

County of Santa Clara
Department of Planning and Development
 County Government Center, East Wing
 70 West Hedding Street, 7th Floor
 San Jose, California 95110



**NOTICE OF PREPARATION OF AN
 ENVIRONMENTAL IMPACT REPORT FOR THE
 STEVENS CREEK QUARRY
 USE PERMIT AND RECLAMATION PLAN AMENDMENT PROJECT**

Project Applicant: Stevens Creek Quarry Inc.
File Number: PLN20-119
Application For: Use Permit and Reclamation Plan Amendment

The County of Santa Clara (“County”) will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the use permit and reclamation plan amendment proposed by Stevens Creek Quarry Inc. (“project”). The County requests your input on the scope and content of the environmental information to be included in the EIR that is germane to your agency’s statutory responsibilities in connection with the proposed project. A brief description of the project, its site boundary, and a summary of the potential environmental effects are provided on the following pages. Approval of the project will require actions by the County of Santa Clara, including the preparation and certification of an EIR and issuance of a use permit and reclamation plan amendment. The EIR also may be used by your agency when considering approvals for the project.

A Public Scoping/Community Meeting to solicit input for the Notice of Preparation will be held virtually via Zoom on Tuesday, June 6, 2023, from 6:00 p.m. to 8:00 p.m. The deadline for your response is Thursday, June 29, 2023, at 5:00 p.m.; however, an earlier response, if possible, would be appreciated. Please send your response to:

County of Santa Clara Planning Office
Attention: Robert Salisbury
 County Government Center
 70 West Hedding, 7th Floor, East Wing, San Jose CA 95110
 E-mail: Robert.Salisbury@pln.sccgov.org

Prepared by:
 Robert Salisbury
 Principal Planner

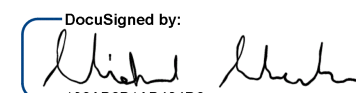
Robert Salisbury

Signature

May 25, 2023

Date

Approved by:
 Michael Meehan
 Principal Planner

DocuSigned by:


Signature

5/25/2023

Date

Board of Supervisors: Sylvia Arenas, Cindy Chavez, Otto Lee, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith

Introduction

As the lead agency, the County plans to analyze the potential environmental impacts associated with use permit and reclamation plan amendment applications submitted by Stevens Creek Quarry Inc. (SCQ) pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and its implementing regulations, the CEQA Guidelines (14 Cal. Code Regs. Section 15000 et seq.). SCQ and its predecessors have long mined and processed sand, gravel, and crushed stone (collectively, “aggregates”) at the Stevens Creek Quarry (“Quarry”) and SCQ is operating under an existing reclamation plan that was last amended in 2008. SCQ now seeks a use permit and reclamation plan amendment from the County of Santa Clara (“County”) to continue these activities for an additional 20 years, and then to reclaim the Quarry consistent with its proposed end use. This action, the proposed Stevens Creek Quarry Use Permit and Reclamation Plan Amendment, is referred to as the “Project.”

Project Location

The Quarry is located on Stevens Canyon Road, approximately 3 miles south of I-280 and approximately 10 miles west-southwest of San José. The Quarry occupies approximately 170 acres, of which approximately 147 acres is included in the current reclamation plan. The Project site consists of three areas within the Quarry: Parcel A, Parcel B, and an area licensed from Lehigh Southwest Cement Company (the “Licensed Area”) that is adjacent to Parcel A and B. Parcel A consists of one irregularly shaped parcel (APN 351-18-048). Parcel B consists of two rectangular parcels and a third narrow wedge-shaped parcel (APNs 351-10-019, 351-10-044, and 351-10-040, respectively). The Licensed Area consists of a portion of APN 351-11-001, and APNs 351-10-017 and 351-10-039.

Most of the Quarry parcels are located in an unincorporated area of Santa Clara County, California. The remaining, approximately 9.5-acre area is located within the jurisdictional boundaries of the City of Cupertino (City). Quarry operations have been under the County’s oversight since operations began, and the City lacks a surface mining ordinance necessary to regulate mining operations. Therefore, in August 2008, the two jurisdictions agreed (pursuant to the Surface Mining and Reclamation Act [SMARA]) that a limited area along the east wall of Parcel B that is under the City’s jurisdiction is subject to County approval and regulation under SMARA.

Project Description

The use permit would authorize a revised mine plan and provide use permit coverage to include Parcel A, Parcel B, and the Licensed Area. The use permit would allow excavation deeper within Parcel B than is currently authorized by the approved Reclamation Plan and relocation of the concrete recycling activities to Parcel B from where they currently exist on Parcel A. Some existing Quarry buildings would remain, while others would be removed as part of the Project. No active quarrying, stockpiling, or processing of materials is proposed to occur in the Licensed Area. However, SCQ is requesting that the Licensed Area be included within the boundaries of the Reclamation Plan Amendment to allow further latitude in slope stability to the east of and in the northwest corner of Parcel B.

The proposed reclamation plan amendment includes a revised slope design to correct the potential slope instability identified in the western pit slope, updated plans for stormwater flow, and builds on the existing, approved approach to reclaim the quarry pit to meet the final reclaimed site elevations by backfilling it via a combination of using overburden excavated on-site during mining activities and fill materials imported from offsite locations. Because it cannot now be known with sufficient certainty how much fill material will be available for import from offsite locations, the Project includes two options for the reclaimed slopes: Option A

would be associated with 11.7 million cubic yards of fill; Option B would be associated with 20.5 million cubic yards of fill.

No changes are proposed relative to operational parameters (e.g., production rates or truck trips) or to the processing facilities and equipment currently used for mining.

Required Project Approvals and Processes

In addition to County certification of an EIR, issuance of a use permit, and approval of a reclamation plan amendment and updated financial assurances, the Project would likely require a Clean Water Act Section 401 certification from the State Water Resources Control Board and/or the San Francisco Bay Regional Water Quality Control Board, a Streambed Alteration Agreement from the California Department of Fish and Wildlife (CDFW), a Clean Water Act Section 404 nationwide permit from the U.S. Army Corps of Engineers (the "Corps"), and Federal Endangered Species Act Section 7 consultation by the Corps with the U.S. Fish and Wildlife Service (USFWS) regarding effects on federally listed species.

Potential Environmental Effects of the Project

All of the environmental considerations in the CEQA Guidelines Appendix G environmental checklist will be considered; however, the EIR is expected to focus on the following specific environmental topics:

- **Aesthetics** – The Project site is located at the southwestern limits of Santa Clara County in Monte Bello Ridge Canyon. The EIR will describe existing scenic vistas, visual character, scenic resources, and lighting in the vicinity of the Project site and will determine whether the Project would cause a significant impact to such resources.
- **Air Quality** – The air quality analysis presented in the EIR will address regional air quality conditions and air-pollutant sensitive receptors (including land uses or activities) in the vicinity of the Project site and determine whether the Project would cause a potential significant air quality impact. The County will prepare an Air Quality and Greenhouse Gas Emissions Technical Study and will seek input from the Bay Area Air Quality Management District as part of the EIR process.
- **Biological Resources** – The EIR will present information on applicable biological resources in the Project area, including special-status wildlife and plant species, natural communities, and wetlands or other jurisdictional waters and will evaluate whether the proposed extension of activities and reclamation plan amendment would result in potential significant impact to biological resources. The County will seek input from CDFW and USFWS as part of this effort.
- **Cultural Resources and Tribal Cultural Resources** – The EIR will present relevant cultural resources information, including data from a cultural resources inventory and evaluation report, and will assess whether the Project would cause a potential significant impact to historical resources, archaeological and unique paleontological resources, tribal cultural resources, or potential disturbance of human remains. Input will be sought from Tribes culturally affiliated with the Project area to inform the analysis.
- **Energy Conservation** – The EIR will evaluate the potential energy impacts of the proposed extension of quarrying activities and reclamation plan amendment to determine whether the Project would result in a potential significant impact to energy.
- **Geology and Soils** – The EIR will present relevant information about geology, soil conditions, and seismicity at the Project site and will evaluate whether the Project would result in a potential significant impact to such resources.

- **Greenhouse Gas Emissions** – Informed by an Air Quality and Greenhouse Gas Emissions Technical Study to be prepared by the County, the EIR will assess whether the Project would cause a potential significant impact relating to GHG emissions.
- **Hazardous Materials and Hazards** – The EIR will evaluate hazardous materials use on the Project site and whether the Project would result in a potential significant impact to public health and safety or hazardous materials due to the routine transport, use, or disposal of hazardous materials, reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, or related considerations.
- **Hydrology and Water Quality** – The EIR will generally describe hydrology and water quality conditions in and around the Project site and will evaluate whether the Project would result in a potential significant impact to surface or groundwater quality, groundwater supplies or recharge, existing drainage patterns, or related considerations. The County will seek input from the RWQCB, the Corps, and the Santa Clara Valley Water District as part of this effort.
- **Noise** – The EIR will describe the existing noise environment in the vicinity of the Project site and evaluate whether the Project would result in a potential significant impact to sensitive receptors due to Project-generated noise and vibration.
- **Cumulative Impacts** – The EIR will evaluate whether the impacts of the Project, in combination with impacts of past, present, and reasonably foreseeable future projects, could cause or contribute to significant cumulative effects.
- **Alternatives to the Project.** CEQA requires an EIR to describe a range of reasonable alternatives to a project (or project location) that would feasibly attain most of the objectives of the project and that could avoid or substantially reduce at least one significant environmental impact. The EIR will evaluate a No Project Alternative and a reasonable range of other alternatives that meet these screening criteria, provide a comparative analysis, and identify an environmentally superior alternative.
- **Other CEQA Considerations** – The EIR also will include other information typically considered in an EIR, including an analysis of the Project’s potential to cause growth inducing impacts, significant unavoidable impacts, and significant irreversible environmental changes. It will discuss the Project’s consistency with relevant plans and policies, provide information about reference materials relied upon in the analysis, and identify the preparers of the EIR. Site-specific, project-specific technical reports will be provided as appendices.

The County welcomes all input on the scope and content of the EIR in response to this Notice of Preparation, and especially welcomes responses that will assist the County in:

1. Identifying significant environmental issues raised by the proposed extension of mining activities and the reclamation plan amendment;
2. Identifying and evaluating potential alternatives to the Project as proposed; and
3. Identifying past, present, and reasonably foreseeable future projects whose impacts should be considered in the cumulative effects analysis; and
4. Confirming which agencies will be a responsible and/or trustee agency for this Project and providing information germane to these agencies’ statutory responsibilities as they relate to the County’s CEQA analysis.