique paleontological resources, or potential disturbance of human remains than disclosed in the Prior Analysis. It also will evaluate potential impacts on tribal cultural resources relative to CEQA Guidelines Appendix G environmental checklist considerations that were added to the checklist in December 2018. Input will be sought from Tribes culturally affiliated with the project area to inform the analysis.
- **Geology, Soils, Seismicity, and Paleontology** – The SEIR will present relevant information about geology, soil conditions, and seismicity at the Quarry and will evaluate whether the project would result in new or more severe significant impacts on such resources than disclosed in the Prior Analysis.
- **Greenhouse Gas Emissions** – Informed by an Air Quality and Greenhouse Gas Emissions Technical Study to be prepared by the County, the SEIR will assess whether the project would affect impact conclusions reached in the Prior Analysis relating to GHG emissions.
- **Hazardous Materials and Hazards** – The SEIR will evaluate any proposed changes to hazardous materials use within the project boundary and whether the project would result in a potential new or more severe significant impact on public health and safety or hazardous materials due to the routine transport, use, or disposal of hazardous materials, reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, or related considerations than disclosed in the Prior Analysis.
- **Hydrology and Water Quality** – The SEIR will evaluate whether the project would affect significance conclusions reached in the Prior Analysis regarding surface or groundwater quality, groundwater supplies or recharge, existing drainage patterns, or related considerations. The County will seek input from the RWQCB, the Corps, and the Santa Clara Valley Water District as part of this effort.
- **Noise and Vibration** – The SEIR will evaluate whether the project would affect significance conclusions reached in the Prior Analysis regarding noise, vibration, and related impacts to sensitive receptors.
- **Transportation** – The SEIR will evaluate whether the project would affect significance conclusions reached in the Prior Analysis regarding transportation, particularly including any changes in the

compatibility of roadway uses, adequacy of emergency and other access, and damage or wear of public roadways by the movement of heavy vehicles.

- **Wildfire** – The Permanente Quarry is located in Moderate and High fire hazard severity zones within a State Responsibility Area, according to fire hazard mapping prepared by the California Department of Forestry and Fire Protection. The SEIR will evaluate whether the project would affect the significance conclusions reached in the Prior Analysis regarding potential impairment of an adopted emergency response plan or emergency evacuation plan and other considerations relating to potential wildfire-related impacts as anticipated by the CEQA Guidelines Appendix G environmental checklist considerations that were added to the checklist in December 2018.
- **Cumulative Impacts** – To the extent the SEIR identifies any new or more significant impact than disclosed in the Prior Analysis, the SEIR will evaluate, on an issue-by-issue basis, the potential for the incremental change caused by the proposed reclamation plan amendment to cause or contribute to new or more significant cumulative effects.
- **Alternatives** – CEQA requires an EIR to describe a range of reasonable alternatives to a project (or project location) that would feasibly attain most of the objectives and that could avoid or reduce at least one significant environmental impact (see CEQA Guidelines section 15126.6). The SEIR will evaluate a No Project Alternative and will consider any new or more significant impact caused by the project in considering other potential alternatives.

The County welcomes all input on the scope and content of the SEIR in response to this Notice of Preparation, and especially welcomes responses that will assist the County in:

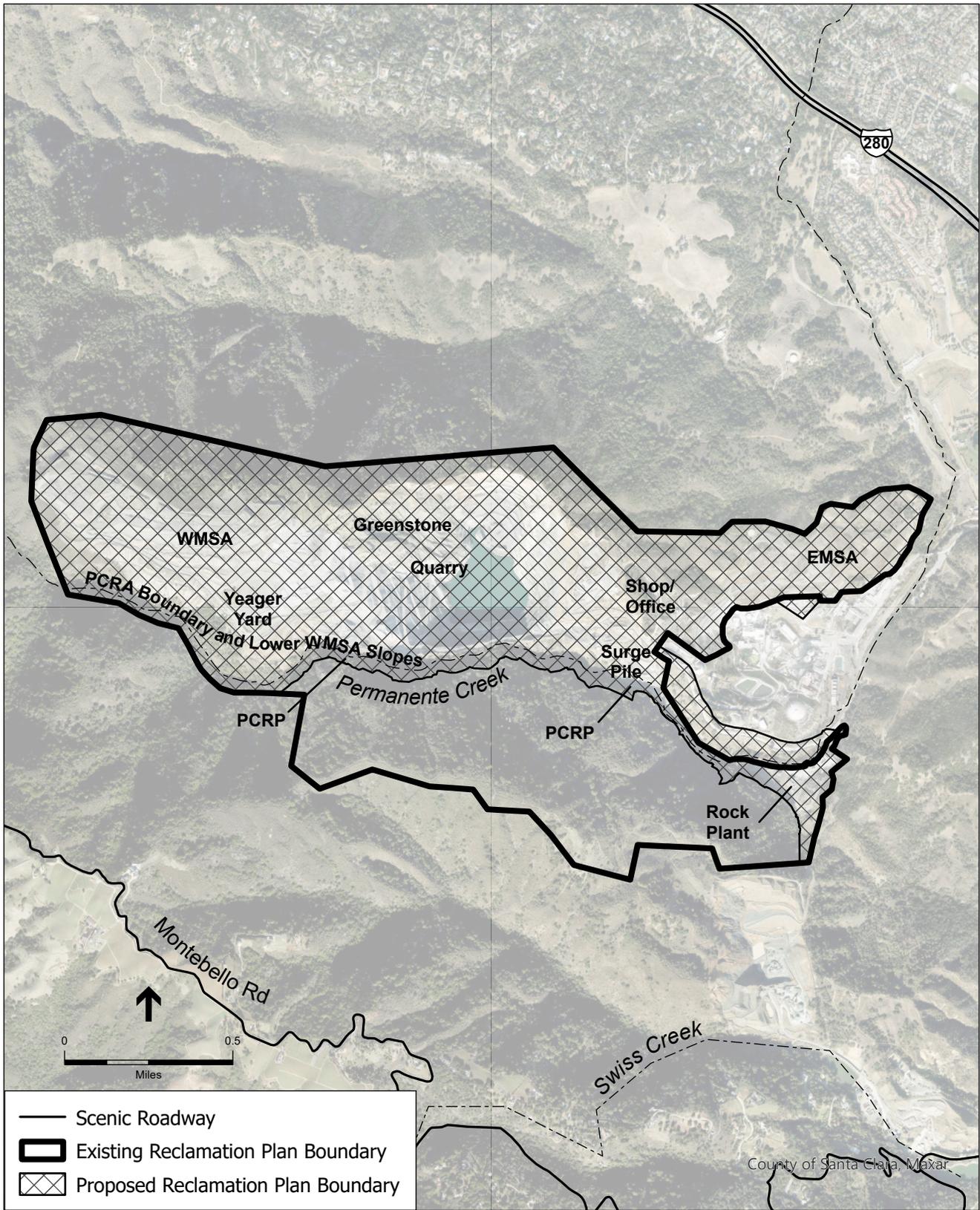
1. Identifying significant environmental issues raised by the proposed Reclamation Plan Amendment relative to the 2012 Reclamation Plan;
2. Identifying and evaluating potential alternatives to the project or mitigation measures that could avoid or reduce new or more significant impacts of the project beyond those that were disclosed in the Prior Analysis; and
3. Confirming which agencies will be a responsible and/or trustee agency for this project and providing information germane to these agencies' statutory responsibilities as they relate to the County's analysis of potential effects of the project.



SOURCE: Lehigh, 2025

Lehigh Permanente Quarry Reclamation Plan Amendment NOP  
**Figure 1**

Project Area



SOURCE: Lehigh, 2025

Lehigh Permanentente Quarry Reclamation Plan Amendment NOP  
**Figure 1**

Project Area