

March 24, 2020

**VIA ELECTRONIC MAIL**

Jacqueline R. Onciano  
Director of Planning and Development  
County of Santa Clara  
70 West Hedding Street, 7<sup>th</sup> Floor  
San Jose, CA 95110

***Re: Permanente Quarry, California Mine ID No. 91-43-0004  
Request to Consolidate Applications***

Dear Ms. Onciano:

Thank you for your March 13, 2020 letter, which responded to our February 24, 2020 letter concerning the consolidation of certain applications. Note that we first received your letter by email on March 19, 2020.

The County requests that Lehigh withdraw Application PLN19-0067 (Utility Road) and consolidate it with Application PLN19-0106 (Mining and Reclamation). Note that Lehigh submitted the Utility Road application not on its own initiative but as directed by the County's August 17, 2018 notice of violation. Lehigh has thus far maintained the Utility Road application as a stand-alone application in accordance with the County's direction in an April 2, 2019 meeting and in later communications on November 8, 2019 (completeness letter) and November 5, 2019 (DMR transmittal).

Lehigh appreciates the clarification from the County and the map provided showing the Plant Quarry Road and maintenance roads. This confirms our mutual understanding that Lehigh may continue to use the roads shown in the map while a single, internally consistent and "unified" Major Reclamation Plan amendment is pending. Consistent with this mutual understanding, Lehigh hereby withdraws Application PLN19-0067.

Lehigh already has provided the County with a unified and internally consistent Reclamation Plan Amendment. On September 30, 2019, Lehigh submitted revisions to the application that included the Plant Quarry Road and maintenance roads (see Figure 3-1, attached to that submittal). Lehigh also provided a "consolidated" amendment on December 2, 2019 in connection with the State Mining and Geology Board submittal.

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Lehigh would be pleased to provide additional copies of these materials to the County on request. In addition, Lehigh will consider whether any adjustment to its financial assurances is needed to accommodate the additional areas.

We appreciate the County's cooperation and look forward to processing the consolidated amendment.

Sincerely,

HARRISON, TEMBLADOR, HUNGERFORD & JOHNSON



By

Mark D. Harrison, Esq.

cc: Rob Salisbury, Senior Planner, Santa Clara County  
Rob Eastwood, Planning Manager, Santa Clara County  
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