

# Applications of Lehigh Hanson & Stevens Creek Quarry to Expand Quarry / Amend Reclamation Plans



CUPERTINO

July 31, 2019

# Community Meeting Format

- Presentation
- 5 min break
- Speaker cards
- Hard stop at 8pm
- Posting of question & answers
- Posting of presentation

# Presentation Outline

- Update of increased truck issue
- Update of illegally graded road issue
- Reclamation plan amendments from Lehigh to County
  - November 2018 (Minor amendment)
  - March 2019 (Revision to 11/18 Minor amendment)
  - May 2019 (Major reclamation plan amendment)

# Presentation Outline - continued

- Stevens Creek Quarry Pre-application Reclamation Plan Amendment
- County application process – timeline and public input
- Compliance Issues for both Lehigh & Stevens Creek Quarry
- Other agency concerns

# Update of increased truck issue

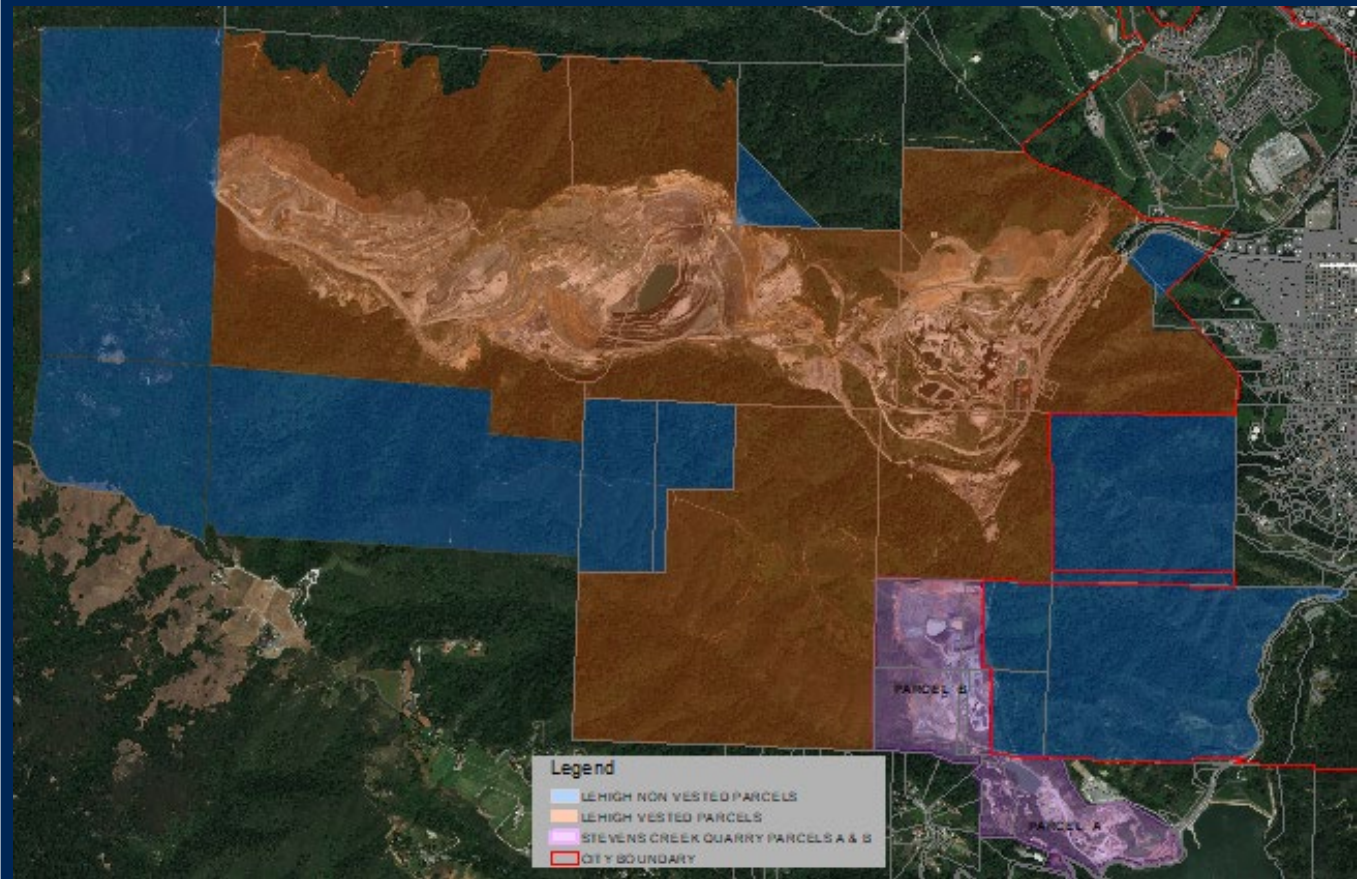
City letter dated January 31<sup>st</sup> to the County

- Follow up to County NOV dated 8/17/18
- SCQ processing and sale of imported aggregates was a violation
- Lehigh does not have vested right to construct offsite customer access road
- Access to SCQ is limited to Stevens Canyon Rd.

# Update of increased truck issue - continued

County issued NOV on 2/15/19 stopping the trucks

- Mediated conditions of Parcel B
- \$1000/day
- Use permit required



# Update of illegally graded road issue

County issued NOV on August 17, 2018

- Grading outside of 2012 reclamation plan boundaries
- Slope stability analysis
- Lack of erosion controls





# Update of illegally graded road issue - continued

City issued administrative citation and NOV  
May 28<sup>th</sup>

- Grading w/o permit
- Violation of design standards
- Lack of erosion controls
- Removal of protected trees

# Reclamation plan amendments from Lehigh to County

November 2018 (Minor amendment)

Submitted November 2018

- Purpose was to add 7.1 acres to the existing reclamation area to include illegally graded haul road

Subsequently withdrawn 2/20/19



# Reclamation plan amendments from Lehigh to County

March 2019 (Revision to 11/18 Minor amendment)

Revision to November 2018 application

- Added 73 acres to existing reclamation area to include existing internal haul roads
- Roads to stay in place post reclamation



SOURCES: AERIAL: Towill, Inc. flown (8-1-2018); SITE BOUNDARY & RECLAMATION BOUNDARIES: Lehigh Southwest Cement Company, generated Nov. 2018; compiled by Benchmark Resources in 2019

- Property Boundary
- Vested Rights Boundary
- Existing Reclamation Boundary
- Amended Reclamation Boundary
- Utility Road Disturbance Area (1.3 acres)

**Utility Road Footprint and Boundary Adjustment**  
 PERMANENTE QUARRY UTILITY ROAD  
 RECLAMATION PLAN AMENDMENT  
**Figure 1**



SOURCES: AERIAL: Towill, Inc. flown (8-1-2018); SITE BOUNDARY & RECLAMATION BOUNDARIES: Lehigh Southwest Cement Company, generated Nov. 2018; compiled by Benchmark Resources in 2019

- Property Boundary
- Vested Rights Boundary
- Existing Reclamation Boundary
- Amended Reclamation Boundary (amended area adds an additional 63.0 acres)
- Utility Road Disturbance Area (1.3 acres)

**Overall Reclamation Plan Amendment Boundary Adjustment**  
 PERMANENTE QUARRY UTILITY ROAD  
 RECLAMATION PLAN AMENDMENT  
**Figure 2**



# March 2019 (Revision to 11/18 Minor amendment) - continued

County issued “Incomplete Letter” on April 29<sup>th</sup>

- Lehigh to submit a major reclamation plan amendment as opposed to minor due to RCA boundary changes
- Justification to leave roads in place vs not reclaim
- Biological report for illegally graded haul road

# Reclamation plan amendments from Lehigh to County

May 2019 (Major reclamation plan amendment)

Proposes complete replacement of the 2012  
Reclamation Plan Amendment

- Import 33 million cubic yards of clean fill to reclaim the main quarry pit.
- 600 trucks/day; 300 days/year for 30 years



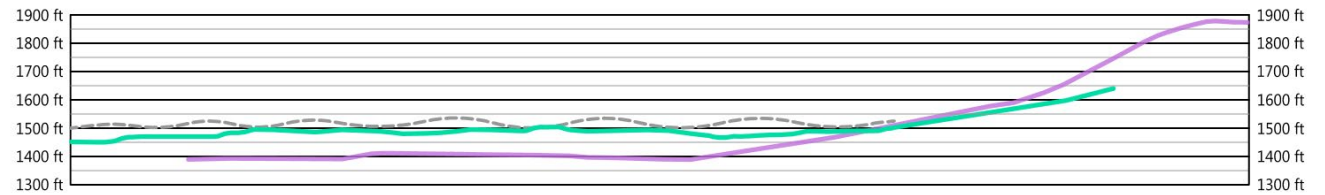
## **May 2019 (Lehigh Major reclamation plan amendment) - continued**

- Leaves overburden material currently stored in the West Materials Storage Area (WMSA) (instead of using to fill main quarry pit)
- Modifies the max. elevation of the WMSA; increased 160'

# May 2019 (Lehigh Major reclamation plan amendment) - continued

- Modify County's 1972 Ridgeline Protection Easement and decrease the lower ridge crest along a portion of the North Quarry highwall by approx. 100' in order to mine more material and layback the slope for stabilization.

QUARRY RIGIDELINE PROTECTION EASEMENT - PERMANENTE QUARRY/35E - 10/16/2018 - MDC/11/19/2019/Assessment TECH.MEMO.10



Summary of Historical and Planned Ridgeline

CONTOUR SOURCE: Lehigh Southwest Cement Company, provided in 2018; AERIAL SOURCE: Google Earth (8-1-2018); DIGITIZED TOPOGRAPHY AND RIDGELINE PROFILE SOURCE: prepared by Benchmark Resources in 2019

- NOTES:
1. See Figure 7 notes.
  2. Ridgeline elevation simplified for presentation purposes.

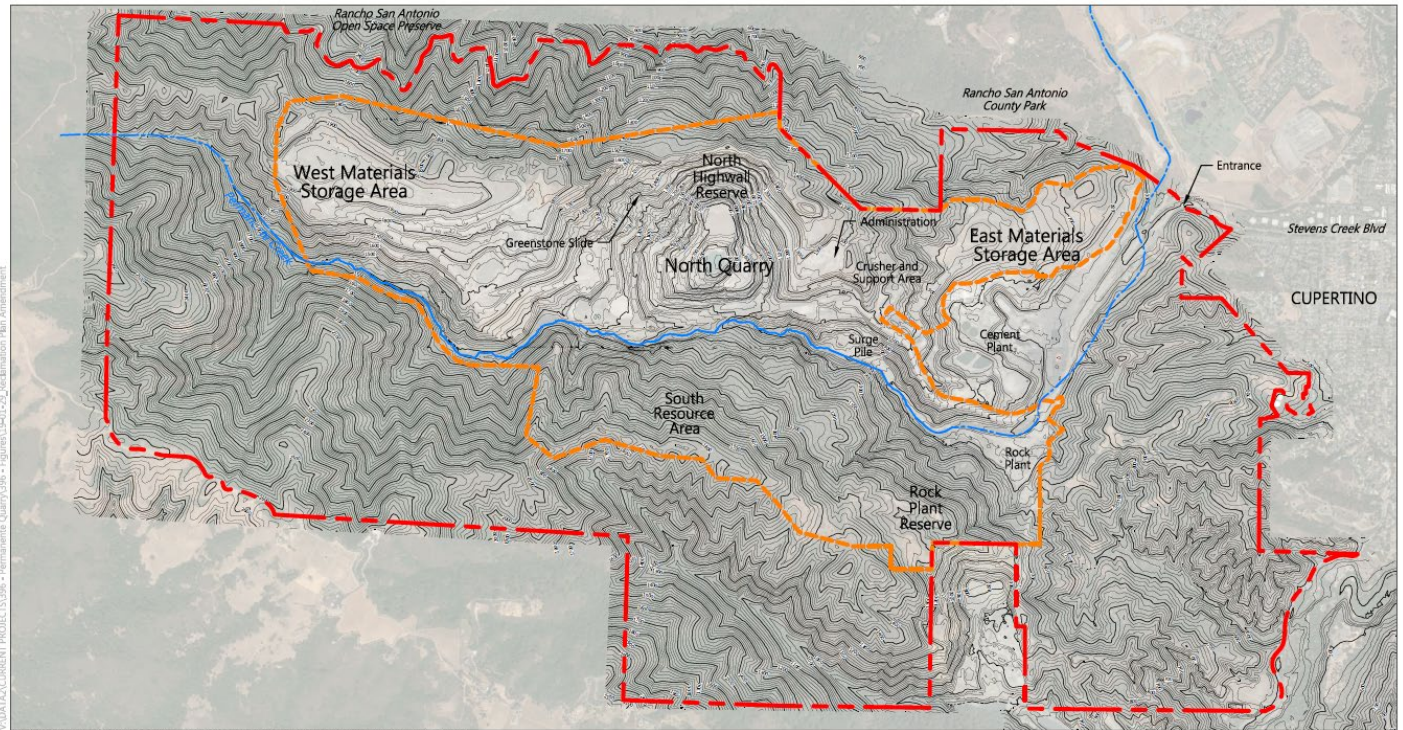
- - - - - Finished Permanent Ridge (1972)      — Existing Ridgeline  
 - - - - - Proposed Future Ridgeline (1972)      — Planned Final Ridgeline



# May 2019 (Lehigh Major reclamation plan amendment) - continued

- Expand mining activity into a new 30 acre (Rock Plant Reserve) located to the south east of the main quarry pit
- Reestablish hauling of material to SCQ

MAP DATA IS CURRENT PROJECT DATA. QUARRY 038 - PERMANENTE QUARRY 038 - FIGURE 5 (1) 10-1-2024, 36, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



SOURCES: SITE BOUNDARY/RECLAMATION BOUNDARIES/TOPOGRAPHY: Lehigh Southwest Cement Company, generated in 2018; compiled by Benchmark Resources in 2019.

**NOTES:**

1. Property boundary for illustrative purposes only. See Appendix D-1, "Legal Description," for owner information and property details and Appendix D-2, "County Parcel Boundaries," for maps of the site and boundaries prepared by a California-licensed professional.
2. See Appendix E-1, "Reclamation Plan," for topography prepared by a California-licensed professional.

**OWNER:**  
 Hanson Permanente Cement, Inc.  
 300 E. John Carpenter Freeway #1645  
 Las Colinas, TX 7502



- - - - - Property Boundary ±3,510 acres
- - - - - Reclamation Plan Boundary ±1,312 acres
- - - - - Permanente Creek

Existing Topography  
 PERMANENTE QUARRY RECLAMATION PLAN AMENDMENT  
**Figure 5**

# May 2019 (Lehigh Major reclamation plan amendment) - continued

City position:

Letter dated July 3, 2019

- Several proposed activities not within vested rights – new use permit and environmental review needed.
- Export of material between Lehigh and SCQ extends life of both.

# May 2019 (Lehigh Major reclamation plan amendment) - continued

City position:

Letter dated July 3, 2019

- Increase of trucks – unacceptable impact to residents, streets and infrastructure.
- Concern with ridgeline lowering
- Urges application denied until all violations resolved

# May 2019 (Lehigh Major reclamation plan amendment) - continued

County position:

Incomplete letter dated July 22, 2019

- Requests a diagram showing extent of proposed grading within 1972 Ridgeline Easement
- Revision to Permanente Creek Restoration area



# May 2019 (Lehigh Major reclamation plan amendment) - continued

County position: - continued

- Rock Plan Reserve Area mining
- Proposed tree removal & replacement
- Geology
- Existing violations
- Coordination with utility road reclamation application

# May 2019 (Lehigh Major reclamation plan amendment) - continued

County position: - continued

- EIR to be prepared by the County with more info needed in future
  - Import of fill – increase truck traffic, feasibility
- Visual impacts of leaving WMSA
- Internal haul road to SCQ
- SCQ reclamation plan overlap

# Stevens Creek Quarry Pre-application Reclamation Plan Amendment

Submitted to County May 2019

- Amends existing reclamation plan to:
  - Extend use permit that applies to Parcel A to Parcel B for 30 years
  - Import up to 1 million tons of greenstone per year (400 truck trips per year) on haul road connecting to Lehigh – stored and processed on Parcel B

# Stevens Creek Quarry Pre-application Reclamation Plan Amendment - continued

- Import 6-7 million cubic yards of fill over next 30 years to backfill cut slopes
- Include 75.5 acres of land currently owned by Lehigh

# Stevens Creek Quarry Pre-application Reclamation Plan Amendment - continued

- Resolve slope stability issues
- Include a new settling basin



# Stevens Creek Quarry Pre-application Reclamation Plan Amendment - continued

City position:

Letter dated July 2, 2019

- Application violates mediated operating conditions for Parcel B
- SCQ has been operating w/o a valid reclamation plan or operating plan since 2014

# Stevens Creek Quarry Pre-application Reclamation Plan Amendment - continued

- Current operations are causing truck congestion and infrastructure issues that require a truck plan
- Request to add more trucks exasperates
- No explanation provided why onsite materials cannot be used for reclamation



# County application process – timeline and public input

## Lehigh

- Incomplete letter state 180 days to resubmit
- Once complete then:
  - EIR/CEQA review – 3 separate public meetings.
    - EIR scoping meeting notice of preparation
    - CEQA document
    - Planning Commission EIR comment meeting

# County application process – timeline and public input

Lehigh - continued

- Planning Commission consideration of reclamation plan
- Board of Supervisors consideration of 1972 Ridgeline easement

Timeline: 2-3 years + time to resolve NOV for Permanente Creek

# County application process – timeline and public input

## SCQ

- No formal application to date
- Once complete then:
  - EIR/CEQA review – 3 separate public meetings.
    - EIR scoping meeting notice of preparation
    - CEQA document
    - Planning Commission EIR comment meeting

# County application process – timeline and public input

SCQ - continued

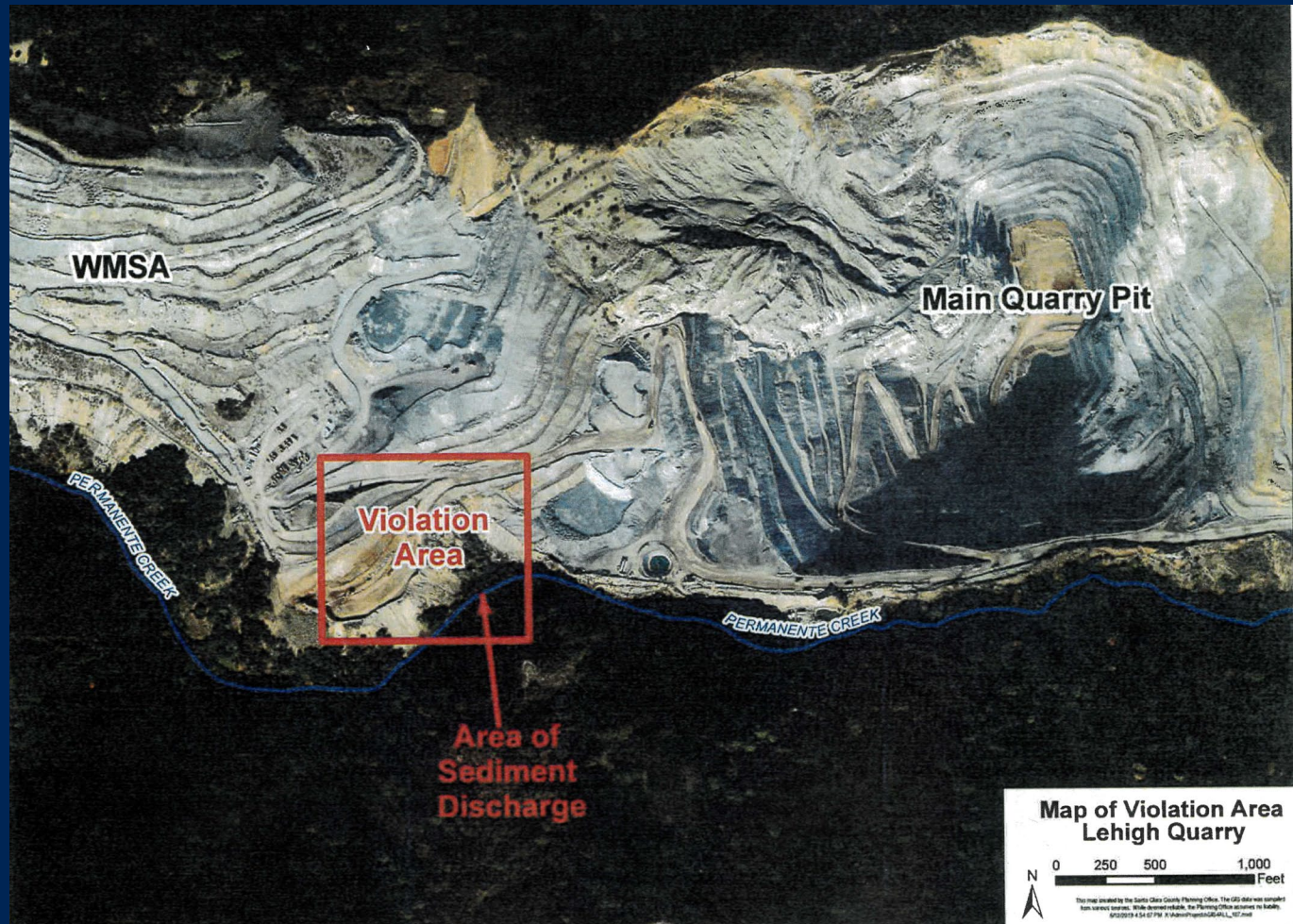
- Planning Commission consideration of reclamation plan
- No Board of Supervisors unless appealed

Timeline: 2-3 years

# Compliance Issues for both Lehigh & Stevens Creek Quarry

## Lehigh

- NOV's for illegal road from Lehigh to Stevens Creek Quarry
- Two NOV for sediment in Permanente Creek from unstable hillslope
  - June 13, 2019 from County
  - July 9, 2019 from Water Board



# Compliance Issues for both Lehigh & Stevens Creek Quarry

Lehigh - continued

- BAAQMD
  - Particulate emissions exceeded June '19;  
opacity emissions exceeded July '18
- Water Board
  - Selenium April '19
  - Unauthorized discharge Feb. & May '18

# Compliance Issues for both Lehigh & Stevens Creek Quarry

## Stevens Creek Quarry

- Conditional Use Permit Expired in 2015



# Other Agencies with Concerns

- **Mid Peninsula Regional Open Space District**
- **City of Los Altos**

# Useful Links:

City of Cupertino: [www.Cupertino.org/Lehigh\\_SCQ](http://www.Cupertino.org/Lehigh_SCQ)

Santa Clara County Planning:

<https://www.sccgov.org/sites/dpd/Programs/SMARA/PermanenteQuarry/Pages/PermanenteMain.aspx>

Regional Water Quality Control Board:

<https://www.waterboards.ca.gov/sanfranciscobay/>

Bay Area Air Quality Management District: <http://www.baaqmd.gov>

Surface Mining and Reclamation Act:

<https://www.conservation.ca.gov/dmr/lawsandregulations>



**Questions**

**5 – Minute Break**

**Complete a speaker card**