

# County of Santa Clara

## Department of Planning and Development

County Government Center, East Wing, 7th Floor

70 West Hedding Street

San Jose, CA 95110

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www.sccplandev.org



To Interested Parties:

**SUBJECT: NOTICE OF AVAILABILITY  
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT  
PERMANENTE CREEK RESTORATION PLAN**

As the Lead Agency, the County of Santa Clara (“County”) has prepared a Draft Supplemental Environmental Impact Report (Draft SEIR) for the project described below:

Hanson Permanente Cement, Inc., and the Lehigh Southwest Cement Company (collectively “Lehigh”) submitted a Grading Approval application for the Permanente Creek Restoration Project (the “Project”) to restore and modify approximately 9,000 linear feet of Permanente Creek (135.6 acres) in accordance with the provisions of the Amended Consent Decree between the Sierra Club and Lehigh, dated May 11, 2016. The Project is located in an unincorporated area of the County west of the City of Cupertino, between 2 and 3 miles west of the intersection of Interstate 280 and Highway 85 in the eastern foothills of the Santa Cruz Mountain. The Project is within the Permanente Creek watershed along the southern edge of Lehigh’s property both within and outside of the existing reclamation plan boundary of the Lehigh Permanente Quarry. The creek restoration requirements of an Amended Consent Decree reflect restoration duties imposed on Lehigh that originally stem from San Francisco Regional Water Quality Control Board Cleanup and Abatement Order No. 99-018. The Draft SEIR is a supplement to the Lehigh Permanente Quarry Reclamation Plan Amendment Draft EIR [SCH #2010042063] that the County prepared and certified in 2012 (“2012 EIR”).

The SEIR evaluates whether the Project would cause one or more new significant impacts or a substantial increase in the severity of a significant impact than was disclosed in the 2012 EIR. The Project has the potential to result in new impacts, or a substantial increase in the severity or previously identified impacts, to biological resources. With the implementation of a new mitigation measure for California red-legged frog (*Rana draytonii*) and a replacement mitigation measure for roosting bats, the SEIR concludes that the Project’s impacts would be mitigated to a less-than-significant level.

**The 2012 EIR and the Draft SEIR can be found on the Project website:**

<https://plandev.sccgov.org/policies-programs/smara/permanente#3925188384-2713113629>

**Hard copies of the Draft SEIR can be found during normal business hours at the following locations:**

County of Santa Clara Department of Planning & Development  
70 West Hedding Street, East Wing, 7th Floor  
San Jose, CA 95110

Woodland Branch Library  
1975 Grant Road  
Los Altos, CA 94024

Cupertino Library  
10800 Torre Avenue  
Cupertino, CA 95014

Saratoga Library  
13650 Saratoga Avenue  
Saratoga, CA 95070

**Public Review Period: March 3, 2023 to April 17, 2023**

Your comments regarding the environmental effects of this Project and the adequacy of the Draft SEIR are welcome. Written comments must be received by the County of Santa Clara Department of Planning & Development by **Monday, April 17, 2023, at 5:00 p.m.** in order to be included and responded to in the Final SEIR. Oral or written comments submitted at public meetings held before this date will also be included in and responded to in the Final SEIR. Please send comments by email to [Robert.Salisbury@pln.sccgov.org](mailto:Robert.Salisbury@pln.sccgov.org), or by mail to:

County of Santa Clara Department of Planning and Development  
Attn: Robert Salisbury, Senior Planner  
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