



MAYOR SAVITA VAIDHYANATHAN

CITY HALL

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January 27, 2017

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

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

**RE: Noise Complaints and Noise Monitoring of Lehigh
Southwest Cement Plant**

Dear Supervisor Simitian:

Your November 16, 2016 informational meeting at our Cupertino Community Hall was helpful to Cupertino residents as it facilitated good discussions with many of the regulatory agencies responsible for the protection against air, water and noise pollution. One discussion initiated by several Cupertino residents at your meeting was the claim of additional noise from Lehigh since the construction of the new single stack.

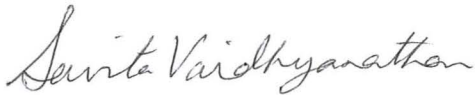
On this issue, City of Cupertino staff gave a report to City Council regarding Lehigh noise at the meeting of January 24, 2017. I encourage you to view this report, Council discussion and public comment at your earliest opportunity (http://cupertino.granicus.com/MediaPlayer.php?view_id=18&clip_id=2138).

Due to the characteristics of noise and the numerous environmental variables affecting its transmission, it is challenging to properly exercise enforcement authority at properties/residences receiving the noise. A reasonable request to assist with this issue is the County of Santa Clara identifying noise at particular points and times within the Lehigh facility. It was stated at your meeting that Lehigh had

obligated itself to conduct a more formal noise monitoring program. Please consider this letter a request that noise be characterized onsite at all facility locations generating noise and that any offending equipment be identified and mitigated to the maximum extent feasible.

Please have the appropriate County of Santa Clara staff address these requests and provide courtesy progress updates to Roger Lee, Assistant Director of Public Works at 408-777-3354.

Sincerely,

A handwritten signature in cursive script that reads "Savita Vaidhyanathan".

Savita Vaidhyanathan
Mayor

Cc: Michael Balliet-Interim Director, County of Santa Clara Department of Environmental Health (Michael.Balliet@cep.sccgov.org)