



Midpeninsula Regional
Open Space District

Memorandum

DATE: October 27th, 2021
MEMO TO: Board of Directors
FROM: Lehigh Ad Hoc Committee: Director Yoriko Kishimoto (Chair), Board President Curt Riffle, and Director Karen Holman
CC: Ana Ruiz, General Manager *AR*
SUBJECT: Dissolution of the Lehigh Quarry Review Ad Hoc Committee

SUMMARY

The Lehigh Quarry Review Ad Hoc Committee (the Committee) was formed by the Midpeninsula Regional Open Space District (District) Board of Directors at the June 10, 2020 meeting (R-20-61) to “serve the purpose of reviewing and guiding the District’s response to the Reclamation Plan Amendment and the County’s response to Lehigh’s application.”

The Committee met 15 times. We reviewed the spectrum of potential environmental impacts, prioritized top concerns for the District and reviewed a letter summarizing these concerns, which was shared widely with Lehigh, the county and our neighboring cities and non-profits (see attached.) The Committee and staff advocated for the protection of the Ridgeline Easement held by Santa Clara County (County) that protects Rancho San Antonio Open Space Preserve and the surrounding community from the operations of Lehigh Quarry. The Ad Hoc Committee was instrumental in working with the County to conceive of a Memorandum of Agreement, which was approved by the District Board and the County Board of Supervisors in August 2021. The agreement confers upon the District an important role in monitoring and, if needed, enforcing the protections held in the Ridgeline Easement.

Lehigh’s proposed Reclamation Plan amendment and the County’s processing of the application have made limited progress since the formation of the Ad Hoc Committee. Lehigh Quarry has so far refused to pay the County to start the environmental review process and has sued the County regarding its processing of the application and its right to hold a hearing concerning the scope of the “vested rights” that affect the permissible uses on the site. The suit was recently dismissed by the Santa Clara Superior Court. The outcomes of the vested rights hearing will likely dictate the timeline for the Reclamation Plan amendment process going forward, likely over the next two years. Therefore, the Committee and staff recommend the Lehigh Quarry Review Ad Hoc Committee be dissolved at this time. Should the Reclamation Plan process restart, staff or the Board could consider whether an Ad Hoc committee is needed again. Staff may also return to the Board at future dates to provide status updates, and to obtain authorization for contracts for consultants to support the District’s review of the Reclamation Plan amendment. Unless directed otherwise by the full Board, the current Lehigh Quarry Review Ad Hoc Committee will be considered dissolved as of today’s Board meeting.

Attachment 1: Letter from the District to Lehigh Quarry on 2019 Reclamation plan amendment