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June 18, 2021

By FIRST CLASS MAIL AND ELECTRONIC MAIL
County of Santa Clara Board of Supervisors
70 West Hedding Street, 10th Floor
San Jose, CA 95110

**Subject: City Support of County of Santa Clara Board of Supervisors (County)
Granting 1972 Ridgeline Protection Easement Enforcement Rights to
Midpeninsula Regional Open Space District**

Dear Board President Wasserman and Honorable Members of the Board,

The City of Cupertino supports approval of Item 22 on your June 22, 2021 Regular Meeting agenda. The County accepted the Ridgeline Protection Easement Deed (Easement) on August 22, 1972. The Easement indicated that the Grantor is *"willing to grant to the County of Santa Clara an easement protecting and maintaining the said ridge at specified elevations."*

The current reclamation plan amendment submitted by Lehigh to the County proposes to further lower the ridgeline over an additional 100 vertical feet. Current conditions of the ridgeline have already deteriorated because of mining activities, which have contributed to landslides affecting the ridgeline in 1987, 2001, 2002, and again in 2003. It is unfortunate that the ridgeline has not been better protected and all measures should be taken to not allow any further lowering of the ridgeline.

More resources are encouraged to strengthen the County's work to ensure enforcement of the Easement. Due to this, the City supports the County entering into discussions with the Midpeninsula Regional Open Space District (MROSD) regarding a grant of enforcement rights associated with the Easement to the District.

Partnering on enforcement with MROSD, which is directly adjacent to the affected area and which has a mission to preserve, protect, and restore open space, is

needed. Moreover, this partnership would publicly show that the County values the importance of our hillsides, the viewsheds they provide and the environment.

Please let me know how the City may offer other support to this issue.

Sincerely,

Darcy Paul
Mayor

CC: Supervisor Joseph Simitian, District 5

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