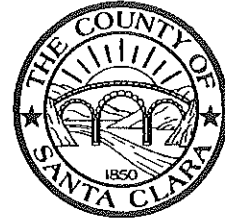


# County of Santa Clara

Department of Planning and Development  
 County Government Center, East Wing, 7<sup>th</sup> Floor  
 70 West Hedding Street  
 San Jose, California 95110



	<b>Administration</b>	<b>Development Services</b>	<b>Fire Marshal</b>	<b>Planning</b>
Phone:	(408) 299-6740	(408) 299-5700	(408) 299-5760	(408) 299-5770
Fax:	(408) 299-6757	(408) 279-8537	(408) 287-9308	(408) 288-9198

## Statement of Exemption from the California Environmental Quality Act (CEQA)

<b>File Number</b>	<b>APN(s)</b>	<b>Date</b>
2250-13-66-09P	351-09-013, 351-09-022, 351-09-023, 351-10-011, 351-10-033, 351-11-001	8/10/11
<b>Project Name</b>	<b>Project Type</b>	
Summary Vacation of Permanente Road	Vacate public road right of way	
<b>Owner</b>	<b>Applicant</b>	
Hanson Permanente Cement, Incorporated, parent holding company Heidelberg Cement (collectively, "Lehigh")	Lehigh Cement, Incorporated	
<b>Project Location</b>		
Located in an unincorporated area of the County of Santa Clara at the west terminus of Steven Creek Boulevard.		
<b>Project Description</b>		
<p>Permanente Road was established in 1893 pursuant to a Recorded Document, located in Book 170 O.R. Pages 10-13 of the official records of the County of Santa Clara, is located at the west terminus of Stevens Creek Road, Cupertino, in the unincorporated portion of Santa Clara County. Permanente Road crosses on and through Assessor Parcel Numbers 351-09-013, 351-09-022, 351-09-023, 351-10-011, 351-10-033, 351-11-001. Since about 1935, Permanente Road has been impassible for general public vehicular travel. The County has spent no public money maintaining the road and has no plans to add it to the County maintained road system in the future. On February 8, 2011, the Board of Supervisors held an evidentiary hearing regarding whether and to what extent quarrying is a legal nonconforming use on the Lehigh property. Evidence was presented to the Board, and as part of that discussion and given the fact that Permanente Road had not served as a public road for more than seven decades, the Board adopted a resolution directing Lehigh to apply for a formal abandonment of Permanente Road</p>		
<p>All development permits processed by the County Planning Office, which require discretionary approval must be evaluated for compliance with the California Environmental Quality Act (CEQA) of 1970 (as amended). Certain projects, which meet criteria listed under CEQA may be deemed exempt from environmental review. The project described above has been evaluated by County Planning Staff under the provisions of CEQA and has been deemed to be exempt from any further environmental review per the provision(s) listed below.</p>		

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## CEQA (Guidelines) Exemption Section:

Section 15061(b)(3): A project is exempt if the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

## Comments:

Permanente Road right of way was recorded in 1893 (Book 170 O.R., pages 10-13) in the official records of County of Santa Clara. Permanente Road has been impassable and has not served as a public road since 1935, and no public money was expended for maintenance of the road during such period. The County of Santa Clara has no plans to add it to the County maintained road system in the future. For these reasons, it is with certainty that there is no possibility that the summary vacation of Permanente Road may have a significant effect on the environment and is not subject to CEQA.

Approved by:

ROB EASTWOOD

  
Signature

8/10/11

Date