



PUBLIC WORKS DEPARTMENT

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CITY COUNCIL STAFF REPORT

Meeting: January 19, 2021

Subject

Study Session on Lehigh Southwest Cement Company/Permanente Quarry and Stevens Creek Quarry regarding Reclamation Plan Amendment and Use Permit Applications to County of Santa Clara.

Recommended Action

Receive the report and provide input to staff.

Discussion

Upon a request by Councilmembers Willey, Sinks and Chao on October 20, 2020, representatives from the County of Santa Clara Planning Department, City Department of Public Works, and City Attorney's Office will present information related to applications submitted to the County by Lehigh Southwest Cement Company/Permanente Quarry ("Lehigh") for a reclamation plan amendment and by Stevens Creek Quarry (SCQ) for a use permit and reclamation plan amendment, and the City's responses to those applications.

Other public agencies have jurisdiction over the surface mining activities on both properties, including the State Mining and Geology Board, San Francisco Bay Regional Water Quality Control Board, California Department of Fish and Wildlife, and Bay Area Air Quality Management District. Those will not be discussed in depth at this Study Session. The County is also the lead agency for other projects on the properties including the restoration of Permanente Creek. County staff will provide only brief information on the status of that project.

Santa Clara County Supervisor Joseph Simitian has hosted an annual meeting to discuss the regulation status of Lehigh for several years. The date for the next meeting is March 3, 2021 from 6:30-8:30 p.m. The link to attend this meeting will be posted as soon as it is available.

Background

Lehigh Permanente Quarry

Lehigh's Permanente Quarry includes approximately 3,500 acres located immediately west of the City, predominantly on unincorporated County land. A sliver of the easternmost portion of the property not used for the extraction of materials falls within the City. The property includes a large quarry pit from which Lehigh quarries limestone, primarily for processing at the cement plant located on its property.

Starting in late 2018, Lehigh submitted several applications to the County to amend and expand the reclamation plan for its property. The current application consolidates prior applications. It proposes to reclaim the existing quarry pit by filling it primarily with imported fill and to increase the maximum height of the West Materials Storage Area. The application also proposes to expand quarrying into a new area south of the current quarry pit (Rock Plant Reserve), modify a 1972 Ridgeline Protection Easement held by the County to lower the ridgeline elevation above the main pit, and allow export of aggregate materials from Lehigh to SCQ for processing and sale.

Lehigh's current and prior application materials are available on the [County's](#) website for Lehigh. Interested individuals can sign up for the County's Interested Parties List for Lehigh [here](#). The City also maintains a [page](#) linking its recent correspondence related to both applications. The same page allows interested individuals to sign up for notifications when the City posts new information.

Stevens Creek Quarry

The Stevens Creek Quarry includes approximately 167 acres located south of the Lehigh quarry. Like Lehigh, the SCQ is located predominantly on unincorporated County land, with a small portion along the eastern boundary not used for the extraction of materials falling within the City. The southern portion of the property includes material loading and weighing facilities, administrative and maintenance buildings, a trucking company, and recycling operations. The northern portion of the property has been mined for aggregate, historically, and also contains processing facilities and materials storage.

SCQ entered into a compliance agreement with the County in 2018 that required it to cure various violations and to update the approvals, plans, and financial assurances for the property and quarry operations. It submitted pre-application materials in 2019 for a use permit and reclamation plan amendment that would govern the entire property. It resubmitted its most recent application materials in December 2020.

The current application would allow SCQ to deepen its quarry pit, import aggregate from Lehigh for processing and sale, and continue other operations on the property for the next 30 years. It proposes to import fill to backfill the quarry pit during reclamation.

The County provides links to SCQ's current and past applications and reclamation plans [here](#). The City's [page](#) includes recent comments related to SCQ. Both pages provide opportunities to sign up for notifications related to SCQ's applications.

Study Session

During the study session, County and City staff will summarize the following for each quarry:

- Status of the applications
- Contents of the applications (reclamation plan amendments, use permit)
- Anticipated environmental review
- Opportunities and expected timeline for public input
- Vested rights determination (Lehigh only)
- Other compliance concerns and Notices of Violation at each site
- Brief comments on the Permanente Creek restoration (Lehigh only)
- City's comments on each application

As noted, the City has submitted formal comments to the County throughout both application processes. Staff will be able to discuss concerns identified in those letters and areas of focus going forward.

Sustainability Impact

No sustainability impacts.

Fiscal Impact

No fiscal impact.

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Reviewed by: Roger Lee, Director of Public Works

Approved for Submission by: Dianne Thompson, Assistant City Manager