

November 1, 2019

**VIA ELECTRONIC MESSAGE AND OVERNIGHT DELIVERY**

Rob Eastwood  
Chris Freitas  
Department of Planning and Development  
County of Santa Clara  
70 W. Hedding Street, East Wing, 7th Floor  
San Jose, California 95110

Re: *Updated 90% Design Drawings and Design Memorandum  
Follow up to August 7, 2019 Submittal in Response to February 14, 2019 County of Santa Clara,  
Department of Planning and Development, Grading Application Incomplete Letter*

Dear Messrs. Eastwood and Freitas:

On August 7, 2019, Lehigh Southwest Cement Company and Hanson Permanente Cement, Inc. (collectively, "Lehigh") submitted a comprehensive response to the February 14, 2019 letter from the County of Santa Clara's Department of Planning and Development ("County") pertaining to Lehigh's application for Grading Approval related to Lehigh's proposed Permanente Creek Restoration Project ("PCRP") being performed in concert with the Sierra Club. As noted in earlier correspondence, Lehigh is proceeding with an application for Grading Approval/Grading Permit for the areas of the PCRP that fall outside the boundaries of the previously adopted Reclamation Plan (2012). Those areas within the 2012 Reclamation Plan do not require such approvals. See County Ordinance Section C12-407.

In that August 7th response, Lehigh committed to providing the County updated 90% design drawings and an updated Design Memorandum by October 31, 2019, which incorporate details described in Lehigh's responses to comments forwarded by the County from the California Department of Fish and Wildlife. Lehigh notes those comments extend beyond the geographical scope of the Grading Approval being sought via the application, and address more global aspects of the PCRP.

Nonetheless, the purpose of this submittal is to provide the following documents, which replace all earlier versions of the same:

- **"90% design drawings"** refers to the Permanente Creek Restoration Plan – 90% Design Submittal drawings, dated October 31, 2019.
- **"Design Memorandum"** refers to the Permanente Creek Restoration Plan, 90% Level Submittal - Design Basis Technical Memorandum, dated October 31, 2019.

At this point, Lehigh believes that the County has all the information necessary to determine that the application for Grading Approval is complete, which will allow the County to transition into the environmental review ("CEQA") phase of the PCRP. That environmental review will support the

application for Grading Approval as well as supplement the existing environmental impact report (“EIR”) related to the 2012 Reclamation Plan for the elements of the PCRCP that fall within the 2012 Reclamation Plan boundaries.

We understand the County has retained a consulting firm for that purpose, and is poised to undertake this important work. Lehigh looks forward to working with the County to answer any further technical or factual questions that will undoubtedly arise during that process.

Sincerely,



Erika Guerra  
Environmental and Land Resources Director  
Lehigh Southwest Cement Company

Cc: Rob Salisbury, Senior Planner  
Sean Hungerford, Harrison, Temblador Hungerford & Johnson  
Nicole Granquist, Downey Brand LLP