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June 8, 2012

RECEIVED  
JUN - 8 2012  
PLANNING OFFICE

Mr. George Shirakawa, President of the Board and  
Members of the Board of Supervisors for Santa Clara County  
Supervisors Chambers  
70 West Hedding Street  
San Jose, CA 95110

Re: Permanente Quarry Reclamation Plan Amendment  
Appeal of June 7, 2012 Planning Commission Conditions of Approval

Dear President Shirakawa and Members of the Board:

This firm represents Hanson Permanente Cement, Inc. and Lehigh Southwest Cement Company (together, "Lehigh"), the owner and operator of the Permanente Quarry. The purpose of this letter is request an appeal to the Board of Supervisors of the Planning Commission's June 7, 2012 decision regarding the conditions of approval adopted for the Quarry's Reclamation Plan Amendment.

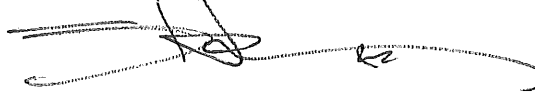
This appeal is made pursuant to Chapter 5.30 of the County Zoning Ordinance. An application form for the appeal (on a form provided by County Counsel) is attached to the extent this also is required. Lehigh request's an appeal to the Board of Supervisors on the following grounds:

- The denial of a revision to Condition 1 that would have authorized the Planning Manager to modify the conditions of approval in appropriate situations.
- The deletion of certain language from Condition 15 concerning the County's provision of documents to other agencies.
- The denial of a modification to Condition 28 to remove language mandating the use of soil amendments in reclamation.
- The deletion of language from Condition 45 that would have allowed mitigation of air quality impacts through occupancy restrictions.

- Revisions to Conditions 80 and 81 that inappropriately shorten the period for water-quality monitoring and testing.
- The addition of Condition 90 to require a groundwater monitoring plan.

Lehigh may supplement this information, at or before any resulting hearing of the Board of Supervisors' with additional grounds or facts for appeal.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mark D. Harrison', with a long horizontal flourish extending to the right.

Mark D. Harrison

cc: Chairman Lefaver and Members of the Planning Commission  
Elizabeth G. Pianca, Esq., Office of County Counsel  
Kari D. Saragusa, Lehigh Hanson  
Marvin E. Howell, Lehigh Hanson