



CITY MANAGER'S OFFICE

CITY HALL
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December 10, 2018

By FIRST CLASS MAIL AND ELECTRONIC MAIL
(supervisor.simitian@bos.sccgov.org)

Joe Simitian
District 5 Supervisor
70 West Hedding Street, 10th Floor
San Jose, CA 95110

Re: Increased Truck Traffic between Permanente Quarry (Lehigh) and Stevens Creek Quarry (SCQ)

Dear Mr. Simitian:

On August 17, 2018 the County of Santa Clara Department of Planning and Development (County) issued a Notice of Violation (Notice) to Lehigh for illegal grading. Specifically, the NOV cited Lehigh for grading outside of the boundaries of the approved 2012 Reclamation Plan Amendment. The purpose of the grading was for a haul road connecting the Lehigh facility to the SCQ facility. In issuing the NOV, the County notified Lehigh to stop any additional grading activities and to cease the transportation of minerals from Lehigh to the SCQ. The NOV is attached.

Upon receipt of the NOV, Lehigh and SCQ switched the truck hauling operation from the haul road to City of Cupertino streets. This action has resulted in considerable truck traffic between the two facilities when previous truck traffic had not existed in the past. Consequently, the City has received numerous complaints related to increased traffic congestion, illegal truck movements, noise, dust and debris on the streets. The City has contacted Lehigh and SCQ on numerous occasions regarding the issue and progress to resolve most of the issues has not been satisfactory.

Our Public Works Department has been in regular contact with the County and is aware that Lehigh has submitted to the County a minor reclamation plan amendment. The purpose of the amendment is to expand the reclamation plan boundaries within the jurisdictional area of the County, realign the haul road to be only within these amended boundaries and then to resume hauling of minerals from Lehigh to the SCQ. Review of

this amendment by the County and State Department of Conservation will take months and an approved minor amendment may or may not occur. In the interim or perhaps longer, an estimated twenty trucks are circulating continually each workday between the two facilities on City streets. This activity is a nuisance to our residents and potentially hazardous to our motorists, bicyclists and pedestrians that frequent the area.

Since September, the City has had the County Sheriff increase presence in the area. The cost to the City for this presence is estimated to be \$400/day and more Deputy time is needed. Your assistance is needed to coordinate activities between Lehigh and SCQ so that the City and its' residents are not impacted financially or otherwise. Specifically, both Lehigh and SCQ need to regulate the trucks to alieve impacts or the Sheriff needs to more than double their current time of two hours per day to a minimum of four hours per day at an expense not paid by the City.

On December 19, 2019 6:30pm the City is hosting a neighborhood meeting at 22601 Voss Avenue, Cupertino to discuss the issue. The County and Sheriff have indicated that they will attend and representatives from Lehigh and SCQ have been invited. You or your representative are invited and a notice and agenda of the meeting is attached.

Please let me know the assistance you can provide and if you or a representative will be attending the neighborhood meeting. Please refer any specific questions to Timm Borden, Public Works Director at 408-777-3354.

Sincerely,

A handwritten signature in blue ink, appearing to read "Amy Chan".

Amy Chan

Interim City Manager