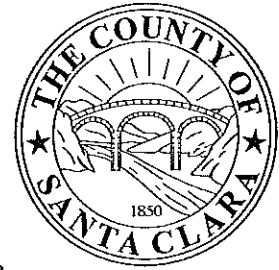


County of Santa Clara
Department of Planning and Development
County Government Center, East Wing
70 West Hedding Street, 7th Floor
San Jose, California 95110



	Administration	Development Services	Fire Marshal	Planning
Phone:	(408) 299-6740	(408) 299-5700	(408) 299-5760	(408) 299-5770
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**NOTICE OF PREPARATION OF AN
ENVIRONMENTAL IMPACT REPORT
FOR THE RECLAMATION PLAN AMENDMENT FOR
PERMANENTE QUARRY (STATE MINE ID# 91-43-004)
EAST MATERIALS STORAGE AREA**


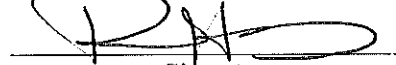
Project Owner/Applicant: Lehigh Hanson, Incorporated
File Number: 2250-13-66-09EIR
Assessors Parcel Number: 351-09-022, 351-10-005, 351-10-037 and 351-10-038.

As the Lead Agency, the County of Santa Clara (County) will prepare an Environmental Impact Report (EIR) for a proposed amendment to an existing reclamation plan for the Permanente Quarry for the overburden storage area (East Materials Storage Area). The East Materials Storage Area (EMSA) is not encompassed in the existing 1985 Reclamation Plan. The County would like your views regarding the scope and content of the environmental information to be included in the EIR. Attached are a brief project description, site boundary, and summary of the potential environmental effects. For more information, please visit the County Planning Department Website at: www.sccplanning.org.

A Public Scoping Session to solicit comments for the Notice of Preparation will be held in the City of Cupertino on **Wednesday, April 28, 2010, 6:30 PM** at the City of Cupertino Community Hall, Council Chambers, 10350 Torre Avenue, Cupertino, California 95014. In accordance with the California Environmental Quality Act (CEQA), comments on the Notice of Preparation are due within 30 days of receipt of this notice. However, an earlier response, if possible, would be appreciated. Please address your comments to:

County of Santa Clara
Planning Office, Att: Marina Rush
70 West Hedding , 7th Floor, East Wing
San Jose CA 95110
(408) 299-5770 marina.rush@pln.sccgov.org

Prepared by:
Marina Rush
Approved by:
Rob Eastwood, Senior Planner



Signature

4/13/10
4/14/10
Date

INTRODUCTION

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a proposed project that an agency may implement or approve. The EIR process is intended to provide information sufficient to (a) evaluate a proposed project and its potential for significant impacts on the environment, (b) to examine methods of reducing adverse impacts; and (c) to consider alternatives to the project.

The EIR for the Permanente Quarry Reclamation Plan Amendment for the East Materials Storage Area (EMSA) will be prepared and processed in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended. In accordance with CEQA, the EIR will include the following:

- A summary of the project
- A project description;
- A description of the existing environmental setting, potential environmental impacts, and mitigation measures;
- Cumulative Impacts;
- Alternatives to the proposed project; and
- CEQA required environmental consequences, including (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) any significant irreversible and irretrievable commitments of resources; (c) the growth inducing impacts of the proposed project; and (d) effects found not to be significant.

PROJECT LOCATION

The project site is located in a hillside area in the unincorporated portion of western Santa Clara County, near the City of Cupertino, at 24001 Stevens Creek Boulevard. The Reclamation Plan Amendment area is approximately 89 acres, located on the northeast portion of the Quarry. Quarry access is via Stevens Creek Boulevard and Foothill Expressway, continuing to the terminus of Permanente Road. The Quarry operations are on a portion of approximately 3,600 contiguous acres owned by Lehigh.



PROJECT DESCRIPTION

The Permanente Quarry is a limestone and aggregate mining operation, and operates pursuant to a Reclamation Plan approved by the County in 1985. The proposed project is an amendment to the 1985 Reclamation Plan to include an approximately 89-acre area used for overburden storage, the East Materials Storage Area (EMSA). The EMSA is designed to hold approximately 4,786,000 cubic yards of overburden fill. The material arriving at the EMSA will be keyed into the existing slopes at an overall 2.6:1 (horizontal:vertical). The EMSA will receive material for approximately 6 years, depending on market conditions. This amendment does not involve the mining operations, reclamation in the main mining pit, west materials storage area, nor does it involve operation of the adjacent Lehigh Southwest Cement Plant.

In 1985, the County approved a Reclamation Plan for Permanente Quarry, which did not include the EMSA. In March 2007, Lehigh applied for an amendment to the 1985 Reclamation Plan to include all areas that had been disturbed by mining activities, including a newly proposed mining area (Pit 2). This Reclamation Plan Amendment is currently undergoing additional geological technical studies necessary to process the application. On June 20, 2008, the County issued a Notice of Violation to Lehigh for stockpiling materials in the EMSA, which is outside the 1985 Reclamation Plan limits. Subsequently, the County directed Lehigh to apply for a separate Reclamation Plan Amendment for the EMSA on a more accelerated schedule than could be applied to the 2007 Reclamation Plan Amendment proposal, which will take a larger amount of time to complete. This Reclamation Plan Amendment is being processed separately from the 2007 Reclamation Plan Amendment. However, cumulative effects of the two projects together will be examined in this EIR.

The EIR will provide a project-level evaluation of the potential environmental impacts caused by the implementation of the proposed EMSA Reclamation Plan Amendment. Practical mitigation measures will be developed and presented for all direct, indirect and cumulative impacts that are found to be potentially significant. The following describes the environmental aspects of the project, and how they are potentially affected.

POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT

The EIR will identify the significant environmental effects anticipated to result from implementation of the proposed project. Specific environmental topics addressed will include:

A. Visual Resources

The project site is located in a Zoning District with a Design Review overlay for the Santa Clara Valley Viewshed (d1). Much of the area that would be used for new materials storage is considered visible from the Santa Clara valley floor. The EIR will describe the anticipated changes to the environment as the proposed reclamation activities proceed along with landscape and final design of the reclamation area, assessing any potentially significant aesthetic impacts. Visual simulations of the project site will be prepared.

B. Biological Resources

Portions of the project site contain dense, mature tree cover of Chaparral/Oak Woodlands. Permanente Creek runs near the project site, and includes a riparian corridor along that area. While much of the site is currently disturbed, the EIR will describe impacts to biological resources that are anticipated to occur as a result of the proposed project. Mitigation measures will be identified for significant impacts, as warranted.

C. Cultural Resources

The EIR will present findings of a cultural resources evaluation that will identify and describe how

the proposed project would impact cultural resources (both historical and prehistorical). Mitigation measures will be identified for significant impacts, as warranted.

D. Geology & Soils

A geologic and slope stability analysis will be performed. The EIR will describe geology and soil conditions of the site and potential for the proposed reclamation activities to cause increased slope instability or erosion potential by the reclamation activities. Mitigation measures will be identified for significant impacts, as warranted.

E. Surface Hydrology, Drainage & Water Quality

Permanente Creek runs near the project site, approximately 500 feet to the south. The project site is outside the 100-year floodplain. The EIR will describe hydrology and storm water quality impacts from the reclamation process (increased sediments, erosion, etc). Mitigation measures will be identified for significant impacts, as warranted.

G. Public Services

The EIR will describe the availability of services to serve the project site and identify, at a programmatic level, potential utilities and services impacts from the project. Mitigation measures will be identified for significant impacts, as warranted.

H. Noise

The EIR will characterize ambient noise conditions in the vicinity of the project site and evaluate noise impacts from the proposed reclamation activities with the County General Plan and Noise Ordinance standards. Mitigation measures will be identified for significant impacts, as warranted.

I. Land Use

Final use, appearance and stability of the reclamation area will be examined to assess whether the reclamation area would conflict with any County General Plan Policies or Zoning Ordinances.

J. Air Quality

Impacts of the proposed project on local air quality and sensitive receptors will be evaluated, with emphasis on dust generation from reclamation activities and emissions from heavy equipment. Mitigation measures will be identified for significant impacts, as warranted.

K. Alternatives

The EIR will describe a range of reasonable alternatives to the proposed project, including a Reduced Scale Alternative, and No Project Alternative.

L. Growth Inducing Impacts

The EIR will discuss methods by which the proposed project will directly or indirectly induce economic, population, or housing growth.

M. Cumulative Impacts

The EIR will include a Cumulative Impacts section which will address the potential significant or irreversible cumulative impacts of the proposed Reclamation Plan Amendment when considered with past, present, and probable future projects producing related or cumulative impacts, or projections contained in applicable land use documents of regional or area-wide conditions contributing to the cumulative impact. The potential environmental impacts from the proposed mining and reclamation activities included with the Master Reclamation Plan, submitted in March 2007, will be considered and evaluated as part of the cumulative impact analysis.