

My concern is that additional grading work continues to be conducted on the property every year, and that grading work is clearly not adequate or performed in such a way that controls the runoff from the property into the nearby creeks and roadway. Each winter a large amount of runoff travels down and across the graded roadway and property to the gate at the south west corner of the property. This runoff is due in large part to the grade and cross slope of the graded portion of the project, and the lack of adequate or proper water channelization and culverts. The result is the mud from that graded portion runs downhill across the road and into El Corte Madera Creek. The property owner has attempted to mitigate this problem by installing numerous “berms” made out of hay bales up against the fence-line in an apparent attempt to contain the mud flows. This needless to say is inadequate.

I think the solution is simply for the county to work closely with Theobald to properly address these issues before any of the previous work is legalized and ensure the grading that has been done is now upgraded to county standards. Based on my past experience, once legalized any impetus to do the work properly no longer exists.

During the summer of 2025 they created a very long berm of earth which appears to have been created as some form of dam or some other effort to controls water flows on the property. This berm is roughly 300 or 400 feet long and composed of trucked and graded materials placed cross slope across the lower pasture. It involved at least several hundred yards of material and likely much more. This berm was filled up with water making a long pond during the summer. During the winter it filled during the rainstorms to such an extent that the water breached the top of the berm and cascaded down across the lower field and into the roadway and ultimately the creek. Several attempts were made to diverge the water with trenches and culverts which were only partially successful in controlling the runoff. The runoff then proceeded to carry a large amount of topsoil off the lower field and into the creek. Several attempts at tilling the pasture to redistribute the topsoil have been made.

I would ask again that someone from the County simply come out and take a look at what has been done, and the results of those efforts, before any legalization is granted. My most important concern is simply to ensure that all this work, and any future work, be done properly to mitigate against the kind of damage that has occurred as well as any future damage. It is my sincerest hope that the County can use this process as an opportunity to

make sure all of this work is done properly. The most important consideration should be that the environment is actually protected if not enhanced by this work.

I have attached several photos below of the dam or berm installed this last summer. These were taken on Ralston Road right at the gate into the property and do not adequately reflect just how big the structure was and is. It is still there although much of the surface has now been tilled, but is readily apparent from Ralston Road.

