



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

December 15, 2023

Board Policy EL-7 Communication and Support to the Board
The BAOs shall inform and support the Board in its work.

Page		<u>CEO BULLETIN & NEWSLETTERS</u>
		CEO Bulletin: None.
		<u>BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS</u>
3		BMR/IBMR Weekly Reports: 12/15/23
4		Memo from Marta Lugo, Deputy Administrative Officer to Rachael Gibson, Chief of External Affairs, dated 12/05/23, providing a copy of letter from Chair Varela to Santa Clara County Board President Ellenberg, inviting the Board to participate in a joint meeting.
6		Memo from Marta Lugo, Deputy Administrative Officer to Rachael Gibson, Chief of External Affairs, dated 12/05/23, providing a copy of letter from Chair Varela to San Jose Mayor Mahan regarding November joint meeting.
		<u>INCOMING BOARD CORRESPONDENCE</u>
9		Board Correspondence Weekly Report: 12/15/23
13		Email from San Jose Police Captain Stephen Donohue to Brigitte Rince (copied to the board), dated 12/06/23, responding to her previous email about the unhoused between Branham and Blossom Hill. C-23-0292
16		Email from Afshin Rouhani to Director Beall, dated 12/04/23, conveying concerns regarding the Anderson Dam project options. C-23-0293
21		Email from Kristine Zanardi, Policy Director, Supervisor Simitian's office, to the board, dated 12/08/23, with an Update on Lehigh's 2023 Reclamation Plan Amendment application. C-23-0294
54		Email from Danny Garza to Director Santos, dated 12/12/23, asking if Valley Water has community hours in the Milpitas area. C-23-0295
55		Email from Rae Knapp to the board, dated 12/11/23, providing information on January 2024 Keep Coyote Creek Beautiful events. C-23-0296
		<u>OUTGOING BOARD CORRESPONDENCE</u>
66		Email from Director Hsueh to Dwight Nickerson, dated 12/07/23, regarding concerns about the damaged sacked concrete lining on Saratoga Creek.
68		Email from Directors Estremera and Beall to Alette Lundeberg, dated 12/08/23, regarding the Coyote Creek Outdoor Classroom.

BOARD MEMBER REQUESTS and Informational Items

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
I-23-0032	12/05/23	Santos	King	Spin	Director Santos requests all the files on the Bob Gross property/project and the flood improvements completed.	12/28/23		
R-23-0011	08/08/23	Eisenberg	Taylor	Chinte Salandan an	CEO 2023 travel with the following: For each time away, please provide: 1. Dates 2. Locations traveled to 3. Total cost 4. Whether the district paid in part or in whole (how much, and was it as a legitimate business expense or as a taxable perk) 5. If for official reasons, if not clear from the outside, please provide a brief (one sentence or even partial sentence is fine) description of the nexus -- e.g. "met with these senators in washington dc: warren, booker, and feinstein" 6. If the district only paid in part, I do not need to know what was happening during the personal time 7. Please provide the budget for travel for that time period and how the actuals compared with the budgeted (this should be very simple)	08/29/23		10/11/23 Information Only: BMR request was updated to change from BAO travel information to only CEO: CEO 2023 travel with the following: For each time away, please provide: 1.Dates 2.Locations traveled to 3.Total cost 4.Whether the district paid in part or in whole (how much, and was it as a legitimate business expense or as a taxable perk) 5.If for official reasons, if not clear from the outside, please provide a brief (one sentence or even partial sentence is fine) description of the nexus -- e.g. "met with these senators in washington dc: warren, booker, and feinstein" 6.If the district only paid in part, I do not need to know what was happening during the personal time 7.Please provide the budget for travel for that time period and how the actuals compared with the budgeted (this should be very simple); 09/08/23 Information Only: Two additional weeks need. Anticipated completion date of September 22.
R-23-0017	11/14/23	Beall	Baker	Williams	Provide regular updates to the Board or Board committee on the rehabilitation of the Sunnyoaks Percolation Pond and work with the City of Campbell and the Santa Clara County Fire Department on a resolution.	12/05/23		

TO: Rachael Gibson, Chief of External Affairs**FROM:** Marta Lugo, Deputy
Administrative Officer for
External Affairs**SUBJECT:** Letter from Chair John Varela to Santa Clara
County Board President Susan Ellenberg**DATE:** December 5, 2023

Attached to this memorandum is the letter from Chair John Varela to Santa Clara County Board President Susan Ellenberg inviting the Santa Clara County Board of Supervisors to participate in a joint meeting between the County and Valley Water. The letter was sent out on December 5, 2023.



Marta M. Lugo
Deputy Administrative Officer
Offices of Government Relations and REDI

December 4, 2023

The Honorable Susan Ellenberg
Santa Clara County Board of Supervisors, District 4
70 West Hedding Street, 10th Floor
San Jose, CA 95110

Dear President Ellenberg:

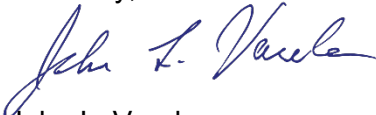
On behalf of the Santa Clara Valley Water District (Valley Water) Board of Directors, I would like to invite the Santa Clara County Board of Supervisors to participate in a joint County and Valley Water Board meeting with our Board and staff to advance topics of mutual interest to our organizations.

We have successfully conducted joint meetings with the County Board of Supervisors in past years that have provided a forum for our two agencies to continue collaboration and progress on our respective priorities, including issues impacting our water supply, environmental stewardship, flood risk reduction efforts, and partnership on unhoused issues in Santa Clara County. Our recent joint meeting with the San Jose City Council earlier this month was quite productive, and I am confident that a joint meeting of our Boards will yield equally productive discussions and outcomes, especially as we face the impending El Niño storm season.

Consequently, on behalf of the Valley Water Board of Directors, I would like to respectfully propose a meeting in January or February 2024 and kindly ask your County Clerk to confirm which date(s) and times work best for you and your Board. Our Government Relations staff stands ready to assist with coordinating available dates and times. If you have any questions, please do not hesitate to contact Marta Lugo, Deputy Administrative Officer of External Affairs, at (408) 630-2337 or via email at mlugo@valleywater.org. Once a date has been confirmed, our staff will work with County staff on joint agenda topics for discussion and action—including the Anderson Dam Seismic Retrofit Project, collaboration on unhoused issues, and our Multi-Party Agreement with the County—as well as meeting logistics.

We look forward to engaging in a joint dialogue with you and your fellow Supervisors, to best serve our mutual constituencies, and to continue building on the long-standing history of collaboration and partnership between our two agencies.

Sincerely,



John L. Varela
Chair, Board of Directors

cc: Board of Directors (7)
rb:jh
1201a-l

BOARD OF DIRECTORS

[John L. Varela](#) / Chair (District 1)
[Barbara F. Keegan](#) / Vice Chair (District 2)
[Richard P. Santos](#) (District 3)
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CHIEF EXECUTIVE OFFICER

[Rick L. Callender, Esq.](#)

CLERK OF THE BOARD

[Michele L. King, CMC](#)



TO: Rachael Gibson, Chief of External Affairs**FROM:** Marta Lugo, Deputy
Administrative Officer for
External Affairs**SUBJECT:** Letter from Chair John Varela to San Jose
Mayor Matt Mahan regarding Recent Joint
Meeting**DATE:** December 5, 2023

Attached to this memorandum is the letter from Chair John Varela to San Jose Mayor Matt Mahan regarding the joint meeting between the Valley Water Board of Directors and San Jose City Council held on November 17, 2023. The letter was sent out on December 5, 2023.



Marta M. Lugo
Deputy Administrative Officer
Offices of Government Relations and REDI

December 5, 2023

The Honorable Matt Mahan
Mayor, City of San José
200 E. Santa Clara St.
San José, CA 95113

Dear Mayor Mahan,


On behalf of the Santa Clara Valley Water District (Valley Water) Board of Directors, thank you for the joint meeting we had with you and the San José City Council (Council), to discuss water supply issues, key Valley Water projects, flood preparedness, and other water-related issues impacting the City of San José (City) and the entire region. The City has been a strong partner to Valley Water, and we highly value our productive working relationship to advance key projects that benefit all our shared constituencies.

We appreciated the opportunity to share the latest developments on the South San Francisco Bay Shoreline Project, Purified Water Project, Anderson Dam Seismic Retrofit Project, and Coyote Creek Flood Protection Project, and we look forward to continuing to work with the City as these projects progress. We also appreciated the opportunity to discuss and get the Council's feedback on the overall coordination between Valley Water and the City on unhoused issues. Valley Water staff will continue to collaborate with City staff on the Cherry Avenue Emergency Interim Housing Site, the remaining sections of the Coyote Creek Flood Protection Project, and supporting unsheltered residents while protecting the region's natural resources.

In addition, thank you for your leadership in helping us facilitate a very productive conversation on the expansion of purified and recycled water. We truly appreciate the City's support for pursuing a joint project to meet local water supply needs, and we look forward to continuing the dialogue through the Joint Recycled Water Policy Advisory Committee. As we discussed during our meeting, Valley Water staff will reach out to City staff to ensure our two agencies remain coordinated as we work together to expand purified and recycled water and develop a sustainable, drought-resistant, and locally controlled water source for our future.

Again, thank you for making the time to discuss these important issues, and we look forward to our continued partnership. If you have any questions or need additional information, please feel free to contact Marta Lugo, Deputy Administrative Officer for External Affairs, at 408-630-2237 or by email at mlugo@valleywater.org.

Sincerely,



John L. Varela
Chair, Board of Directors

cc: Board of Directors (7), Rick Callender, Jennifer Maguire
gy:sd
1129a-l

BOARD OF DIRECTORS

[John L. Varela](#) / Chair (District 1)

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CHIEF EXECUTIVE OFFICER

[Rick L. Callender, Esq.](#)

CLERK OF THE BOARD

[Michele L. King, CMC](#)

INCOMING BOARD CORRESPONDENCE

Board Correspondence (open)

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
C-23-0295	12/12/23	12/12/23	Santos	DANNY GARZA	Email from Danny Garza to Director Santos, dated 12/12/23, question whether Valley Water has community hours to give in the Milpitas Area.	Refer to Staff	Gibson	Rocha	12/20/23	-	n/a	12/26/23
C-23-0293	12/04/23	12/07/23	Beall	AFSHIN ROUHANI	Email from Afshin Rouhani to Director Beall, dated 12/04/23, regarding Anderson Dam options.	Refer to Staff	Richardson	Mccarter	12/15/23	-	n/a	12/21/23
C-23-0287	11/29/23	11/29/23	Hsueh	DWIGHT NICKERSON	Email from Dwight Nickerson to Director Hsueh, dated 11/29/23, regarding damaged retaining wall on Saratoga Creek.	Refer to Staff	Hakes	Codianne	12/07/23	12/05/23	n/a	12/13/23
C-23-0267	11/03/23	11/03/23	Varela	ROCHELLE BEERLI	Email from Rochelle Beerli to Chair Varela, dated 11/03/23, conveying	Refer to Staff	Richardson	Mccarter	11/11/23	11/16/23	n/a	11/17/23

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
					questions about Pacheco Dam.							
C-23-0266	10/31/23	10/31/23	All	JOHN GUISLIN	Email from John Guislin to the board, dated 10/31/23, expressing concern for Creek Flooding mitigation along San Francisco Creek.	Refer to Staff	Hakes	Yerrapotu	11/08/23	11/06/23	n/a	11/14/23
C-23-0239	09/24/23	09/25/23	Beall	KATHLEEN O'CONNELL	Email from Kathleen O'Connell to the Director Beall, dated 9/24/23, regarding Water Resource Protection Zone at the upcoming Cherry Avenue EIH project.	Refer to Staff	Hakes	Codianne	10/03/23	09/27/23	n/a	10/09/23
C-23-0235	09/21/23	09/22/23	All	JESSICA CALDERON	Email from Jessica Calderon to the Board, dated 9/21/22 regarding the unhouse at Church st./Howson Creek Monterey	Refer to Staff	Hakes	Codianne	09/30/23	09/25/23	n/a	10/06/23

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
					Road/Howson Creek, Gilroy.							
C-23-0212	08/24/23	08/24/23	Santos	ERIC HA	Email from Eric Ha to Director Santos, dated 8/24/23, regarding unhoused individual setting fire behind property.	Refer to Staff	Hakes	Codianne	09/01/23	08/30/23	n/a	09/07/23
C-23-0211	08/24/23	08/24/23	Varela	LUIS RAMIREZ	Email from Luis Ramirez to Chair Varela, dated 8/24/23, regarding homeless in Gilroy on Valley Water property.	Refer to Staff	Hakes	Codianne	09/01/23	08/30/23	n/a	09/07/23
C-23-0101	05/12/23	05/12/23	All	STEVE KELLY	Email from Steve Kelly, to the Board, dated 5/12/23, regarding concern for unhoused that may cause threats to residents living near the creeks in Santa Clara.	Refer to Staff	Blank Yerrapotu	Codianne	05/20/23	05/22/23	n/a	05/26/23
C-23-0076	03/31/23	04/03/23	All	H.K. WILLARD	Email from H.K. Willard to the Board dated 3/31/23	Refer to Staff	Gibson	Rocha	04/11/23	04/07/23	n/a	04/17/23

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
					regarding misleading information in March Water News.							
C-23-0045	02/23/23	02/24/23	All	MELISSA MALLORY	EMail from Melissa Mallory regarding unhouse along Los Gatos Creek Trail.	Refer to Staff	Blank	Codianne Yerrapotu	03/04/23	03/03/23	n/a	03/10/23

Michele King

From: Donohue, Stephen <Stephen.Donohue@sanjoseca.gov>
Sent: Wednesday, December 06, 2023 3:45 PM
To: brigitte rince; Board of Directors; Foley, Pam; District9; The Office of Mayor Matt Mahan; Passons, Omar
Cc: Tuyor, Gregory
Subject: RE: Homeless between Branham and Blossom Hill

Follow Up Flag: Follow up
Flag Status: Flagged

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

Good afternoon, Brigitte,

I have copied Battalion Chief Greg Tuyor on this email. He is the Fire Department liaison to the Public Safety and Encampment Management Collaborative.

I acknowledge your concerns regarding the unhoused population living in the creek area near your home. I understand this situation can be distressing and impacts your sense of community and safety.

Please be assured the City is actively working on this issue. We are committed to finding humane and sustainable solutions to support our unhoused neighbors while also ensuring the well-being and comfort of all residents like yourself.

We have several programs aimed at providing shelter, healthcare, and other essential services to those in need. These efforts are designed to help individuals transition into more stable living conditions. Additionally, we are working closely with local organizations and stakeholders to address the broader issues contributing to homelessness.

Your patience and understanding during this time are greatly appreciated. We are determined to resolve this matter with compassion and effectiveness. If you have any further concerns or suggestions, please do not hesitate to contact us.

Thank you for reaching out and for your commitment to our community.

-Steve

*Captain Steve Donohue | Southern Division
Bureau of Field Operations | [San José Police Department](#)*

From: brigitte rince [REDACTED]
Sent: Tuesday, December 5, 2023 10:49 AM
To: Donohue, Stephen <Stephen.Donohue@sanjoseca.gov>; Board of Directors <board@valleywater.org>; Foley, Pam <Pam.Foley@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; The Office of Mayor Matt Mahan <mayor@sanjoseca.gov>; Passons, Omar <Omar.Passons@sanjoseca.gov>
Subject: Homeless between Branham and Blossom Hill

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

Hello,

I have called the fire department twice this week due to fires in the homeless encampments along Cherry Avenue across from the Bass Pro Shop at Almaden Ranch.

Is there a new law that allows people to have these fires?

I have spoken with several of my neighbors who expressed that they have respiratory illnesses that are aggravated by these fires. They go on all year long so that we are unable to open our windows to enjoy fresh air. Even when we close our windows, we still get the smoke inside our homes. This is not safe for anyone. Why is this allowed? We had one home evacuated due to a fire on the back fence of a resident on Tonino. What needs to happen before we get some action to remove the homeless from the areas surrounding our homes?

We have been dealing with the homeless between Branham Lane and Blossom Hill burning, destroying and littering the area that in previous years was maintained and protected.

After listening to the recorded ENA meeting from Nov 29th at the Pearl Ave Library, it is evident that Caltrans who owns the property under highway 85 has not been contacted to remove the homeless from that area which has been identified as a Flood zone by FEMA.

We are unsure that the EIH which has been promised to be built and alleviate some of the burden of having the homeless in our neighborhood will actually be effective without the support from all of the entities that have ownership of the land.

We are not confident that we will have the peaceful safe neighborhood that many of us enjoyed for years prior to the allowance of the homeless to take over this area.

We at minimum require rules and laws be enforced in the span between Branham and Blossom Hill to prevent our situation from getting to the point of no return. **We need all of you on this email thread to participate in the enforcement of the rules below.**

1. Allow the SJPd to remove any of the homeless that break laws and rules.
2. Track and identify the individuals that you are now allowing to reside on your property. For every resident, there is a public record of who owns each home. The same should be enforced for the people living outside
- We want to know who we are living next to.
3. Individuals with a police record will be abated
4. No tents in the river or within 50 feet of the water.
5. No tents near homes, along our fence lines
6. No open fires
7. No trash piled up - removing 6 tons once a month is not enough and costing all of us too much money to maintain
8. No weapons
9. Medical attention (minor not emergency care) will be provided at a centralized location, not on the levee
10. Care for animals such as rabies and other vaccinations will be required in order to prevent the spread of disease. Unvaccinated pets pose a public health hazard as they are at risk of catching and transmitting rabies and other viruses. Microchips to be implanted to allow animal

control to locate the owners and prevent breeding. Free spay and neuter to prevent breeding. The [Street dog coalition](#) can help.

11. Make it more difficult for more to move into the area. Do not provide incentives for them to live here such as gift cards

The situation here is getting worse not better. You have not done enough to give us hope for a safe place to live.

Regards,
Brigitte Rince

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Subject: FW: Anderson Dam Options

From: Afshin Rouhani [REDACTED]
Sent: Monday, December 4, 2023 7:53:22 PM
To: Ryan McCarter <RMcCarter@valleywater.org>; Jim Beall <JBeall@valleywater.org>
Subject: Re: Anderson Dam Options

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

Dear Mr. McCarter - Per the email below, I am replying to you for further information and since Director Beall is my representative on the Board (I live in Almaden) I am including him in the message as my Board representative as well.

I very much appreciate the reply provided below; however, it does not respond to some of my points raised in my original comment to the Board and raises some other questions as well.

I agree that Anderson dam is a large reservoir by Valley Water standards. However, relative size, by itself, is not an indicator of worth or value. Anderson is large when compared with the very small, water percolation collection reservoirs the water district built earlier in its history, but Anderson is tiny when compared to the large water storage facilities in CA such as San Luis and the many Sierra reservoirs. More important than size are the value of the reservoir, its environmental and hydrological impacts, and the relative cost/benefit of it compared to the many many other ways in which our water needs could be met over time. As the cost of the project has galloped ahead to more than \$2 billion, where is the study that says that a new 90,000 Acre-foot reservoir at Anderson is the best and most economical way to meet the region's water needs, when compared with other options that may have far fewer impacts and be more drought resilient?

In the response below, reference is made to " ... exploring many alternatives along the way. These alternatives included examining possible changes to the size and location of the dam during the initial planning study, and at several other junctures" ... please point me to engineering studies and planning study reports that document these efforts. Per the project's website, I am only aware of one planning study conducted for the project in 2013, which only considered seismic fixes at the dam. I would love to review a detailed analysis that looked at alternative reservoir locations, alternatives to reservoirs as a way of meeting the community's water needs, etc.. As I originally noted, a project of this magnitude is unprecedented for the water district and should be planned extremely carefully to ensure the public's money is being spent efficiently and prudently. So please advise as to these alternatives analyses that were conducted at various junctures and the technical reports that concluded the current project was the preferred project. The water district has a detailed planning process for capital projects ... has this process been followed at these "junctures" when the project was re-planned?

Reference is made to "the Anderson Dam Seismic Retrofit Project, as described in the Draft Environmental Impact Report" ... has the draft environmental impact report for the project been prepared and released for public comment? Reference is again made here to "other potentially less expensive options that have been explored during the initial planning process and during critical milestones have found to be infeasible and would result in a disproportionate reduction in the benefits" ... where were these "explorations" documented, seriously vetted, screened, and

discussed with the community as befits a project of this magnitude? Please direct me to the appropriate planning engineering studies and tech reports, if any.

Director Beall - You have represented our San Jose community so well over many years at many levels locally and at the state level. I'm sure you realize that this project will have an enormous impact on water rates locally for many decades. It's also a more than once in a lifetime decision that ties future generations into continuation of a very impactful dam in a seismically active and environmentally sensitive area. Is it really necessary? Is it the only or indeed best way to meet the community's water needs, given its enormous cost? Cannot more and better benefits for water, flood protection, and environmental restoration be actively planned as part of this project (as opposed to the water district being forced into grudging project elements by resource agencies) for this enormous cost? The era of dam building is generally over, especially in our semi-arid area, and, frankly, dams are being taken down and retired more than being rebuilt ... perhaps it's time to think about alternatives?

thanks very much,
Afshin Rouhani, PE
San Jose

From: Candice Kwok-Smith <ckwok-smith@valleywater.org> on behalf of Board of Directors
<board@valleywater.org>
Sent: Monday, December 4, 2023 9:14 AM
To: [REDACTED]
Subject: Re: Anderson Dam Options

Sent on Behalf of Chair Varela:

Hello Afshin Rouhani,

Thank you for taking the time to write to the Board. As you are aware, Anderson Reservoir is the largest reservoir owned by Valley Water and provides more storage than Valley Water's remaining nine reservoirs combined. With Anderson Reservoir completely offline during the recent drought years and a wet 2023, Valley Water experienced tremendous impacts in our ability to reliably provide a safe, clean water supply to Santa Clara County. This has reinforced how critical a fully functional, seismically sound Anderson Dam and Reservoir is to the health and well-being of Silicon Valley and the surrounding areas. Unfortunately, due to shifting climate patterns, we expect water supply operations to become more challenging during future droughts and wet years.

Although individual project features for the Anderson Dam Seismic Retrofit Project have evolved through design, the fundamental safety and reliability issues with the current dam configuration remain unchanged. Addressing the issues has been a long, iterative process working with several regulatory agencies to develop solutions, while exploring many alternatives along the way. These alternatives included examining possible changes to the size and location of the dam during the initial planning study, and at several other junctures as new information regarding the cost, schedule, environmental impacts, and regulatory constraints for the project unfolded. Many of the project features have evolved to meet dam safety standards set forth by the California Department of Water Resources, Division of Safety of Dams and the Federal Energy Regulatory Commission, Division of Dam Safety and Inspections. The collective project team of Valley Water staff, technical consultants, and regulatory agency representatives have

taken the necessary steps to produce the safest, most economical, and least impactful project to restore the benefits of Anderson Reservoir.

The Anderson Dam Seismic Retrofit Project, as described in the Draft Environmental Impact Report, remains in alignment with Valley Water's priorities, policies, and objectives. Other potentially less expensive options that have been explored during the initial planning process and during critical milestones have found to be infeasible and would result in a disproportionate reduction in the benefits the restored Anderson Reservoir will provide to Santa Clara County.

Valley Water continues its mission to provide safe, clean drinking water to Santa Clara County while striving to limit increases to water rates as much as possible. This includes pursuing financing and grants through both federal and state initiatives. We look forward to continue working with our numerous project stakeholders and the public to successfully deliver this project.

If you have further questions, please contact Ryan McCarter, Deputy Operating Officer at rmccarter@valleywater.org.

Sincerely,

John L. Varela,
Chair, District 1

C-23-0282

From: Afshin Rouhani [REDACTED]
Sent: Monday, November 20, 2023 5:54 PM
To: Board of Directors <board@valleywater.org>
Subject: Anderson Dam Options

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

Dear Members of the SCVWD Board of Directors,

My name is Afshin Rouhani. I retired after 29 years working for the water district last year. As some of you may remember, I was unit manager for the District's Water Resources Policy and Planning group for many years, conducting and overseeing watersheds planning projects and the methodology of the planning process. I had meant to contact you regarding the Anderson Dam project before; however, the recent news article noting the project's increased cost to above \$2 Billion added urgency to my thoughts:

Anderson Dam: Cost to rebuild major reservoir rises to \$2.3 billion, tripling from two years ago ([mercurynews.com](https://www.mercurynews.com))

My concerns re the project can be summarized as follows: I am concerned that this project, a very significant investment of public funds, has not been adequately investigated and planned and may therefore not be the best way to address the organization's real

objectives and needs.

I feel this is because, as the project transitioned in the design phase from a seismic repair effort during its first few years to a full dam replacement effort, and as that latter effort grew more and more complex over the years, there was no attendant serious restudy of the project to analyze whether the full size in situ dam replacement project currently being designed is the best alternative or whether there are other alternatives or combinations of projects that achieve the water district's objectives better, perhaps even meeting more organizational objectives and at a lesser cost. As costs have skyrocketed past \$2 billion, this has become a more and more critical issue, though the issue existed before.

On the project's website, the only full-blown planning study that has been conducted for the project, the Anderson Dam Planning Study Report, was done in 2013! This study recommended that a portion of the dam be removed and replaced with new materials that thereby would address the seismic issues identified. This was the project that was taken into detailed design: a dam repair project. As design went on, it was realized that such a repair project would not be effective and that the entire dam needed to be removed and replaced. This was a momentous change in the project in terms of both scale (cost and schedule) and impacts (permitting). But while the cost and effort issues were realized and calculated, the fundamental change inherent in this switch from a maintenance project to a replacement/improvement project was seemingly not understood. This "change" is because once the design team discovered that the dam would need to be removed entirely, a whole host of new possibilities and alternatives opened up that had previously not existed in a strictly repair project. This is not an unusual missed point of inflection in public works: a facility that has served a purpose for a long time requires extensive repairs or replacement and the organization, tied to historical thinking about its facilities and how it has always done things, only thinks of ways it can continue to do things the same way no matter what.

But the point of public infrastructure is to serve the organization's long-term goals, not to perpetuate the identical infrastructure to do so. So, what are the goals that need to be served now and into the future, taking into account many issues we did not know about in 1950 when Anderson Dam was originally built? To capture local water supply? To serve as local storage for Delta deliveries? To serve as emergency storage pool of water? Notice that none of these objectives requires a specific dam of a specific size at this specific location. For example, the dam location could be different, the dam size does not have to be the same, even the whole concept of a new dam as the only viable option to meet the District's objectives should be examined. Unfortunately, none of this happened in a systematic and thorough manner through an updated planning study, as it should have, befitting the huge investment in public funds inherent in the proposed project even when it was estimated as far under \$1 Billion. The District instead has proceeded down the design and permitting track as if a large earth dam at the exact current location is somehow the only option possible.

Even as the project costs have skyrocketed past first several hundred million, then \$1 Billion, and now \$2 Billion (and does the Board really know how much more costs will escalate, given past experience?), the organization seems to be disinterested in exploring alternatives. \$2.3 Billion is a lot of money. Is a very large new dam with its attendant long-term operation and maintenance issues and continuation of very significant flow and environmental habitat impacts on the Coyote Creek watershed the one and only way to meet the organization's overall water supply objectives? What is the comprehensive

benefit to cost ratio of this dam and how does it compare to the many alternatives possible to meet our water supply goals? My point is that the Board simply does not know the answer to these questions because no comprehensive study has been done to compare the potential ways to meet the Board's water (and also environmental, and flood protection) objectives at this time.

Perhaps this new, shocking cost increase can be an incentive to stop the train and take the long overdue step to spend some time to really consider the options available before it's too late (noting that the FERC compliance tunnel project should proceed with all speed, of course). I strongly urge the Board members to ask management serious questions about a renewed and updated planning effort for this momentous undertaking. The water district has a very carefully thought out program and process to plan Capital projects and rigorously implements this process for projects of all sizes. You also have many excellent engineers, planners, and biologists who could do an excellent job conducting and overseeing the effort. But on the largest project it has undertaken, the organization is relying on a seriously outdated project decision. Why?

Respectfully,

Afshin Rouhani, PE
San Jose

Michele King

From: Zanardi, Kristine <Kristine.Zanardi@BOS.SCCGOV.ORG>
Sent: Friday, December 08, 2023 3:00 PM
To: manager; debran@cupertino.org; hungweichien [REDACTED]; rodsinks [REDACTED]; kmoore@cupertino.org; scharf.steven [REDACTED]; dapaul@dacypaul.org; hwei@cupertino.org; liangchao; jwilley; chadm@cupertino.org; laurens; kavithaa@cupertino.org; ktankha; gtyson; dad.mok [REDACTED]; kavitat [REDACTED]; gktyson [REDACTED]; lindaswan@losaltoshills.ca.gov; lschmidt@losaltoshills.ca.gov; stanmok@losaltoshills.ca.gov; jloh@losaltoshills.ca.gov; nfligor [REDACTED]; nfligor; sally.meadows.massey [REDACTED]; jweinberg12345 [REDACTED]; jweinberg@losaltosca.gov; smeadows@losaltosca.gov; Jon Maginot; cgleason@openspace.org; Yoriko Kishimoto; jcy; criffle; kholman; lleeng; mmacniven@openspace.org; zkersteen-tucker@openspace.org; aruiz; Joshua Hugg; yoriko12330 [REDACTED]; kcholman [REDACTED]; Board of Directors; Nai Hsueh; Rachael Gibson; Tom.Pyke; alex.kobayashi@sen.ca.gov; suzanne.wheaton@sen.ca.gov; alice@greenfoothills.org; shanibirds [REDACTED]; kitgordona [REDACTED]; james.eggert@sierraclub.org; communityrelations@cupertino.org; brian@greenfoothills.org; Rhoda Fry; Cathy Helgerson; Paula Wallis; glatshaw [REDACTED]; april; cindyleerussel [REDACTED]; mimqvasar [REDACTED]; stephlmorris [REDACTED]; tierno23 [REDACTED]; urbanartichoke [REDACTED]; gailwoo [REDACTED]; Jcarlinsv [REDACTED]; desimon [REDACTED]; enidpearson1 [REDACTED]; jpreisser123 [REDACTED]; igendzel@ [REDACTED]; qdeppong [REDACTED]; virginia@ [REDACTED]; drules [REDACTED]; Shiaoqing.lu@ [REDACTED]; cbhoptoad [REDACTED]; Peter Pirnejad; gengeland@losaltosca.gov; lndsel [REDACTED]; jriley@oe3.org; nash@oe3.org; CHRIS DAVIS; Mary Ann Poulos; Gregory Baker; Gina Jackman; John Holton; Kathleen Dylan; Ken Mizuta; Don MacCubbin; Dell Fischer; hbluhmst [REDACTED]; Kay Lau; Louisa Chang; Kelvin Chow; Stephen Quan; Teresa Bailey; Linda Gass; Betsy Slattery; Merritt C Maduke; Robert Adams; Annette Motoyama; Lollie Dennis; Carol Tsao; llstarkey [REDACTED]; Shani Kleinhaus; Deb Skelton; Kirsten Lundstrom; Kim Pomeroy; mary israni; Nancy Laber; David Burch; Harry; Beverly F. Taxin; Erin MacDonald; jane@bessingroup.com; M Olesek; Randall Antosiak; Nancy Weintraub; Anna Vissers; Amy Migdal; Bill Erdman; Andrea Chelemengos; Suma Singh; Anna De Giuli; Andy Wong; Genevieve Halvorsen; Debbie Crouse; Eric Lanzendorf; Diane Guinta; Catherine Dilts; Edwin Chu; Pat Lang; YOU CHENG; Parul Modi; Usha H; Heidi Kay Carson; Trish Mulvey; radler.digiplaces.com; katja.irvin [REDACTED]; godsouza [REDACTED]; michaeljferreira [REDACTED]; c.g.schafer [REDACTED]; reed@zarslaw.com; mdellabona@cirrusgroup.net; kend_smyth [REDACTED]; kleincouncil; MTovar; Michelle Zahraie; pat@patburt.org; ChristopherJ@cupertino.org; hstrachman [REDACTED]; sjordan@ieee.org; kdaronson [REDACTED]; masullivan_2000 [REDACTED]; lukeard [REDACTED]; sleclair215 [REDACTED]; linaswisher [REDACTED]; jsequal [REDACTED]; darylcam5 [REDACTED]; craige66 [REDACTED]; cdegrow11 [REDACTED]; aarmatt [REDACTED]; amanai [REDACTED]; t; markanderton [REDACTED]; reeserlest [REDACTED]; peckos@ [REDACTED]; moises@greenfoothills.org; carolruth1 [REDACTED]; ikrystynak [REDACTED]; janet@hoffmann.net; kliwa [REDACTED]; frenchwand [REDACTED]; stephen.l.mchenry [REDACTED]; nancy.hay [REDACTED]; patmarriott [REDACTED]; eeredfern [REDACTED]; gary@ [REDACTED]; davesingha [REDACTED]; joel@gartlands.net; lsaff [REDACTED]; phartzman1 [REDACTED]; judith.butts [REDACTED]; cspenner [REDACTED]; emmahartung [REDACTED]; etkallagh [REDACTED]; s.arzenc [REDACTED]; karl.w.danz [REDACTED]; brucedever [REDACTED]; dlee1933 [REDACTED]; Steve Hill; manager; debran@cupertino.org; hungweichien [REDACTED]; rodsinks [REDACTED]; kmoore@cupertino.org; scharf.steven [REDACTED]; dapaul@dacypaul.org; hwei@cupertino.org; liangchao; jwilley; chadm@cupertino.org; brianb@cupertino.org; laurens; kavithaa@cupertino.org; ktankha; gtyson; dad.mok [REDACTED]; lisa@ [REDACTED]; kavitat [REDACTED]; gktyson [REDACTED]; lindaswan@losaltoshills.ca.gov; lschmidt@losaltoshills.ca.gov; stanmok@losaltoshills.ca.gov; jloh@losaltoshills.ca.gov; nfligor [REDACTED]; nfligor; lleeng; sally.meadows [REDACTED]; jweinberg12345 [REDACTED]; jweinberg@losaltosca.gov; smeadows@losaltosca.gov; Jon Maginot;

To: cgleason@openspace.org; Yoriko Kishimoto; jcy; criffle; kholman; mmacniven@openspace.org; zkersteen-tucker@openspace.org; aruiz; Joshua Hugg; yoriko12330@ [REDACTED]; kcholman [REDACTED]; Board of Directors; Nai Hsueh; Rachael Gibson; Tom.Pyke; alex.kobayashi@sen.ca.gov; suzanne.wheaton@sen.ca.gov; alice@greenfoothills.org; shanibirds [REDACTED]; kitgordona [REDACTED]; james.eggert@sierraclub.org; communityrelations@cupertino.org; brian@greenfoothills.org; Rhoda Fry; Cathy Helgersen; Paula Wallis; Gary Latshaw; april; cindyleerussel [REDACTED]; mimqvasan [REDACTED]; Stephanie Morris; tierno23 [REDACTED]; urbanartichoke [REDACTED]; gailwoo [REDACTED]; Jcarlinsv [REDACTED]; desimon [REDACTED]; enidpearson1 [REDACTED]; jpreisser123 [REDACTED]; igendze [REDACTED]; gdeppong [REDACTED]; virginia@ [REDACTED]; clrules [REDACTED]; Shiaoping.lu [REDACTED]; cbhoptoad [REDACTED]; Peter Pirnejad; gengeland@losaltosca.gov; Linda Sell; jriley@oe3.org; nash@oe3.org; CHRIS DAVIS; Mary Ann Poulos; Gregory Baker; Gina Jackman; John Holton; Kathleen Dylan; Ken Mizuta; Don MacCubbin; Dell Fischer; hbluhmst [REDACTED]; Kay Lau; Louisa Chang; Kelvin Chow; Stephen Quan; Teresa Bailey; Linda Gass; Betsy Slattery; Merritt C Maduke; Robert Adams; Annette Motoyama; Lollie Dennis; Carol Tsao; Ilstarkey [REDACTED]; Shani Kleinhaus; Deb Skelton; Kirsten Lundstrom; Kim Pomeroy; mary israni; Cathy Helgersen; Nancy Laber; David Burch; Harry; Beverly F. Taxin; Erin MacDonald; jane@bessingroup.com; M Olesek; Randall Antosiak; Nancy Weintraub; Anna Vissers; Amy Migdal; Bill Erdman; Andrea Chelemengos; Suma Singh; Anna De Giuli; Andy Wong; Genevieve Halvorsen; Debbie Crouse; Eric Lanzendorf; Diane Guinta; Catherine Dilts; Edwin Chu; Pat Lang; YOU CHENG; Parul Modi; Usha H; Heidi Kay Carson; Trish Mulvey; april; David Simon; radler digiplaces.com; katja.irvin [REDACTED]; Gladwyn d'Souza; Mike Ferreira; Charles Schafer; Reed Zars; Cirrus Group; Ken Smyth; kleincouncil; MTovar; Michelle Zahraie; Jon Maginot; pat@ [REDACTED]; Christopher Jensen; Howard Strachman; sjordan@ieee.org; kdaronson [REDACTED]; lsimp; Brian Black; karl.w.danz [REDACTED]; brucedever [REDACTED]; dlee1933 [REDACTED]; Steve Hill

Subject: Update: Lehigh's 2023 Reclamation Plan Amendment application

Follow Up Flag: Follow up
Flag Status: Flagged

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To all Lehigh Interested Parties:

Supervisor Simitian asked that I send this update to you. The County of Santa has determined that Lehigh's 2023 Reclamation Plan Amendment application is incomplete and has sent Lehigh a letter that can be found [here](#), outlining the additional information that must be provided.

I hope you find this update helpful.

Thank you,
Kris

Kris Zanardi
Policy Director
Office of County Supervisor Joe Simitian
(408) 299-5050
www.supervisorsimitian.org
[Newsletter Signup](#)

County of Santa Clara

Department of Planning and Development
Planning Office

County Government Center, East Wing, 7th Floor
70 West Hedding Street
San Jose, California 95110-1705
(408) 299-5770 FAX (408) 288-9198
www.sccplanning.org



December 7, 2023

Gregory Ronczka
Vice President of Environment and Sustainability
Heidelberg Materials North America
Lehigh Hanson, Inc.
24001 Stevens Creek Blvd
Cupertino, CA 95014

FILE NUMBER: PLN23-100
SUBJECT: Major Reclamation Plan Amendment
SITE LOCATION: 24001 Stevens Creek Blvd.
DATE RECEIVED: June 14, 2023

Dear Mr. Ronczka:

The purpose of this letter is to inform you that the Major Reclamation Plan Amendment (RPA) application ("Application") submitted by Lehigh Southwest Cement Company ("Lehigh") on June 14, 2023, has been deemed **incomplete**. To complete the Application, Lehigh shall submit the following information requested in Section II (Summary of Required Supplemental Information) no later than 180 days from the date of this letter.

I. Project Description

Lehigh submitted an Application to amend the existing Reclamation Plan for Lehigh Permanente Quarry ("Quarry") approved by the Santa Clara County ("County") Board of Supervisors on June 26, 2012, herein referred to as the 2012 Reclamation Plan. The Application proposes to amend the 2012 Reclamation Plan, including the following significant modifications:

- A. Reduction of the reclamation plan boundary area by 317.6 acres by removing the "Exploration Area" identified in the 2012 Reclamation Plan that contains access roads and areas where exploratory drilling occurred. This would decrease the total reclamation plan area from 1,238.6 acres to 921 acres.
- B. Importation of approximately 42 million cubic yards (c.y.) of clean fill to fill the quarry pit as part of final reclamation design. Under the approved 2012 Reclamation Plan, overburden material at the West Materials Storage Area ("WMSA") was proposed to be used for backfilling of the quarry pit. The Application instead proposes that 31.2 million cubic yards of off-site clean fill would be used in combination with acceptable WMSA

overburden material to fill (reclaim) the quarry pit. The remainder WMSA overburden material would be left in place.

- C. Reclamation of pre-SMARA slopes along Permanente Creek that were previously excluded from the 2012 Reclamation Plan. This reclamation activity is intended to enhance the success of the Permanente Creek Restoration Project, which is a separate and independent project from this Application.

II. Summary of Required Supplemental Information

The following is a summary of the information that Lehigh shall provide to the County to complete its Application:

A. 2012 RPA Exploration Area removed from proposed RPA

As identified in the 2012 Reclamation Plan, the Exploration Area is proposed for reclamation as it consists of exploratory work alterations to the landscape that constitute “surface mining operations” under SMARA (Public Resources Code Section 2735). The proposed RPA’s Figure 7 (Reclamation Boundary and Components) shows the removal of this area, while Figure 8 (Reclamation Grading Plan) identifies reclamation activities for this area. Please modify the proposed RPA boundary to include the Exploration Area or provide documentation on how this area will be reclaimed prior to approval of the proposed RPA. The Exploration Area needs to be fully reclaimed before it can be removed from the Reclamation Plan boundary, and reclamation shall be achieved prior to approval of the proposed RPA.

B. Fish and Wildlife Habitat Protection

While the proposed RPA provides information on biological resources and habitat conditions of the RPA area, it does not identify protection measures for Fish and wildlife habitats as was provided in the 2012 RPA. Please identify proposed biological resource protection measures.

C. Availability of Clean Fill

The RPA application states that an investigation of the types and quantities of surplus soil from regional infrastructure projects was completed for the RPA, and this investigation found that 2 million c.y. of suitable surplus clean fill material is available in Santa Clara, San Mateo, San Francisco, and Alameda Counties on an annual basis. Please provide this market data and include an evaluation of the availability of the low permeability material that the RPA proposes to utilize as cover for the West Materials Storage Area (WMSA), East Materials Storage Area (EMSA), and Quarry.

D. Protocol for Imported Soil

The RPA application states that an imported soil management plan will be developed and reviewed by RWQCB to govern the procurement and placement of imported fill and outline a systematic approach for acceptance. Please provide additional details about this management plan, including how suitable soil will be identified, and details about the screening criteria that will be used.

E. Interim storage of imported material

The RPA application states that 31.2 million c.y. of material will be imported from off-site sources, and that this material would be imported at a rate of 500,000 c.y. to 1,000,000 c.y. annually. Please provide details as to how and where this material will be stored prior to its reclamation use.

F. Aggregate storage area

The proposed RPA's Figure 8 (Reclamation Grading Plan) identifies an aggregate storage area in the WSMA. Please provide further details on the extent of aggregate to be stored in this area and anticipated height of aggregate piles to determine if a visual impact could occur.

G. Disposition of drainage outfalls and future disposition of water quality treatment facility

Please provide additional detail about when the water quality treatment systems and drainage outfalls will be removed. Currently the submitted Reclamation Plan Amendment only explains that these are to remain beyond closure under SMARA.

H. Truck Routes for Importation of Fill

The RPA proposes to import 31.2 million c.y. of offsite fill and estimates that between 500,000 and 1,000,000 c.y. of fill would be imported to the site each year. Please provide detail about the route that haul traffic will take when the fill is being imported to the site.

I. Santa Clara County Road and Airports comments

1. Approximately 2,300 feet of Permanente Road is County maintained road/ right-of-way (ROW) within the reclamation plan boundaries. Other road segments in the entrance area are City roads or private roads. The RPA should identify which road segments are public roads (and if City or County maintained) and which are private roads.
2. An encroachment permit with Roads and Airports Department is required for any work within County ROW.

For questions regarding Road and Airport comments, please contact Thomas Esch at Thomas.esch@rda.sccgov.org.

J. County Geologist comments

Please see the enclosed memo that contains comments provided by the Santa Clara County Geologist. For questions regarding Geology comments, please contact County Geologist David Seymour at David.Seymour@pln.sccgov.org.

III. Additional Comments/Issues

The following is a summary of comments the County has received regarding this Application.

U.S. Fish and Wildlife

1. USFWS recommends that Lehigh get an incidental take permit for the California red-legged frog (CRLF) and monarch butterfly (if listed) for any reclamation activities and maintenance of detention basins not currently covered by the Lehigh Permanente O&M Habitat Conservation Plan (HCP). If there is a Section 7 federal nexus with the U.S. Army Corps of Engineers, then these activities should be able to be covered under that biological opinion. If there is no Section 7 federal nexus, then USFWS recommends Lehigh getting an incidental take permit under Section 10 of ESA by developing an HCP.
2. Should include suitable native, insecticide-free milkweed and native, insecticide-free nectar plants for the monarch butterfly in the revegetation plan with a focus on early-emerging native milkweed species (e.g., *Asclepias vestita*, *A. californica*, *A. cordifolia*) and native, insecticide-free nectar plants that are available to monarchs in late winter, spring and fall (January-April, August-October).
(https://xerces.org/sites/default/files/publications/18-003_02_Monarch-Nectar-PlantLists-FS_web%20-%20Jessa%20Kay%20Cruz.pdf;
<https://www.xerces.org/milkweed/milkweed-seedfinder>).
3. Should incorporate the relevant conservation recommendations for the western monarch butterfly in the USFWS's Western Monarch Butterfly Conservation. (Recommendations: <https://xerces.org/publications/planning-management/westernmonarch-butterfly-conservation-recommendations>)
4. All plants planted should be insecticide free.
5. Atmospheric nitrogen deposition from all the vehicle exhaust associated with traffic implementing the reclamation plan threatens the threatened Bay checkerspot butterfly and endangered serpentine plants in the Santa Clara Valley (e.g. Santa Clara Valley dudleya, Metcalf Canyon jewelflower, Tiburon paintbrush, Coyote ceanothus) by facilitating the spread of invasive plant species. Thus Lehigh should mitigate by funding the preservation, restoration and management of habitat for the Bay checkerspot butterfly and endangered serpentine plants in the Santa Clara Valley under a USFWS approved plan in coordination with the Santa Clara Valley Habitat Agency. See the Santa Clara Valley HCP/NCCP (https://ecos.fws.gov/ecp/report/conservation-plan?plan_id=1523), Los

Esteros HCP (https://ecos.fws.gov/ecp/report/conservation-plan?plan_id=3582), and Donald Von Raesfeld Power Plant HCP (https://ecos.fws.gov/ecp/report/conservation-plan?plan_id=3517) for examples of how to mitigate for the effects of atmospheric nitrogen deposition on the Bay checkerspot butterfly and endangered serpentine plants in the Santa Clara Valley.

6. Should create, preserve, and manage suitable breeding habitat for the CRLF (ponds that hold water until early September to allow CRLF to complete their metamorphosis while drying out September-October to prevent invasive bullfrogs from breeding) and surrounding upland dispersal habitat.
7. Need to evaluate any impacts to federally listed species at sites where imported fill and soil would be acquired.
8. p. 21 of the RPA states, "The USFWS determined that the operation is not likely to result in the harassment, harm, capture, injury, or mortality of the Federal candidate monarch butterfly (*Danaus plexippus*) because (1) the majority of the permit area is highly-disturbed on an existing active quarry site with few monarch butterfly milkweed (*Asclepias* species) larval host plants or adult nectar plants, (2) pre-construction surveys for milkweed larval host plants and adult nectar plants will be conducted by a qualified biologist prior to Covered Activities that include vegetation maintenance (i.e., removal, trimming, or mowing), (3) all milkweed larval host plants will be flagged and avoided, and (4) any nectar plants removed during Covered Activities will be replaced on-site by planting appropriate native, insecticide-free flowering plants that are available to monarch butterflies from January-April." Comment: USFWS was referring only to the HCP covered activities (e.g. detention basin maintenance) within the 10.2-acre permit area for the Lehigh Permanente O&M HCP when we said that the HCP covered activities are not likely to adversely affect the monarch butterfly. USFWS did not conclude that mining or reclamation activities on the larger Permanente property would not result in adverse effects to the monarch butterfly. Monarch butterflies could be injured or killed during removal of milkweed larval host plants or harmed during removal of nectar plants during mining and reclamation activities. Dust from reclamation and mining activities also may degrade monarch butterfly breeding and foraging habitat.
9. p. 21, "Lehigh has and will continue to obtain permits for operations activities that could affect species protected under the federal Endangered Species Act (ESA) and the California Endangered Species Act. Lehigh currently addresses the federally listed CRLF under permission by the USFWS incidental take permit and low effect habitat conservation plan issued under Section 10(a)(1)(B) of the ESA. The permit was issued May 27, 2022, and the term is 20 years." Comment: The HCP provided take coverage only for the 2.62 acres of suitable CRLF habitat within the 10.2-acre HCP permit area.

The Permanente Creek Restoration Project will be covered under a Section 7 federal nexus with the U.S. Army Corps of Engineers. Is Lehigh proposing to get incidental take coverage for CRLF (and monarch butterfly if listed) for reclamation and mining activities on the larger 921-acre reclamation area not covered by the HCP? Is there a Section 7 federal nexus (e.g. U.S. Army Corps of Engineers Clean Water Act permit) to cover the

mining and reclamation activities, or will Lehigh pursue another HCP for incidental take coverage?

10. When importing soils, consider soils that would support native milkweed and native nectar plants for monarch butterflies.
11. Tables 7 and 8. Should include in the seed mix native, insecticide-free milkweed and nectar plants for the monarch butterfly with a focus on early-emerging native milkweed species (e.g., *Asclepias vestita*, *A. californica*, *A. cordifolia*) and native, insecticide-free nectar plants that are available to monarchs in late winter, spring, and fall (January-April, August-October)(<https://xerces.org/publications/planning-management/western-monarch-butterfly-conservation-recommendations>).
12. Avoid pesticide application to blooming plants when monarchs may be present.
13. Appendix G, p. i. Should include the federal candidate monarch butterfly among the special-status species likely to occur on the Permanente property.
14. Appendix G, Figures 3a-d. CRLFs may disperse 2 miles from breeding habitat across a variety of habitat types and terrains. Thus all suitable upland and aquatic habitats within 2 miles of suitable CRLF breeding habitat should be considered suitable CRLF dispersal habitat.
15. Should consider the potential for the State candidate Southern California/Central Coast mountain lion Evolutionarily Significant Unit to occur on the Permanente property and be affected by reclamation and mining activities.
16. Need to update that CRLFs have also been observed in Ponds 9, 30, and 31B on the Permanente property. From the USFWS's biological opinion for the Lehigh Permanente O&M HCP: "California red-legged frogs have only been detected in two active storm water capture/sedimentation basins in the action area, Pond 30 and Pond 31B, both of which may provide potentially suitable breeding habitat in years of high late-season rainfall. Maintenance work at Pond 30 within 300 feet of Permanente Creek had to be delayed due to the continued observation of a California red-legged frog within the basin in 2016 (G. Smick, WRA, Inc., pers. comm. 2017; WRA, Inc. 2017). In 2018, a California red-legged frog was found by a biological monitor during sediment removal from Pond 31B and was relocated to Pond 14. California red-legged frogs have also been observed in Ponds 9 and 14 and in the downstream portions of Permanente Creek (E. Guerra, Lehigh, pers. comm. 2018); no facility maintenance activities occur in these ponds. Breeding has been documented in Pond 14 (WRA, Inc. 2011); 11 California red-legged frog egg masses were observed in Pond 14 in 2009 (WRA 2019). Twenty-two California red-legged frogs were safely relocated to Pond 14 during emergency culvert cleanout activities conducted by Lehigh in 2017 in Permanente Creek adjacent to the Lehigh Permanente Quarry (A. King, GEI, pers. comm. 2017; E. Schickenberg, WRA, Inc., pers. comm. 2017; GEI 2019a; Service file number 08ESMF00-2017-FE-2327)" (https://ecos.fws.gov/docs/plan_documents/bobs/bobs_3493.pdf, p. 22)

For questions regarding U.S. Fish and Wildlife comments, please contact Joseph Terry at joseph_terry@fws.gov.

Santa Clara Valley Water District

Please see the attached email and materials that contain comments provided by the Santa Clara Valley Water District (Valley Water). For questions regarding these comments, please contact Shree Dharasker, Associate Engineer Civil at sdharasker@valleywater.org.

Midpeninsula Regional Open Space District

Please see the attached letter that contains comments provided by the Midpeninsula Regional Open Space District (Midpen). For questions regarding these comments, please contact Brian Malone, Assistant General Manager, Field and Visitor Services at bmalone@openspace.org.

IV. Early Public Outreach Required

The project is subject to a Level II early notification and outreach policy (<https://plandev.sccgov.org/policies-programs/early-outreach>) for Major Reclamation Plan Amendments, per Santa Clara County Zoning Ordinance Section 5.20.110. Signage at the site of the project and a public meeting are required. Attached is the signage that is required to be posted at the project site for PLN23-100. A list of signage vendors (sign companies) is also included for your reference. Please provide a photo within 30-days confirming the on-site signage has been installed. Additionally, a community meeting is required per the early notification and outreach policy, prior to the application being deemed complete. Please contact Planning staff to coordinate and discuss the protocol for this meeting.

Once the information listed in Sections II and III has been submitted, provided it is adequate, the County will commence environmental review, and then schedule the application for a hearing before the Planning Commission.

If you have any additional questions regarding this application, please call me at (408) 299-5785.

Sincerely,



Robert Salisbury
Principal Planner

cc: Jacqueline Onciano, Director of Planning and Development, County of Santa Clara
Leza Mikhail, Deputy Director of Planning Services, County of Santa Clara
David Seymour, County Geologist, County of Santa Clara

Elizabeth G. Pianca, Assistant County Counsel, County of Santa Clara
Kris Zanardi, Office of Supervisor Simitian, County of Santa Clara
David Rader, Engineering and Geology Unit Manager, Division of Mine Reclamation

Attachments:

- A) Comments from **Santa Clara County** of the Geologic and Geotechnical Portions of the Reclamation Plan Amendment
- B) Comments from **Valley Water** Reclamation Plan Amendment
- C) Comments from **Midpen** of the Reclamation Plan Amendment
- D) Sign Template for Early Public Outreach Sign
- E) List of Sign Vendors

County of Santa Clara

Department of Planning and Development

County Government Center, East Wing, 7th Floor

70 West Hedding Street

San Jose, CA 95110

Phone: (408) 299-5700

www.sccplandev.org



September 29, 2023

To: Mr. Robert Salisbury, Principal Planner

From: Mr. David Seymour, County Geologist, CEG 1574

Subject: Preliminary Review Comments of the Geologic and Geotechnical Portions of the Reclamation Plan Amendment, Permanente Quarry, CA Mine ID 91-43-0004, Santa Clara County, California, dated June 2023

My review of the reclamation plan amendment focused on the geologic and geotechnical sections of the report prepared by Stantec that are included in Volume I and Appendix E of Volume III. In general, the text is well prepared and easy to follow; however, the supporting figures and analyses are poorly prepared and organized and do not present the information typically found in a geotechnical report of this magnitude. Specifically, the report lacks a site-specific geologic map, geologic cross sections, boring location maps for the boring logs, and maps showing the locations of the cross sections used for the slope stability analyses and the major landslides on the property. Due to these issues, I anticipate having to review a revised version of the report where I can focus more on the technical aspects of the proposed plan.

Preliminary Review Comments

The following sections include my preliminary review comments for a figure from the Stantec memo dated March 3, 2023, and the geologic and geotechnical sections of the reclamation plan amendment. I included the map from the March 2023 memo as it provides an example of the same issues I encountered when reviewing the reclamation plan amendment.

Stantec Memo dated March 3, 2023

Geologic and Borehole Location Map (Copy Provided Below)

The figure includes the following errors and omissions:

1. The word Quaternary is misspelled twice.
2. The map is missing a north arrow.
3. The map is missing a scale.
4. The geologic map units, except for KJs and KJis, are missing from the map.
5. Map unit KJis is listed as limestone – limestone is typically designated as “ls” or “l”.
6. The geologic contacts are missing from the legend.
7. The geologic units are listed from oldest to youngest – the most common convention is to list them from youngest to oldest.

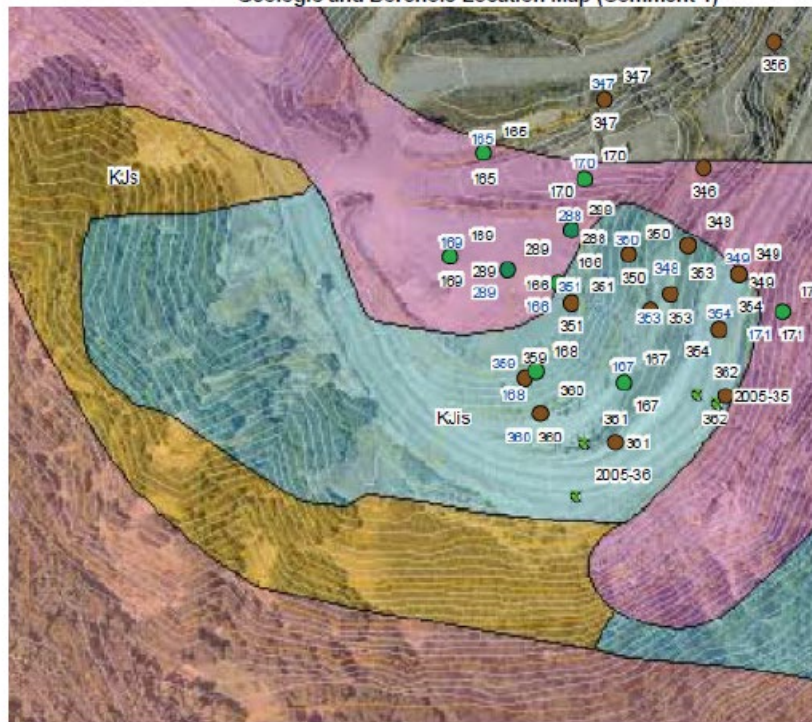
8. The Santa Clara Formation (QTsc) is of Pleistocene and Pliocene age, designated as QT – Quaternary/Tertiary, not just “QUARNTERNARY”.
9. The legend does not identify the type of borings based on their color.
10. Many borings are shown with duplicates or triplicates of the same number without explanation.
11. There are no elevations shown on the underlying topographic contours.
12. There are no geologic cross sections shown on the map.



03 March 2023
Carolina Addison
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Reference: Project No. 233001528 – Heidelberg Materials – Permanente Quarry – Permanente Slide Monitoring and NavStar Assistance – Response to Yeager Yard County of Santa Clara Geotechnical Memo

Geologic and Borehole Location Map (Comment 1)



- KJis - JURASSIC AND CRETACEOUS LIMESTONE
- KJs - JURASSIC AND CRETACEOUS SANDSTONE
- KJv - JURASSIC AND CRETACEOUS VOLCANICS
- QTsc - QUARNTERNARY SANTA CLARA FORMATION
- Qaf - QUARNTERNARY ARTIFICIAL FILL

Permanente Quarry Reclamation Plan Amendment (June 2023)

Volume I of IV

Figure 5 - Geology

The figure includes the following errors and omissions:

1. The map is an enlargement of a regional geologic map by Brabb et al. (2000) that was compiled on a 1983 topographic base and mapped at a scale of 1:100,000 (approximately 1"=8,333'). The use of a regional geologic map is not appropriate for use as a site-specific geologic map mainly due to the differences in scale and topography.
2. The legend does not include the geologic contacts.
3. The geologic contact lines are missing for several of the mapped units.
4. The geologic units in the legend are listed out of order.
5. Landslides are missing from the legend and the map, including the "Main Slide" and the Yeager Yard slide, which are mentioned in the text.
6. There are no geologic attitudes, such as bedding or faults, shown on the map or in the legend.
7. H₂O is shown on the map, but not in the bottom of the main quarry pit.
8. The different fault line types are difficult to distinguish on the map.
9. The arrows on the thrust fault in the upper righthand corner are pointing in the opposite direction of those shown on the Brabb et al. (2000) map.
10. A reference for the Brabb et al. (2000) map is missing.
11. There are several borings shown in the lower righthand portion of the map, but the logs of the borings are missing from Appendix B – Drilling Logs of Volume III.
12. The locations of the geologic cross sections are missing from the map.
13. The blue RPA Boundary is shown in the legend, but does not appear on the map.

p.22 Section 4.1 – States that "The reclamation grading plan in Figure 7 includes the reclamation surface for the WMSA, Quarry, Shop and Office Area, EMSA, and the Rock Plant Area." Figure 7 does not include any proposed grading and shows the reclamation boundary and components of the property. The text also states that "Table 4, Cut and Fill Slope Specifications, shows the range of grading plan slope and cut and fill quantities by area." Table 4 does not include any cut and fill quantities, which appear to be provided in Table 5.

p. 24 Section 1.2.3 Imported Materials – Will imported soils management plan allow the importation of oversize materials (boulders) and allow their placement in the quarry fill? End dumped boulders are likely to end up nested in the fill and not properly surrounded by finer material to prevent piping and settlement.

p.25 Section 4.3.1 Geotechnical Evaluation – The first sentence refers to the Greenstone slide in the quarry, yet a few sentences later and in the second paragraph it is referred to it as the Main Slide. It is also referred to as the Main Slide on page 17 in Section 3.4. Many of the previous reports prepared since the rockslide occurred in 1987 have referred to it as the Main Slide. Needs to be clarified in the text, not to mention shown on a site-specific geologic map.

The beginning of the 5th paragraph states "The configurations modeled as part of this analysis meet or exceed the minimum acceptable factor of safety of 1.0 for both static and pseudo-static conditions..." As

stated in the 3rd paragraph, the minimum acceptable factor of safety for static conditions is 1.3. Please clarify.

p. 26 Section 4.4.1 Quarry – This section describes the staging of the backfill in the quarry and states that a buttress slope will be placed on top of the backfill to stabilize the north highwall. Since this will take many years to accomplish, are there any interim remedial recommendations needed to prevent reactivation of the landslides in that area from encroaching into the 1972 Scenic Ridgeline Easement?

p.27 Section 4.4.2 West Materials Storage Area – The text states that the WMSA is approximately 157 acres, while Figure 7 indicates that it is 210 acres. Please clarify.

Volume III of IV – Appendix E – Geotechnical Evaluation (p. 5 through 745 of the pdf document)

Geotechnical Evaluation Text – (p. 6 through 48 of the pdf document)

p.8 (Page 2 of report) Under Purpose the text describes existing landslides on the property; however, none of the maps included in Appendix A show the location of the landslides. Under Project Background the text describes the storage of low-quality materials, but does not include a map showing the limits of these stockpiles.

p. 9 (Page 3 of report) Under Scope of Work the list includes “map geologic structures and lithology” and “revise geologic model with new drilling data and prepare cross sections.” Unfortunately, they do not include any site-specific geologic maps or geologic cross sections, only the models used in their analysis. See my additional comments under Appendix D – Slope Stability Analysis.

p. 10 (Page 4 of report) Under Previous Geologic Investigations the text states “The geology in the vicinity of the Quarry is also presented in the drawing package included in Appendix A and includes the results of the recent geologic investigations discussed in the following section.” The geologic map provided in Appendix A is taken from a regional geologic map that is over 20 years old, mapped at a scale of 1:100,000 and does not depict the current site-specific geologic conditions. See my additional comments under Appendix A – Drawings.

p. 11 (Page 5 of report) The first bullet at the top of page mentions the Main Slide, yet the geologic map provided in Appendix A fails to show it. Bedding and fault attitudes are also missing.

p. 13 (Page 7 of report) Table 3 – Includes boring GT-2-2018-14, which does not appear on any of the figures and there is no boring log in Appendix B.

p.14 (Page 8 of report) Table 5 – Includes boring GT-2-2018-14, which does not appear on any of the figures and there is no boring log in Appendix B.

p. 15 (Page 9 of report) Table 6 - Includes boring GT-2-2018-14, which does not appear on any of the figures and there is no boring log in Appendix B.

p. 15 (Page 9 of report) Section 2.4 2018 Fault and Structure Mapping – This section provides a detailed description of their mapping efforts, yet the report does not include a site-specific geologic map depicting the results of the mapping other than a few fault lines overlaid on a regional geologic map that

was mapped at a scale of 1:100,000 (see Figure 5 in Volume I and the Quarry Area Geological Map on page 53). The results of the mapping need to be provided on a site-specific geologic map at an appropriate scale.

p. 18 (Page 12 of report) Under Previous Studies they state “Stantec evaluated available data for each of the borings including drill logs, lithologies, laboratory testing, and water levels. Information of these borings is summarized in Table 7. These data provide the basis for the foundation materials and groundwater levels used for the stability analyses. These data are included on the cross sections in the drawing package included in Appendix A.” The sections provided in Appendix A are simple line drawings showing existing ground surface and the proposed reclamation profile, and do not include any boring or geologic information. There are no geologic cross sections provided in Appendix A, which should be included but are sadly absent.

p. 19 (Page 13 of report) Table 7 West Materials Storage Area Borehole Summary – The location of these borings are depicted on Figure 3 in Volume I, but do not appear on any map or cross section in Appendix A and the logs are not included in Appendix B.

p. 25 (Page 19 of report) Tables 9 and 10 – The logs of the borings listed in these tables are not included in Appendix B. The text also states that “The complete summary of the Phase 3 drilling and VWP installation supervised by Golder is included in Appendix B.” Please clarify what is meant by a “complete summary”. All of the boring logs in Appendix B include a Stantec logo; where are the Golder borings?

p.27 (Page 21 of report) Section 2.6.2 Potential Failure Mechanism – this section discusses the potential failure mechanism for the West Materials Storage Area (WMSA) Instability. The first paragraph on page 21 states “Cross-section C is representative conditions of the slope movements and was developed for modeling purposes, based on available data. Cross-section D was prepared to better understand sub-surface conditions. The cross sections are presented in the drawing package included in Appendix A.” Cross-section C as shown on the Site-Reclamation Plan on page 56 is located within the WMSA; however, Cross-section D is located in the main quarry pit. Please explain how Cross-section D applies to the WMSA. It should also be noted that the WMSA landslide does not appear on any of the maps in Appendix A.

The last sentence in the second paragraph states “The drawings included in the drawing package in Appendix A show the cross-section line that was used for the stability model of the WMSA instability area.” The “SITE-RECLAMATION PLAN” in Appendix A shows three cross-sections in the WMSA area. Please specify which cross section is being referenced and the drawing number.

p. 28 (Page 22 of the report) Section 2.7 Drilling – The logs for the borings mentioned are included in Appendix B; however, the locations of the borings are not included on any of the maps in Appendix A. A map showing the locations of the borings is needed.

p. 29 (Page 23 of the report) Table 11: 2022 Drilling Program Summary – The log for WMSA-2022-04 appears to be missing from Appendix B. The following discrepancies were noted between the table and the logs in Appendix B:

1. CP-2022-02 – According to the log only sonic drilling methods were used to a total depth of 75 feet. There was no core drilling.

2. CP-2022-03 – According to the log the total depth was 70 feet, not 55 feet. The length of core drilling was 35 feet not 55 feet.
3. CP-2022-04 – According to the log the total depth was 55 feet, not 25 feet. The length of core drilling was 30 feet, not zero.
4. CP-2022-07 and CP-2022-08 are out of order, with 08 placed before 07.
5. CP-2022-07 - According to the log the total depth was 135 feet, not 95 feet. The length of core drilling was 40 feet, not zero.
6. YY-2022-01 – According to the log, the total depth was 97.5 feet, not 100 feet.

p. 43 (Page 37 of the report) Table 21: Geotechnical Strength Parameters – Includes the shear strength parameters used for the slope stability analysis. Explain why the WMSA Instability Clay has a unit weight of 165 pcf, which is the same as for greenstone and limestone. Also note that the unit weight of the Greenstone Overburden is greater than that shown in Table 8 and does not match the values in the output files in Appendix D.

p. 44 (Page 38 of the report) Table 22: Geotechnical Stability Analyses Results – As mentioned in my comments for Appendix D, some of the factor of safety values in the table don't match those shown on the Appendix D output files, some of the Section names don't match the titles used on the output files in Appendix D, and output files for some of the Sections are missing from Appendix D. Also note that there is no clear correlation between the Sections in the table and the cross sections included in Appendix A.

p. 47 (Page 41 of report) References – The reference for the geologic map (Brabb et al., 2000) used as the base for the SITE GEOLOGICAL MAP and the Quarry Area Geological Map in Appendix A is missing.

Appendix A – Drawings

The drawings are found on pages 50 through 70, but only one of them includes a number. As such, their location is referenced by page number of the pdf document and title.

Drawing numbers should be added.

p. 51 – PROJECT OVERVIEW

The property boundary and the black location arrows are hard to see without enlarging the figure.

p. 52 – SITE GEOLOGICAL MAP

The figure is an enlarged copy of a regional geologic map that is referenced as “USGS” and includes a simplified legend complete with typos and other errors similar to the other figures. There is no explanation for the geologic contacts, fault traces, and bedding attitudes. The geologic map is a copy of the 1:100,000 scale (1"=8,333') regional geologic map by Brabb et al. (2000) – the appropriate reference should be added to the map and to Section 7.0-References.

p. 53 – Quarry Area Geological Map

The legend includes typos like the other figures and does not include any explanation for the geologic contacts. More importantly, the map is basically an enlargement of the Brabb et al. (2000) regional geologic map that was compiled on a 1983 topographic base and mapped at a scale of 1:100,000 (1"=8,333'). The figure does not reference the Brabb map. There are several fault splays added to the map without reference and do not appear to coincide with the mapping of Foruria (2004), which was

mapped at a scale of 1"=200', very similar to the scale of the figure (1"=300'). Furthermore, the fault line types shown in the legend do match those on the map and appear to be the same as the Cross Section line type. You can't tell the difference between a cross section line and the faults. The figure also lacks any structural attitudes for bedding or faulting. As previously mentioned, use of a regional geologic map as a site-specific geologic map is inappropriate, especially for a site with such complex conditions.

In addition, the legend includes Qpaf, alluvial fan and fluvial deposits, that don't appear on the map, and yet fails to include other surficial units like artificial fill (stockpiles) and landslide deposits. The map doesn't even include the "Main Slide" which is mentioned in the text. In summary, the map does not represent the existing geologic conditions exposed at the site and needs to be replaced with a site-specific geologic map.

Also, the map shows a total of 6 borings, while Appendix B includes the logs of 28 borings. Two of the borings on the map are mislabeled as TG-1-2018-1 and TG-1-2018-2 – the Drillhole Summary table and the logs in Appendix B identify them as GT-1-2018-1 and GT-1-2018-2. As for the Drillhole Summary, GT-1-2018-1 is listed as inclined at 70 degrees, while the boring log in Appendix B shows an inclination of 20 degrees, which is probably another typo.

p. 55 – SITE – EXISTING CONDITION

Same comments as for the PROJECT OVERVIEW map on p. 51.

p.57 – SITE-RECLAMATION SECTION

The figure includes the seven cross sections (the figure title is singular, but there are seven sections)

p. 58 – Quarry Area Existing Topo Plan

The Legend includes cross section lines, but there are no cross section lines shown on the map. What is the date of topographic base? It should be listed under the Notes. All that's listed is the coordinate system.

The site-specific geologic conditions should be added to this map along with the locations of the geologic cross sections used in the slope stability analysis and the boring locations.

p. 60 – Quarry Area Reclamation Section

The section is a simple line drawing showing the proposed and existing topographic profiles. According to page 12 of the text, the cross section should include the geologic information from the boring logs, but does not.

p. 61 – West Material Storage Area Pre-Mine Topo Plan

There's no reference or date for the topographic base included in the figure.

The cross section lines should be added to the map.

Why isn't a similar map included for the eastern portions of the property?

p. 62 – West Material Storage Area Existing Topo Plan

The Legend includes cross section lines, but there are no cross section lines shown on the map. What is the date of the topographic base? It should be listed under the Notes. All that's listed is the coordinate system.

The site-specific geologic conditions should be added to this map along with the locations of the geologic cross sections used in the slope stability analysis and the boring locations.

p. 64 – West Material Storage Area Reclamation Section

The section is a simple line drawing showing the proposed and existing topographic profiles. According to page 12 of the text, the cross section should include the geologic information from the boring logs, but does not.

Also, what is the date of the Pre-mine topography?

p. 65 – Shop Area Existing Topo Plan

The Legend includes cross section lines, but there are no cross section lines shown on the map. What is the date of topographic base? It should be listed under the Notes. All that's listed is the coordinate system.

The site-specific geologic conditions should be added to this map along with the locations of the geologic cross sections used in the slope stability analysis and the boring locations.

p. 67 – Shop Area Reclamation Section

The section is a simple line drawing showing the proposed and existing topographic profiles. According to page 12 of the text, the cross section should include the geologic information from the boring logs, but does not.

p.68 – East Material Storage Area & Rock Plant Existing Topo Plan

The Legend includes cross section lines, but there are no cross section lines shown on the map. What is the date of topographic base? It should be listed under the Notes. All that's listed is the coordinate system.

The site-specific geologic conditions should be added to this map along with the locations of the geologic cross sections used in the slope stability analysis and the boring locations.

p. 70 – EMSA and Rock Plant Areas Reclamation Section

The sections are simple line drawing showing the proposed and existing topographic profiles. According to page 12 of the text, the cross sections should include the geologic information from the boring logs, but do not.

General Comments on the Cross Sections

Why are the cross sections drafted at various scales? They would be much easier to view if they were at 100-scale rather than 150-, 250-, and 300-scale. Why is the set of cross sections different from those provided in Volume I?

Appendix B – Drilling Logs

Appendix B includes logs for 28 borings and a geophysical report. There's no map that showing the locations of all 28 borings. Please provide a boring location map.

p. 72 through 228 (6 borings) (These 6 borings are shown on Figure 5 of the main text (Volume I) and on the Quarry Area Geological Map on page 53 of Volume III-Appendix E.)

1. GT-1-2018-1 (51 sheets), TD 500 ft, drilled at an inclination of **20 degrees**; core photos (28 p.), core boring (HQ). Is 20 degrees a typo?
2. GT-1-2018-2 (18 Sheets), TD 171 ft, Inclination -70 degrees; core photos (9 p.), core boring (HQ)
3. S1-2018-1 (2 Sheets), TD 70 ft, 90 degrees; tray photos (1 p.), bag photos (4 p.), sonic boring
4. S1-2018-2 (6 Sheets), TD 200 ft, 90 degrees; tray photos (1 p.), bag photos (11 p.), sonic boring, VW piezometer
5. S1-2018-3 (4 Sheets), TD 150 ft, 90 degrees; tray photos (2 p.), bag photos (7 p.), sonic boring, VW piezometer
6. S1-2018-4 (4 Sheets) TD 150 ft, 90 degrees; tray photos (2 p.), bag photos (7 p.)

p. 229 through 350 – Norcal Geophysical Consultants, Inc., 2018, Borehole Geophysical Logging Survey, Lehigh Quarry, Cupertino, California, prepared for STANTEC, dated December 12, 122 p.

Contains the results of geophysical borehole logging in GT-1-2018-1, GT-1-2018-2, and S-1-2018-2. Extensive analyses provided of the discontinuities in the rock mass. The logs indicate that GT-1 and 2 were drilled at inclinations of 20 and -70 degrees.

p. 351 through 572 (22 borings) – The locations of these borings are not shown on any of the maps in Appendix A. A map showing the locations of the borings needs to be included. Boring WMSA-2022-04 is listed in Table 11 of the text, but the log for WMSA-2022-04 is missing from the appendix. Logs for CP-2022-07 and -08 are out of order. Other errors noted are highlighted in yellow.

1. CP-2022-01 (6 Sheets), TD 60 ft, 90 degrees
2. CP-2022-02 (8 Sheets) TD 75 ft, 90 degrees
3. CP-2022-03 (7 Sheets), TD 70 ft, 90 degrees
4. CP-2022-04 (6 Sheets), TD 55 ft, 90 degrees
5. CP-2022-05 (8 Sheets) TD 75 ft, 90 degrees
6. CP-2022-06 (4 Sheets), TD 35 ft, 90 degrees
7. CP-2022-07 (15 Sheets) TD 135 ft, 90 degrees
8. CP-2022-08 (7 Sheets), TD 65 ft, 90 degrees
9. ESMA-2022-01 (10 Sheets), TD 100 ft, 90 degrees (the borehole depth is noted as 40 ft in the header)
10. ESMA-2022-02 (10 Sheets), TD 100 ft, 90 degrees
11. ESMA-2022-03 (10 Sheets), TD 100 ft, 90 degrees
12. NW-2022-01 (11 Sheets), TD 101.6 ft, 90 degrees
13. NW-2022-03 (14 Sheets), TD 135 ft, 90 degrees
14. P1250-2022-01 (9 Sheets), TD 86 ft, 90 degrees
15. WMSA-2022-01 (13 Sheets), TD 125 ft, 90 degrees

16. WSMA-2022-03 (12 Sheets), TD 120 ft, 90 degrees (Sheets 10 and 11 of the log are missing from 85 to 110 feet)
17. YY-2022-01 (11 Sheets), TD 97.5 ft, 90 degrees
18. YY-2022-01A (7 Sheets), TD 63 ft, 90 degrees
19. YY-2022-01B (7 Sheets), TD 70 ft, 90 degrees
20. YY-2022-02 (13 Sheets), TD 112 ft, 90 degrees
21. YY-2022-02A (9 Sheets), TD 85 ft, 90 degrees
22. YY-2022-03 (10 Sheets), TD 92 ft, 90 degrees
23. YY-2022-04 (17 Sheets), TD 146 ft, 90 degrees

Appendix C – Laboratory Reports

p. 573 through 722 – Includes the results of tests run by Stantec in their Lexington, Kentucky laboratory, along with tests run by Geo-Logic Associates (the location of the lab is not listed). Most of the tests are UU's and large scale direct shears by Geo-Logic (12" square) along with sieve analysis, and Proctors.

Appendix D – Slope Stability Analysis

p. 723 through 743 – Includes the graphic output files with the results of both static and pseudo-static analyses using a seismic coefficient of 0.19. The strength parameters for the various geologic units are difficult to read and need to be legible. The appendix does not include a map showing the location of the referenced cross sections, nor does the report include any geologic cross sections. The strength parameters and results of the slope stability analyses are provided in Tables 21 and 22 of the text, respectively. Some of the values in the tables don't match those shown on the output files, as noted below. In addition, some of the analysis noted in Table 22 was not included in the appendix. Comments by pdf page number are as follows:

- p. 724 Where is this cross section located? The conditions shown on the model don't match those shown on Section A on page 57 (Site-Reclamation Section). In addition, the strength parameters are difficult to read.
- p. 725 Where is this cross section located? The conditions shown on the model don't match those shown on Section A on page 57 (Site-Reclamation Section). In addition, the strength parameters are difficult to read.
- p. 726 This section matches Section B shown on page 57 (Site-Reclamation Section). The unit weight of Greenstone Overburden does not match the value in Table 21 of the text.
- p. 727 This section matches Section B shown on page 57 (Site-Reclamation Section). The unit weight of Greenstone Overburden does not match the value in Table 21 of the text.
- p. 728 The "Name" of the section does not correlate with any Section in Table 22 in the text. The strength parameters are difficult to read; however, there appears to be a "Greenstone (Weathered)" unit in the table that does not seem to appear on the section and has strength parameters that match "WSMA Instability Clay" in Table 21 of the text. The location of the cross section is uncertain as it does not match any of those shown on page 57 (Site-Reclamation Section).

- p. 729 through 732 The strength parameters are difficult to read; however, the yellow unit appears to be “Waste Rock”, which is not listed in Table 21 of the text. The titles need to be revised to correlate with Table 22 of the text.
- p. 733 through 735 The strength parameters are difficult to read. Not certain where these cross sections are located. There does not appear to be a map showing the location of the various North High Wall sections.
- p. 736 The factor of safety shown does not match the value in Table 22 of the text. The strength parameter table is very difficult to read. The location of the cross section is not shown on any map.
- p. 737 The strength parameter table is very difficult to read. The location of the cross section is not shown on any map.
- p. 738 The location of the cross section is not shown on any map.
- p. 739 The title needs to be revised to match Table 22 of the text. The factor of safety of 1.6 does not match that shown in Table 22 for EHW. The output for the Current EHW appears to be missing. The location of the cross section does not appear on any map.
- p. 740 The title needs to be revised to match Table 22 of the text. The output for the Current SHW appears to be missing. The location of the cross section does not appear on any map.
- p. 741 There is no information provided that identifies the cross section. The factors of safety shown are illegible. Not sure if the cross section is shown on a map.
- p. 742 There is no information provided that identifies the cross section and no strength parameters listed. Not sure if the cross section is shown on a map.
- p. 743 There is no information provided that identifies the cross section. Not sure if the cross section is shown on a map.

Appendix E – Seismic Displacement Analyses

p. 744-745 – Includes a summary table of the estimated seismic displacements for the various sectors within the quarry property. I have no comments.

References

Brabb, E.E., Graymer, R.W., and Jones, D.L., 2000, Geologic Map and Map Database of the Palo Alto 30' x 60' Quadrangle, California: U.S. Geological Survey Miscellaneous Field Studies Map MF-2332, Scale 1:100,000.

County of Santa Clara, 2023, Memorandum – Review of Stantec’s Yeager Yard Response to County Comments Report, dated July 29, 2022.

Heidelberg Materials, 2023, Reclamation Plan Amendment, Permanente Quarry, CA Mine ID 91-43-0004, Santa Clara County, California, dated June.

Jon Foruria, P.G., 2004, Geology of the Permanente Limestone & Aggregate Quarry, Santa Clara County, California, prepared for Hanson Permanente Cement, dated September 24, Map Scale 1"=200'.

Stantec, 2023, Response to Yeager Yard County of Santa Clara Geotechnical Memo, dated March 3.

From: [Shree Dharasker](#)
To: [Salisbury, Robert](#)
Cc: [Emily Zedler](#); [Vanessa De La Piedra](#); [Jason Gurdak](#); [Michael Martin](#); [Mohammad Hussaini](#)
Subject: [EXTERNAL] RE: 2023 Reclamation Plan Amendment application for Lehigh Quarry
Date: Tuesday, August 15, 2023 11:54:13 AM
Attachments: [image001.png](#)
[Permanente Hydrology Update 0422 2011.pdf](#)

Hi Robert,

Thank you for the extension. Santa Clara Valley Water District (Valley Water) has reviewed the Reclamation Plan Amendment for the Lehigh Quarry and has the following comments:

1. Appendix I and Section 4.6.2 of the Amendment concludes that the project would not “adversely increase the FEMA 100-year flow rate” (Appendix I, Page 5). Although this is technically true, this is not the same as saying that there are no adverse impacts to flooding risk downstream. The FEMA hydrology study incorrectly assumed that the quarry area contributed to runoff, i.e., the FEMA study did not account for the detention pond effects of the quarry pit. Filling the quarry as proposed will remove the detention function and thereby increase the peak flows during flow events. Doing so will also jeopardize a recently completed flood protection project on Permanente Creek, which is in the final stages of FEMA approval. Redesigning the quarry fill to include adequate detention to prevent this increased risk is likely feasible, since the detention needed should be significantly less than the size of the entire quarry. This is expanded on below.

Under existing conditions, the quarry pit acts as a detention pond, reducing flows downstream. After the quarry pit is filled (as proposed), this wouldn’t be the case anymore, and the quarry pit area will contribute to runoff and increase flows downstream. In 2011, Valley Water updated the hydrology study for Permanente Creek and established that, during a 100-year flow event, including the effects of detention in the quarry reduces the peak flow downstream during a 100-year design flow event by about 140 cfs, (from 600 to 460 cfs, a reduction of about 20 percent). Conversely, filling the pit as proposed would increase the peak 100-year flow by the same amount. (Study is attached).

In addition, Valley Water recently constructed a flood protection project on Permanente Creek which will provide 100-year flood protection to the community downstream, and which was based on that same 2011 hydrology study. A Letter of Map Revision (LOMR) has been submitted to FEMA and their review is nearly complete and expected to be approved shortly. Increasing the flows would likely jeopardize the level of flood protection provided by that project, which assumes that the quarry pit provides detention during storms.

Although a significant potential impact, it should be feasible to achieve both the goals of the quarry pit closure and the needs of the Permanente flood protection project by redesigning the fill of the quarry pit to still retain some detention area. This would mean providing enough detention to prevent the 100-year peak flow from exceeding the values assumed for the FEMA application. Valley Water is committed to work with the County and Lehigh Southwest Cement company to

ensure that all the data required is provided to make sure that downstream flood risk is not adversely impacted.

2. The eastern portion of the project site overlies the Santa Clara Subbasin, a high-priority basin under the Sustainable Groundwater Management Act (SGMA) and major water supply source in Santa Clara County. In the valley floor downstream of the Quarry, Permanente Creek becomes a losing stream and contributes recharge to the Santa Clara Subbasin. As the local groundwater sustainability agency and in accordance with our Board policy to “aggressively protect groundwater from the threat of contamination,” Valley Water submits the following comments.
 - a. In accordance with State Water Resources Control Board (SWRCB) requirements, Valley Water concurs that the West Materials Storage Area (WMSA) and East Materials Storage Area (EMSA) need to incorporate low permeability imported soils to better hydraulically isolate the stockpiled limestone and aggregate materials while also enhancing anaerobic conditions that prevent the release of selenium and other metals into the environment and to groundwater and surface water, specifically.
 - i. It is important that “clean” imported soils of low permeability and adequate natural organic matter be used to best ensure hydraulic isolation, that appropriate redox (anaerobic) conditions are sustained, and that the imported soil is not contributing other contaminants to surface waters and groundwater. For instance, biosolids, biosolid amendments, and/or reclaimed soil, should not be used as a backfill or capping material.
 - ii. Several feet (up to 4 feet thick) of pristine low permeability imported soil with adequate organic matter is recommended as a capping material for hydraulic isolation of WMSA and EMSA zones to provide long-term groundwater protection.
 - b. The SRWCB Waste Discharge Requirements (WDR) in Order No. R2-2018-0028 included expanded groundwater monitoring and conceptual site models as well as closure/post-closure plans to ensure reclamation activities adequately protect groundwater and connected surface waters.

To ensure selenium, other metals, or fill/capping material are not negatively impacting water quality, Valley Water strongly supports active groundwater and surface water (stormwater and Permanente Creek) monitoring throughout the reclamation process (including during and after Phases 1 and 2 when peak concentrations are expected) and for several years post-closure. This monitoring will be critical to informing treatment facility operations in the event treatment remains necessary during the closure and/or post-closure periods (e.g., after overburden surfaces are covered and the Quarry is backfilled). Ongoing monitoring and adaptive management will be essential to ensure adequate protection of surface water and groundwater, including the Santa Clara Subbasin downstream of the Quarry.

3. Valley Water has no right of way at this location so no encroachment permit would be needed. Please follow the [Guidelines and Standards](#) for Land Use near Streams, adopted by the County of Santa Clara, for any proposed redevelopment.

Thank you for your consideration of these comments, and please reach out to us with any questions,

Sincerely,

Shree Dharasker
Associate Engineer Civil
Community Projects Review Unit
(408)630-3037

From: Salisbury, Robert <Robert.Salisbury@PLN.SCCGOV.ORG>
Sent: Wednesday, July 19, 2023 11:03 AM
To: Shree Dharasker <sdharasker@valleywater.org>
Subject: RE: 2023 Reclamation Plan Amendment application for Lehigh Quarry

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Shree,

August 15 is fine.

Kind regards,



Robert Salisbury
Principal Planner | Zoning Administrator | SMARA Program Manager

**Department of Planning and Development
County of Santa Clara**

70 W. Hedding Street | 7th Floor | East Wing

San Jose | CA 95110

Work: (408) 299-5785

Pronouns: he/him

robert.salisbury@pln.sccgov.org

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From: Shree Dharasker <sdharasker@valleywater.org>

Sent: Wednesday, July 19, 2023 11:02 AM

To: Salisbury, Robert <Robert.Salisbury@PLN.SCCGOV.ORG>

Subject: [EXTERNAL] RE: 2023 Reclamation Plan Amendment application for Lehigh Quarry

Hi Robert,

Santa Clara Valley Water District (Valley Water) is currently reviewing the draft Reclamation Plan Amendment. Because of the volume of this document, vacation schedules, and current workload, Valley Water would like to request an extension for comments to August 15, 2023.

Please let me know if a 10-day extension to the due date is possible.

Best Regards,

Shree Dharasker
Associate Engineer Civil
Community Projects Review Unit
(408)630-3037

From: Salisbury, Robert <Robert.Salisbury@PLN.SCCGOV.ORG>

Sent: Wednesday, June 21, 2023 8:53 AM

To: Jane Mark <jmark@openspace.org>; ryan_olah@fws.gov; chadm@cupertino.org; gregory.g.brown@usace.army.mil; caltrans.d4@dot.ca.gov; brenda.blinn@wildlife.ca.gov; Garrison, Kristin@Wildlife <kristin.garrison@wildlife.ca.gov>; nathan.veale@waterboards.ca.gov; MTang@baaqmd.gov; Shree Dharasker <sdharasker@valleywater.org>

Cc: Ceqa@baaqmd.gov; Barkwill, Brian@DOC <Brian.Barkwill@conservation.ca.gov>; Saba Asghary <saba.asghary@ascentenvironmental.com>; pat.angell <pat.angell@ascentenvironmental.com>

Subject: 2023 Reclamation Plan Amendment application for Lehigh Quarry

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Dear Referral Agencies/Divisions:

Lehigh Permanente Quarry has submitted an application for a Major Reclamation Plan Amendment (County File No. PLN23-100), which, if approved, would entirely replace the approved 2012 Reclamation Plan Amendment. Lehigh has formally withdrawn their 2019 Major Reclamation Plan Amendment Application (County file no. PLN19-106) that some of you reviewed and commented on four years ago.

The Department is currently evaluating the application for completeness. Comments on whether the application is complete (e.g. that sufficient information has been provided to

allow for complete analysis of the project) are particularly appreciated at this stage, but we welcome any feedback on the project that you care to provide. Please provide your comments/conditions on the project to Robert Salisbury at robert.salisbury@pln.sccgov.org by August 4, 2023.

Project description:

This Proposed Major Reclamation Plan Amendment is a comprehensive replacement of the approved 2012 Reclamation Plan. This application includes the following components/activities:

1. Process and sell 7.7 million cubic yards of previously mined aggregate materials.
2. Reduce the approved reclamation plan boundary from 1,274 acres to 921 acres by removing a 353-acre area south of Permanente Creek currently within the 2012 RPA boundary.
3. Import 31.2 million cubic yards of clean fill from greater Bay Area.
4. Backfill the main quarry pit with a combination of on-site (12.2 million cubic yards) and imported materials (31.2 million cubic yards).
5. Reclaim pre-SMARA slopes along Permanente Creek that were previously excluded in the 2012 reclamation plan.
6. Phased reclamation of the entire quarry over a 40-year period.

APNs: 351-09-023; 351-09-025; 351-09-022; 351-09-020; 351-10-011; 351-10-033; 351-10-037; 351-11-001; 351-11-007

Project application material can be reviewed [here](#), under the “2023 Reclamation Plan Amendment For Lehigh Quarry (PLN23-100)” section and the “Lehigh Quarry Reclamation Plan and Proposed Permit and Projects” tab. This [link](#) will take you directly to the Reclamation Plan.

If you are not/no longer the correct person to receive this referral, please inform us by replying to this email.

Robert Salisbury, Principal Planner
County of Santa Clara Planning Office
70 W. Hedding Street, East Wing, 7th Floor
San Jose, CA 95110
email: Robert.Salisbury@pln.sccgov.org
Phone: (408) 299-5785

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Please visit our [website](#).

Click [here](#) to look up unincorporated property zoning information.

Questions on the status of your permit? Please e-mail: PLN-PermitCenter@pln.sccgov.org



GENERAL MANAGER
Ana M. Ruiz

BOARD OF DIRECTORS
Craig Gleason
Yoriko Kishimoto
Jed Cyr
Curt Riffle
Karen Holman
Margaret MacNiven
Zoe Kersteen-Tucker

August 28, 2023

County of Santa Clara, Planning Office
Robert Salisbury, Principal Planner
70 West Hedding, 7th Floor, East Wing
San Jose, CA 95110
Delivered via email: robert.salisbury@pln.sccgov.org

SUBJECT: 2023 Lehigh Quarry Major Reclamation Plan Amendment Application
(County File No. PLN23-100)

Dear Mr. Salisbury,

On behalf of the Midpeninsula Regional Open Space District (Midpen), we appreciate the opportunity to comment on the 2023 Lehigh Quarry Major Reclamation Plan Amendment Application (proposed Project). We understand that the Proposed Major Reclamation Plan Amendment is a comprehensive replacement of the approved 2012 Reclamation Plan. As an adjacent property owner to Lehigh Quarry (Quarry), Midpen owns and maintains Monte Bello and Rancho San Antonio Open Space Preserves which have shared property boundaries with the Quarry, West Materials Storage Area (WMSA) and Permanente Creek Restoration Area. In addition, Midpen manages Rancho San Antonio County Park under a management agreement with Santa Clara County. For more than 12 years, Midpen has worked with the County and Lehigh Quarry to address our concerns regarding Lehigh Quarry's water quality impacts to Permanente Creek, air quality and visual/aesthetic impacts to the Preserve visitors and overall public safety concerns regarding the Quarry operations. We appreciate the County and Lehigh Quarry representatives meeting with our Board of Directors and staff. While the end use is to be "reclaimed to a stabilized condition as open space consistent with the County's Hillside (HS) zoning," Midpen is aware many years of reclamation activities and coordination with the County and nearby jurisdictions will continue to take place before the end use is achieved.

In our review of the application for completeness, Midpen is sharing the following comments with the County Planning Department for additional analysis for the Project, organized in the following key themes/topics:

1. Reclamation and Closure Plan

The Reclamation Plan (Section 4.2.1) states, "A total volume of approximately 42 million cubic yards (mcy) is needed to fill the Quarry to its final design surface, including the buttress. An additional 1.4 mcy is required to grade the remaining parts of the site. The Quarry will be backfilled with a mixture of greenstone overburden (generated on-site) limestone from the WMSA soils from the Permanente Creek restoration, suitable surplus soil (imported from off-site) and potentially concrete from Cement Plant demolition to a minimum elevation of approximately 990 ft amsl."

The Reclamation Plan (Section 4.2.1) also states, "These data, in consideration of WDR mandates, show that using only on-site materials from WMSA as the sole source of backfill (as scheduled in the prior 2012 reclamation plan) is not an environmentally preferable option for backfilling the Quarry, as described in detail in Appendix F. Instead, the use of other supplemental earth materials is expected to

provide an environmentally superior solution that will lead to better certainty for compliance with water quality-related mandates and reduce the potential need for additional controls/mitigation measures for final closure.”

- a. **Availability of Imported Clean Fill** -In is unclear if there is a market that supports importing clean fill suitable for reclamation on the time frame proposed under the reclamation plan amendment. To fully understand the availability and feasibility of imported clean fill, which is considered as essential for San Francisco Bay salt pond restoration work and flood control levee construction along the shoreline, as well as other restoration projects in the Bay Area, the County should require Lehigh Quarry to complete a new “Suitable Surplus Soil Availability Study” that evaluates current market conditions beyond what Lehigh Quarry had previously submitted as part of their 2019 application. The analysis should include both the potential supply and the demand for clean fill including the demand created by fill needed for landscape scale restoration and flood control on the San Francisco Bay.
- b. **Imported Soils Management Plan** – The Imported Soils Management Plan should include notifications to Midpen and other peer agencies and jurisdictions (City of Cupertino, etc.) during the RWQCB’s preparation of the Imported Soils Management Plan for our agency review and comments prior to finalization and implementation.
- c. **Permanente Creek Restoration Area** – The Reclamation Plan should clarify how Lehigh Quarry will address the fill removed from the Permanente Creek Restoration Area and how much of this fill will be used for the quarry backfill.
- d. **In Section 4.5.2 West Materials Storage Area Considerations**, the Reclamation Plan includes grading of the WMSA necessary for slope stability. The proposed project states that use of the WMSA as the sole source of backfill for the quarry is not the preferred long-term solution to meet water quality objectives, citing the potential for this material to cause a more significant water quality decline than if fill were imported. Because this represents such a significant deviation from the 2012 Reclamation Plan and presents many additional environmental impacts, more analysis is needed to support this claim. Additionally, more analysis is needed to 1) support the claim that insufficient quantities of segregated greenstone are available for backfill, and 2) assess the feasibility of sorting greenstone within the WMSA to maximize its use as backfill.
- e. **In Section 4.5.3 East Materials Storage Area (EMSA) Considerations**, the Reclamation Plan should address why the EMSA is not being proposed for reuse to backfill the quarry pit. Similar analyses should be presented to support claims that these materials are not suitable as backfill and sorting these materials is not feasible.

2. Hydrology and Water Quality

- a. Lehigh Quarry presents insufficient analysis to support its claim that using the WMSA and EMSA materials as fill will result in significant selenium leaching into the groundwater. In order to support the claims that the use of other supplemental earth materials is an environmentally superior solution, specific analyses should demonstrate the level of risk to groundwater quality through use of WMSA and EMSA materials as backfill. Likewise, similar analysis should demonstrate that the sorting of the materials to separate greenstone and other components presents sufficient risk to groundwater quality to deem it as infeasible.
- b. The Reclamation Plan states, “Treatment is currently required for water discharged from the Quarry to Permanente Creek to meet water quality standards for selenium.” Considering our incomplete understanding of the biological impacts of Leigh Quarry’s discharges on wildlife and habitat suitability, the County and Lehigh Quarry should evaluate how water discharged adheres to water quality standards and whether treatment for other contaminants, including but not limited to arsenic, mercury, and vanadium present in onsite materials, is warranted to protect Permanente Creek and local water resources.

3. Geology and Geotechnical Conditions

- a. Long-term geotechnical stability of the ridgeline during the reclamation process continues to be a concern to Midpen and directly threatens the open space condition of its lands. As demonstrated by the historic and ongoing erosion of the ridgeline by both small-scale and catastrophic slope failures, the geotechnical stability of the ridgeline will not be achievable until the quarry pit is filled, and buttresses are in place. As such, interim stability measures should be provided, as well as contingency measures that consider uncertainties in, and the past failures of, Lehigh Quarry's stability assumptions.

4. Truck Traffic

- a. Truck trips to Lehigh Quarry associated with the delivery of imported off-site fill and the use of Stevens Creek Boulevard and Foothill Boulevard and use of internal haul roads should be included in the Reclamation Plan and analyzed for potential environmental impacts to Greenhouse Gas (GHG) Emissions and air quality.
- b. In Section 4.9.2, the Reclamation Plan states, "With the exception of equipment required for reclamation purposes, equipment and structures supporting mining will be removed at final reclamation. This includes all mobile equipment such as loaders, dozers, excavators, haul trucks, storage vans, and water trucks. This also includes all buildings and facilities such as conveyors, crushers, trailers, maintenance buildings, storage sheds and other types of structures." Truck trips, use of internal haul roads and public roadways associated with the site clean-up and removal of these structures and facilities should be included in the Reclamation Plan and analyzed for environmental impacts.

Thank you for the opportunity to submit our comments on the completeness of the application. If you have questions, please contact me at bmalone@openspace.org or call me at (650) 625-6562.

Sincerely,

Brian Malone
Assistant General Manager, Field and Visitor Services

CC: Midpen Board of Directors
Ana M. Ruiz, General Manager



Notice of **DEVELOPMENT PROPOSAL**

Proposed new single-family residence (12,052 square feet), and associated grading for driveway, parking area and landscaping.

File: PLN23-100

Location: 24001 Stevens Creek Blvd., Cupertino CA 95014

**Contact: Robert Salisbury (Principal Planner), 408 299-5785
Kohlsaat & Associates, AIA, 408 395-2555**



Project schedule and hearing date to be determined.

www.sccplanning.org

Companies with Qualifications to prepare signs

Name	Address	Phone # / Fax	E-mail Address / Website
FedEx	Various locations		http://local.fedex.com (search for locations)
Fast Signs	1228 A South Bascom Ave. San Jose, CA 95128	(408) 462-0952	160@fastsigns.com www.fastsigns.com
West Coast Signz	155 Blossom Hill Road San Jose, CA 95123	(408) 512-3215	info@westcoastsignz.com www.westcoastsignz.com
Signarama	457 Park Avenue San Jose, CA 95110	(408) 977-1450	www.signarama.com
San Jose Signs	1370 Tully Road, #507 San Jose, CA 95122	(408) 294-7446 fax: (408) 294-7440	info@esanjosesigns.com www.esanjosesigns.com
Sign my Signs	3507 Ryder St. Santa Clara, CA 95051	(408) 899-2889 fax (408) 689-9681	info@signmysigns.com www.signmysigns.com
Z Graphics Signs Service	7457 Egleberry St. Gilroy, CA 95020	(408) 842-7755	zgsigns@aol.com www.dancingsign.com
TFB Designs Custom Graphics	55 W. 6 th St. Gilroy, CA 95020	(408) 842-3251	sales@tfbdesigns.com www.tfbdesigns.com
Young Signs	7393 Egleberry St. Gilroy, CA 95020	(408) 842-4145	youngsignsgilroy@yahoo.com www.youngsignsgilroy.com
New Directions Signs Service	365 Woodview Ave., Suite 300 Morgan Hill, CA 95037	(408) 778-3916 fax: (408) 778-7392	www.ndsignservice.com
Pro Signs, Inc.	15330 Los Gatos Blvd. Los Gatos, CA 95032	(408) 358-1218 fax (408) 358-1565	signs@prosigns.com www.prosigns.com
COGS Signs (Fred Hummel)		(530) 273-0162 fax: (530) 272-8594	fredhum@aol.com www.cogssigns.com

*This list is not exhaustive, there may be other sign or printing companies in the area for Santa Clara County. Yelp and Google search provided these listings for Santa Clara County area.

Last updated: 1/24/14

Michele King

Subject: FW: Quick question

From: Danny Garza <ironworkrdanny@yahoo.com>

Sent: Tuesday, December 12, 2023 7:34 AM

To: Richard Santos <rsantos@valleywater.org>

Subject: Quick question

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Good Morning Dick,

I was wondering if the Water District has Community hours to give in the Milpitas Area?

I have a young man that needs 4 hours by the Middle-January

If the Water District does not have hours, do you know of a Neighborhood, Park, Community Organization that can use a younger volunteer.

In Community Spirit,
Danny

[Sent from Yahoo Mail on Android](#)

Michele King

From: Rae Knapp <rae@keepcoyotecreekbeautiful.org>
Sent: Monday, December 11, 2023 10:32 PM
To: Board of Directors; Linh Hoang; Meghan Azralon
Cc: Aja Yee; Deb Kramer
Subject: KCCB January Events
Attachments: 240113-TreePlanting-Flyer.jpg; 240113-TreePlanting-IG Post.jpg; 240106-TreePlanting-IG Post.jpg; 240115-Cleanup-Flyer.jpg; 240106-TreePlanting-Flyer.jpg; 240115-Cleanup-IG Post.png

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello,

Here are the details for KCCB's January events. There will be tree planting events on 1/6 and 1/13, a cleanup on 1/15, and a BioBlitz on 1/20. Thank you so much for your continued support, we hope you have a great holiday season!

Thanks!

Rae Knapp
Event Assistant
Keep Coyote Creek Beautiful
408-931-1892
www.keepcoyotecreekbeautiful.org

Tree Planting with Our City Forest!

Location: Glenburry Way & Thornwood Drive San Jose, CA 95123
Saturday January 6th 9AM - 12PM

KCCB is partnering with Our City Forest, San Jose's tree planting and management community organization.

Come join us and spend the morning planting trees in a San Jose neighborhood. You'll learn how to properly plant a tree to ensure the best chance for a healthy life and hopefully meet some new people.

Trees provide so many benefits to our community: shade to reduce the heat gain from asphalt, reduce pollutants by trapping them in their leaves, and providing oxygen through their process of photosynthesis.

Community service hours available.

Tree Planting with Our City Forest!

Location: Santa Teresa Boulevard & Furlong Drive San Jose, CA 95123

Saturday January 13th 9AM - 12PM

KCCB is partnering with Our City Forest, San Jose's tree planting and management community organization.

Come join us and spend the morning planting trees in a San Jose neighborhood. You'll learn how to properly plant a tree to ensure the best chance for a healthy life and hopefully meet some new people.

Trees provide so many benefits to our community: shade to reduce the heat gain from asphalt, reduce pollutants by trapping them in their leaves, and providing oxygen through their process of photosynthesis.

Community service hours available.

MLK Day of Service Cleanup! - Creek and Trail Cleanup

Location: Selma Olinder Park, 1132 Woodborough Dr, San Jose, CA 95116

Mon Jan 15

9AM to 12PM

Cleanup the Creek and Trail for Martin Luther King, Jr., Day of Service!

Help us beautify Coyote Creek and surrounding trails through a community cleanup. Meet new people; improve a neighborhood park; build community around a shared sense of service.

Free litter kits!

Community service hours available.

Groups Welcome

RSVP: <https://240115-cleanup.eventbrite.com/?aff=vw>

BioBlitz at Kelley Park

Location: Kelley Park (Disc Golf Course), 740 Phelan Avenue, San Jose, CA 95112

Sat, Jan 20th

9:00AM-11:30AM

A BioBlitz is an event that focuses on finding and identifying as many species as possible in a specific area over a short period of time. At a BioBlitz, scientists, families, students, teachers, and other community members work together to get an overall count of the plants, animals, fungi, and other organisms that live in a place.

Located in the heart of San Jose, the park we will be at is a safe haven for many species of plants and animals right along Coyote Creek. Join Keep Coyote Creek Beautiful, BioBlitz Club and Santa Clara Valley Audubon Society in cataloging and documenting all of the wildlife that reside there. We will have experts in various fields to help guide participants through all the cool plants and wildlife.

The best part? All you need to participate is a smart phone with the iNaturalist app!

So bring your family and prepare for an in-depth tour of this great park.

Community service hours available

REQUIREMENT: Provide KCCB with the completed [City of San Jose Waiver](#) prior to the event. No waiver, no participation.

Hosted by Keep Coyote Creek Beautiful , Bioblitz Club, and Santa Clara Valley Audubon Society

Supported by Keep Coyote Creek Beautiful donors and City of San Jose Parks Recreation & Neighborhood Services

RSVP: <https://240120-bioblitz.eventbrite.com/?aff=vw>

Michele King

From: Rae Knapp <rae@keepcoyotecreekbeautiful.org>
Sent: Monday, December 11, 2023 11:06 PM
To: Deb Kramer; Aja Yee
Subject: 1/6 & 1/13 RSVP Links

Follow Up Flag: Follow up
Flag Status: Flagged

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

Hello!

Here are the updated RSVP links for the 1/6 and 1/13 Tree Planting events that I just sent out information for. Thank you again!

Rae

Tree Planting with Our City Forest!

Location: Glenburry Way & Thornwood Drive San Jose, CA 95123
Saturday January 6th 9AM - 12PM

RSVP: <https://www.eventbrite.com/e/764046181697?aff=oddtcreator>

Tree Planting with Our City Forest!

Location: Santa Teresa Boulevard & Furlong Drive San Jose, CA 95123
Saturday January 13th 9AM - 12PM

RSVP: <https://www.eventbrite.com/e/764248557007?aff=oddtcreator>



COYOTE CREEK CLEANUP

JANUARY 15: 9-12PM



PLANT A TREE FOR YOU AND ME

Keep Coyote
Creek Beautiful
teams up with
Our City Forest

9AM-12PM
JANUARY 6TH, 2024



www.KeepCoyoteCreekBeautiful.org

CLEANUP LOCATION PROVIDED UPON REGISTRATION

Coyote Creek
& Trail Cleanup

MLK DAY *of* SERVICE

Cleanup!

January 15th, 2024 ★ 9am-12pm

RSVP
AT

 KEEP COYOTE CREEK BEAUTIFUL

WWW.KEEPCOYOTECREEKBEAUTIFUL.ORG





TREE PLANTING

JANUARY 6: 9-12PM





TREE PLANTING

JANUARY 13: 9-12PM



KCCB teams up
with Our City Forest

Tree Planting

January 13th, 2024 ♡ 9am-12pm



OUTGOING BOARD CORRESPONDENCE

Michele King

Subject: FW: Saratoga Creek Damaged Retaining Wall

From: Candice Kwok-Smith **On Behalf Of** Board of Directors

Sent: Thursday, December 7, 2023 11:57 AM

To: [REDACTED] jcherbone@saratoga.ca.us; Lilian Dennis <ldennis@valleywater.org>

Subject: Re: Saratoga Creek Damaged Retaining Wall

Sent on Behalf of Director Hsueh:

Dear Mr. Nickerson,

Thank you for reaching out to Valley Water and for sharing pictures and video showing the damaged sacked concrete lining on Saratoga Creek near 14642 - 14660 Springer Court.

Based on the site inspection our team conducted, the ruptured sacked concrete lining does not present an immediate slope failure concern that would warrant an emergency repair, but restoring the concrete lining at this location remains high on our near-term priority list.

We will continue to monitor this site over this winter's rainy season and note any progressive damage. Based on its current condition, a repair here would likely take place within the next couple of years. Bank repairs on waterways are undertaken as part of Valley Water's Stream Maintenance Program (SMP). Under the SMP, such work can be conducted between June 15 and October 15 each year, pending receipt of regulatory agencies' approvals, wildlife considerations, unforeseen site conditions, and unavailability of resources, among other circumstances.

In the interim, we appreciate you staying connected with us and continuing to monitor the damaged sacked concrete lining at this location.

Please contact Jennifer Codianne, Deputy Officer for Watersheds Operations and Maintenance at jcodianne@valleywater.org for follow up information.

You may also use our online system at <https://access.valleywater.org/s/>.

Thanks again for contacting us.

Sincerely,



Nai Hsueh
Director, District 5

C-23-0287

From: Dwight Nickerson [REDACTED]
Sent: Wednesday, November 29, 2023 12:02 PM
To: Nai Hsueh <NHsueh@valleywater.org>
Cc: jcherbone@saratoga.ca.us; Board of Directors <board@valleywater.org>; Lilian Dennis <ldennis@valleywater.org>
Subject: Saratoga Creek Damaged Retaining Wall

***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

Ms. Nai Hsueh,
Case #AVW-012245, Saratoga Creek Retaining Wall

You are District 5's representative where a serious rupture has occurred in a Saratoga Creek retaining wall along Rocky Creek Rd. in the Saratoga Oaks HOA community. The wall was built years ago to help control flooding prior to Saratoga Oaks being constructed. The problem was reported on August 8th, evaluated by your O&M folks and assigned the above case number. To date, I have not heard from the district. Recently, you published a list of 50 projects to be addressed this coming year. This Saratoga Creek repair was not listed. Winter rains could further damage the retaining wall. Saratoga Creek runs along Rocky Creek Rd. with townhouses nearby. It is appropriate for this project to be included in the district's plans for the coming season.

Following are photos of the damaged wall. Nearby addresses near the site are 14642 - 14660 Springer Ct. The units' garages face Rocky Creek.

<https://photos.app.goo.gl/nGqPVRh5ipcmzy7R7>

Thank you for your action on this important matter.

Regards,
Dwight Nickerson
HOA Board Director

Michele King

Subject: FW: Access to Park on Williams Street owned by the Water District

From: Candice Kwok-Smith **On Behalf Of** Board of Directors

Sent: Friday, December 8, 2023 1:57 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: Re: Access to Park on Williams Street owned by the Water District

Sent on Behalf of Directors Estremera and Beall:

Dear Ms. Alette Lundeberg,

Thank you for contacting the Valley Water Board about the Coyote Creek Outdoor Classroom. We appreciate your interest in making the mini amphitheater and benches in the outdoor classroom accessible to the neighborhood; however, we currently use that space for our Education Outreach programs. Keeping this dedicated training space locked is vital in ensuring it remains safe and well-maintained to deliver quality education programming to students in our local schools. We strongly believe that it's essential to instill in children a deep appreciation for our local water resources from a young age, and this facility allows us to do just that.

Thank you for understanding, and feel free to contact Tony Ndah, Deputy Administrative Officer, at tndah@valleywater.org if you have further questions.

In the future we may consider how to make the facility accessible to people in the community who want to use it for special events.

Sincerely,



Tony Estremera
Director, District 6



Jim Beall
Director, District 4

C-23-0278

-----Original Message-----

From: Alette Lundeberg [REDACTED]

Sent: Tuesday, November 14, 2023 1:34 PM

To: Board of Directors <board@valleywater.org>

Cc: Georgie Huff [REDACTED]; Holly Hill [REDACTED]

Subject: Access to Park on Williams Street owned by the Water District

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

Hello- my name is Alette Lundeberg and this email is intended for Tony Estremera and Jim Beall along with District staff .

On Williams Street, four houses down from 16th Street, is a jewel of a park owned by the District. This LOCKED part sits across from the well known Williams Street Park.

Today, 11/14, several friends and I were able to access the park as District staff were there and the gate was unlocked. The park contains a mini amphitheater, walking paths, benches , sculptures and even electricity!! When speaking to District staff they did not know why the park was locked year round. We agreed that certainly, if we were experiencing significant rain with flood risk, the park should be locked. However, no one could tell us why it is locked year round.

Therefore, my request is for the District to UNLOCK the park so neighbors and visitors can access it. Certainly with the above-referenced amenities, that is what the District must have intended. This may sound like a cliché, but Public Funds were used for this park and the public deserves access to it. I would appreciate a response to this request in a timely fashion.

Sincerely,
Alette Lundeberg



Sent from my iPhone