

February 4, 2004

Mr. Roger Briggs
Regional Water Quality Control Board
895 Aerovista, Suite 101
San Luis Obispo, Ca. 93401

**Re: Goldie Lane Property, Santa Margarita - Response to Staff Report for
February 6, 2004 RWQCB Meeting**

Dear Roger:

This is to express our concerns with certain portions of the staff report for this meeting regarding this project. Our concerns are as follows:


1. We firmly believe that no sediment has been deposited into the Huer Huero Creek as a result of the clearing on this property. The entire cleared area drains to a tributary of the Huer Huero Creek that is entirely contained on the project site. The tributary does have surface flow for during the majority of the year, however the flow goes subsurface between 100 and 200 yards upstream of the confluence with the Huer Huero Creek. There is no evidence that the confluence has had surface flows in the past two years. It is our contention that sediment deposition into the Huer Huero Creek cannot occur without surface flows in the tributary at the confluence.
2. Clearing in conformance with USDA Natural Resource Conservation Service guidelines and not grading was performed on the subject site. CDF staff on the scene of the HWY 58 fire have reported that the clearing on this site was instrumental in arresting the progress of the fire in this area towards Creston.
3. The clearing was not performed for home sites and future construction as stated in the report. All of the clearing occurred on one of the proposed parcels. Although the area includes several hill tops that have very little buildable area, the majority of the cleared area includes steep slopes that are unacceptable as building sites. The fact remains that the owner cleared a portion of the site in anticipation of establishing an agricultural operation. Currently the site is inaccessible due to the extensive erosion control measures that have been implemented and establishing the desired agricultural use cannot occur.

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Thank you for this opportunity to voice our concerns. Please contact us if you have any questions.

Sincerely;

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A handwritten signature in black ink, appearing to read "Jeffrey J. Emrick", with a large, loopy flourish above the name.

Jeffrey J. Emrick, P.E., AIA

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