

As with many issues there are two ways to look at this....

### Dirt Dumping vs Topsoil Ag Enhancement

It's not easy making comprehensive rules that apply across a broad spectrum of land, land access and land topography. By and large, Ag landowners are the stewards of the open land that we all value as part of the beautiful Alameda County countryside. Landowners that I know, would not want to do anything that would devalue their land or in any way make it less desirable.

In my case the freedom to do some amount of dirt manipulation at Nella Terra has allowed me to create a beautiful country oasis and ambiance that's second to none in Alameda County. I'm not sure I could have ever gotten the County bureaucracy to permit the clean dirt topsoil fills we did, but 6 years after the fact the setting is spectacular! We've also invested over \$300,000 in roughly 5 acres of vineyards and native landscaping. The older vineyards are currently yielding over 9 tons of fruit/year and we are expanding our vineyard footprint. We are now at a point where we can sustain ourselves as a small family farm.

Dirt dumping by its definition has a negative connotation. The truth is that a high percentage of the soil that needs to be moved for urban development is good clean top-soil looking for a new home. Yes, you can put that clean topsoil in a landfill but aren't you taking up valuable landfill space? In my case adding good topsoil to my existing rocky land enhances my ability to farm.

The reason this moratorium was put into place was because of a few bad apple landowners abusing their privilege. Dumping dirty dirt and/or not properly placing and compacting the dirt should not be allowed under any circumstances. However, the County should do whatever they can to encourage Agricultural enhancement throughout the County. Providing convenient Ag sites to bring clean urban topsoil is a win/win for all of us. The alternative is long hauls out to the valley clogging our freeways and creating an even bigger negative environmental impact.

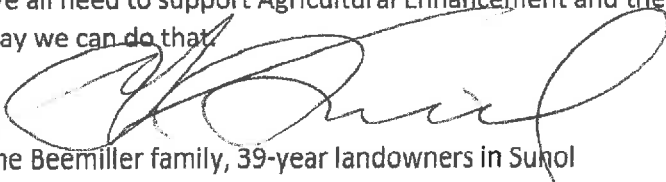
The proposed Soil Importing Ordinance will essentially require grading permits for almost everything. If that's the intention the County should streamline permitting where:

- The Ag land is convenient and delivery trucks will have a minimal impact on the neighbors
- Topsoil fills can be shown to expand the lands Ag use (i.e. actually enhance agriculture)

Staffs proposed limits are too restrictive especially for large parcels. 1,500 cu yards will cover roughly 11.1 acres with 1 inch of topsoil or .93 acres with 1 ft of topsoil. The 1,500 cu yards max might be fine for some small parcels but it's too restrictive for the large parcel landowners.

Over the years the landowners in our county have had more and more new restrictions imposed on their lands with no compensation. We've always had the right to modify our land for Ag purposes as long as the modifications don't endanger our neighbors. A better solution would be to take away the rights from the bad apples, not punish the entire Ag community.

We all need to support Agricultural Enhancement and the importing of good clean urban topsoil is one way we can do that.



The Beemiller family, 39-year landowners in Sunol