

Trinitas Ranch
Mike and Michelle Nemece
9209 Ospital Road
Valley Springs, CA 95252

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FEB 22 2006

CALAVERAS COUNTY
DEPT OF PLANNING

February 20, 2006

Mr. Bob Sellman, Interim Planning Director
Calaveras County Planning Department
891 Mt. Ranch Road
San Andreas, CA 95249

Dear Mr. Sellman:

This letter is written in response to your letter dated February 9, 2006. Relative to the comments made at the scoping session conducted by your office, it appears that some of these were based upon supposition rather than facts. The site has been inspected periodically by members of your office as well as other County and State officials, and I have not been informed of any violations of County code.

As you are well aware, I have filed the required applications with your office to obtain authorization of an agricultural and recreationally based golf course. The substance and form of these requests have been tailored to meet your guidelines, specifically in terms of maintaining the existing General Plan designation of Agricultural Preserve and twenty (20) acre density. The combination of thirteen (13) single family residential lots clustered around a golf course and agricultural olive trees will be unique to this county. The project will provide open space and preservation of habitat areas for fish and wildlife through the addition and enhancement of wetland areas.

In many jurisdictions, the construction of a golf course is viewed as an enhancement to open space preservation and habitat values. Additionally, as property owners try to keep properties within the county within agricultural production, it becomes increasingly necessary to devote properties to a mixture of uses in order to maintain economic viability. Golf courses are also a fairly non-intensive land use in terms of their use predominately during limited daylight hours and during periods of non-inclimated weather. The project, I believe, will be a great example of sustainable agri-tourism based business supporting our family without negative impacts to surrounding residents.

In order to provide the highest quality analysis, I filed a request with your office to have a comprehensive Environmental Impact Report (EIR) prepared in order to allow for a thorough and objective environmental review of the project prior to approval.

Although the project is just now moving forward in terms of the EIR, I have been working with the County for over four (4) years in terms of this submittal and all of the activities being conducted onsite have been inspected by County staff and several State agencies. I am not engaging in grading beyond that authorized by local codes. There are several piles of sand onsite, which have been imported to be spread in areas throughout the property so that areas can be seeded for better soil conditioning. No construction activities beyond the scope previously

identified by the County and confirmed by inspection are occurring. No physical changes to the property have occurred which would interfere with the environmental review process.

With all due respect, there is nothing that I can find in the County code which prohibits any property owner from performing some of the activities stated in your letter including, but not limited to, installation of utilities or irrigation, installation of cobbles or rocks for decoration, construction of paths, bridges, or onsite roads for private/agricultural purposes and landscaping. Quite frankly, I have been extremely diligent in my efforts to work cooperatively with your office and I'm shocked that you would try to imply that these types of activities can not and are not routinely undertaken by private property owners and agricultural operators throughout the County. The golf course is an existing onsite amenity and quite frankly does not violate any County statute. The installation of manicured lawn areas with ponds and other water areas is no different than a property owner with a nicely landscaped backyard. It would only be in violation if I were to allow it to be used for golf course play for private or public tournaments or play. I have not nor will I until such time as the Planning Commission and/or Board of Supervisors take action on the proposal.

Please remember that I have been very honest and open in my communications with your office, having invited your open review of the property. We have also gone beyond that required in the request to have a full scope Environmental Impact Report prepared. In our initial meetings with your staff, a mitigated Negative Declaration was suggested. We did not want to go this route, however, as many applicants do, but rather opted to request and fund a thorough and objective Environment Impact Report in order to provide answers to our neighbors questions. We understand that the Environmental Impact Report will include an analysis of all potential areas of impact, specifically traffic, water quality, hydrology, archaeology, biology, air quality, etc. thus, we expect to have answers to all of the current questions.

At this stage, I will presume this matter fully resolved as I look forward to prompt processing of my project proposal. Thank you again for your consideration of this request. If you have any questions, please feel free to contact me at (209) 639-5000.

Sincerely,



Mike & Michelle Nemees
Nemees Family

cc: Supervisor Claudino