



Midpeninsula Regional  
Open Space District

R-15-84  
Meeting 15-14  
May 27, 2015

## AGENDA ITEM 6

### AGENDA ITEM

Update on Actions of Mutual Interest taken by the District and by Lehigh Southwest Cement Company during the Past Year

### GENERAL MANAGER'S RECOMMENDATIONS

A handwritten signature in black ink, appearing to be "GMA".

Receive a presentation on actions taken over the past year by the District and Lehigh Southwest Cement Company related to Lehigh Quarry operations.

### SUMMARY

The District agreed to dismiss the Midpeninsula Regional Open Space District's (District) judicial appeal challenging Lehigh Southwest Cement Company's (Lehigh) Environmental Impact Report (EIR), in exchange for various public benefits described herein, and based on recent progress noted in work necessary to protect air, and water quality, and extensive work already performed on the restoration of the scenic viewshed (R-14-98).

One of the important conditions of the settlement was an agreement for the District and Lehigh to participate going forward in conducting regular, open public meetings regarding opportunities and issues of mutual concern.

### DISCUSSION

The Board of Directors of the Midpeninsula Regional Open Space District (District) approved dismissal of the District's judicial appeal challenging the Lehigh Southwest Cement Company's (Lehigh) Permanente Quarry Reclamation Plan Environmental Impact Report (EIR) in August 2014 (R-14-98). This settlement agreement included Lehigh's agreement to the following actions:

- 1) Convey rights to widen an existing public trail easement on their land;
- 2) Convey a new public trail easement, serving Rancho San Antonio and Monte Bello Open Space Preserves;
- 3) Grant to the District Rights of First Offer and Rights of First Refusal on two properties, totaling 265 acres, in which the District has a long-term protection interest;
- 4) Grant to the District a Conditional Grant Deed to a 55 acre Lehigh property buffering the PG&E trail at Rancho San Antonio Open Space Preserve;
- 5) Waive the right to recover the \$9,404 which is the District's half of the \$18,808 total costs awarded by the lower court; and
- 6) Participate with the District going forward in conducting regular, open, public meetings in which Lehigh and the District can discuss opportunities and issues of mutual concern.

Additionally, the District received the final results from the air quality monitoring study completed for Rancho San Antonio OSP in October 2014 (R-14-126). The data collected during the study period showed that the air quality at Rancho reflected a low-impact environment, with some effect from the nearby industrial (Lehigh Southwest Cement Plant and Quarry) and urban areas.

Kari Saragusa, President of Lehigh Southwest, will present actions taken by Lehigh over the past year that may be of interest to the District and the Community.

**FISCAL IMPACT**

There is no fiscal impact associated with this presentation.

**BOARD COMMITTEE REVIEW**

There was no committee review of this item. Regular public meetings with the District and Lehigh are a commitment made as part of the settlement agreement

**PUBLIC NOTICE**

Public notice was provided as required by the Brown Act.

**CEQA COMPLIANCE**

This presentation is not a project under CEQA.

**NEXT STEPS**

The General Manager anticipates a second public meeting for Lehigh updates sometime during 2016.

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