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PRESS RELEASE

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Response to Lehigh Southwest Cement Company Complaint Against Santa Clara County

The City of Cupertino has closely tracked the series of applications that Lehigh Southwest Cement Company has filed with Santa Clara County since Lehigh illegally graded a haul road in August 2018 that ran from its quarry property to the adjacent Stevens Creek Quarry, crossing through a corner of the City's jurisdiction. Lehigh neither sought nor obtained required permits from the City or County for that road.

Since then, Lehigh has proposed a series of increasingly large and complex amendments to its reclamation plan. The current application proposes to restart export of aggregate to Stevens Creek Quarry, lower the ridgeline between its property and the Midpeninsula Open Space District's Rancho San Antonio Preserve, add a new pit to existing mining operations, and eventually restore the Lehigh property with fill that would require more than 500 truck trips through City streets every day for years.

"The City of Cupertino will continue to work to protect the health and safety of our residents," said Mayor Darcy Paul. "I know that this is of utmost concern to our City Council, and we are examining this with great interest to help ensure an outcome that respects the importance of public safety and responsible stewardship of the environment."

The City has identified numerous concerns about these plans in comments filed with the County, including that Lehigh has never obtained a vested rights determination for several activities proposed in its application. (See attached letter from the City dated May 15, 2020 and County Planning Director's memo to Board of Supervisors, available [here](#).) Lehigh must obtain either a use permit or a vesting determination for these activities.

The City will review any complaint that Lehigh has filed against the County related to Lehigh's application. To date, the City has appreciated the careful review that County staff have provided in response to Lehigh's applications. The enormous scale of the proposed project, located immediately adjacent to both a city and popular open space preserve, requires close scrutiny and consideration of how to avoid and minimize associated impacts on the surrounding community, infrastructure, and environment.

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