

Notice of Exemption

To: ☒ Office of Planning and Research PO Box
3044, 1400 Tenth Street, Room 222
Sacramento, CA 95812-3044

☐ County Clerk County of Santa Clara

From: San Francisco Bay Regional Water Quality
Control Board
1515 Clay Street, Suite 1400
Oakland, California 94612

Project Title:

Lehigh Southwest Cement Company and Hanson Permanente Cement, Inc., Permanente Plant, Cupertino,
Santa Clara County – NPDES Permit Reissuance

Project Location - Specific:

The permit regulates the discharge to upper Permanente Creek of:

1. treated wastewater and industrial stormwater from shallow-water outfalls at (37.31713°, -122.11165°)
and (37.31899°, -122.08750°).
2. industrial stormwater from a shallow-water outfall at (37.31713°, -122.087159°)

Project Location - City Cupertino Project Location - County: Santa Clara

Description of Project:

The Permanente Plant is a limestone quarry and former cement production facility that currently produces construction aggregate. The NPDES Permit reissuance (Regional Water Board Order R2-2026-0015) regulates the discharge of treated quarry dewatering water, aggregate crushing and washing water, truck and equipment wash water, and industrial stormwater from the Permanente Plant to upper Permanente Creek at the locations described above.

Name of Public Agency Approving Project: California Regional Water Quality Control Board

Name of Person or Agency Carrying Out Project: California Regional Water Quality Control Board

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number:
- ☒ Statutory Exemptions. State code number: Section 13389 of the California Water Code

Reasons why project is exempt:

The project is the adoption of an NPDES permit.

Lead Agency: San Francisco Bay Regional Water Board

Contact Person: John H. Madigan

Area Code/Telephone/Extension: (510) 622-2405

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Eileen M. White
Digitally signed by
Eileen M. White
Date: 2026.06.16
13:09:37 -07'00'

Signature: _____ Date: _____ Title: Executive Officer

Eileen M. White, P.E.

☒ Signed by Lead Agency

☐ Signed by Applicant

Date received for filing at OPR: _____