



SOLANO COUNTY
Department of Resource Management
675 Texas Street, Suite 5500
Fairfield, CA 94533
www.solanocounty.com

Telephone No: (707) 784-6765
Fax: (707) 784-4805

Birgitta Corsello, Director
Clifford Covey, Asst Director

February 8, 2010

Dear _____:

As you know, the County has been working in collaboration with many of the landowners within Middle Green Valley, the surrounding neighborhoods and interested parties to design a Specific Plan that will ensure the appropriate balance of development, preservation and restoration of Middle Green Valley, consistent with the goals and policies of the 2008 General Plan.

The County is offering you and all the other landowners of large agricultural lands (15± acres) in Middle Green Valley the opportunity to enter a twenty-five year Development Agreement to ensure that the Middle Green Valley Specific Plan is durable and can be realized at the appropriate time. A Development Agreement is a negotiated contract between a jurisdiction like the County and landowners to vest (or lock in place) various land use regulations for the term of the Agreement. A Development Agreement can contain other benefits as well. Because a Development Agreement provides significant benefits to landowners, it is typical for a landowner to invite the local jurisdiction to participate in a Development Agreement. But in this case, because a Development Agreement is essential for fully implementing the Middle Green Valley Specific Plan, the County is inviting landowner participation.

We have been working with the Middle Green Valley Citizen's Advisory Committee to develop appropriate business terms that will support fulfillment of the Specific Plan. For example, in addition to vesting the Specific Plan for twenty five years, the County proposes to provide landowners who participate certain protection against new and increased County development fees and the ability to participate in the Transfer of Development Rights ("TDR") Program. The Proposed Business Terms are enclosed for your review.

Once the business terms are finalized, a draft Development Agreement will be prepared and circulated for review by the landowners. You may want to consult with legal counsel to assist you with your review of the Development Agreement. If the landowners support the draft Agreement, it will then be considered by the Planning Commission and Board of Supervisors with the Specific Plan and Environmental Impact Report. Therefore, before we prepare the draft Agreement and move forward, it is critical for us to confirm which landowners will be party to the Development Agreement. It is the County's hope that all landowners within the Specific Plan boundary will be party and will obtain the benefits of the Development Agreement.

The Middle Green Valley Specific Plan, once approved, will apply to new development on all property within its boundary regardless of whether you are a party to the Development

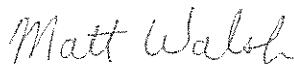
Agreement. While participation in the Development Agreement is voluntary, any landowner that chooses not to participate will not obtain benefits offered by the Development Agreement, including, protection against changes in the Specific Plan and the County code that can affect the cost and right to develop, and protection against new and increased County development fees. Any landowner that does not participate in the Development Agreement will have "opted out" of the TDR Program, and any units assigned to a property in excess of the otherwise allowable units will be reallocated to other appropriate land within the Specific Plan. For example, your property is currently allowed to have __[X]__ unit(s), but was assigned __[Y]__ units under the TDR Program in the Specific Plan. If you opt not to enter the Development Agreement, you would only be allowed to develop __[X]__ unit(s) on the property and __[Y-X]__ units will be reallocated to appropriate, participating properties within the Specific Plan. Enclosed please find the summary of acreages and assigned units for each property.

Upon receipt of this letter and Proposed Business Terms, please confirm below if you are planning to participate in the Development Agreement and return this letter in the enclosed envelope by **no later than March 10, 2010**. In addition, if you plan to participate, please also submit a current Preliminary Title Report for your property as soon as possible. The Preliminary Title Report must contain the full name of the fee owner(s) and a legal description of the property for use in preparation of the Development Agreement.

In addition, just a reminder that the Draft Specific Plan and the Draft Environmental Impact Report are available for your review and comment. Both documents are available at the County's Department of Resource Management, or can be reviewed on-line at:
[http://www.co.solano.ca.us/depts/rm/boardscommissions/middle_green_valley_cac/documents.a
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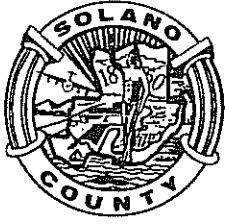
Thank you and we look forward to continuing to work with you in this exciting process. If you have any questions about the proposed Development Agreement, Specific Plan or Draft EIR, please contact our lead consultant on the Specific Plan for more information: Brendan Kelly can be reached at (415) 963-1089.

Sincerely,



for Michael Yankovich
Planning Program Manager

Enclosures



SOLANO COUNTY
Department of Resource Management
675 Texas Street, Suite 5500
Fairfield, CA 94533
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Telephone No: (707) 784-6765
Fax: (707) 784-4805

Birgitta Corsello, Director
Clifford Covey, Asst Director

May 3, 2010

Dear Middle Green Valley Landowner:

Since my letter to you regarding the Middle Green Valley Specific Plan dated February 10, 2010, I have received responses from everyone whom the County is trying to reach regarding their interest in negotiating a Development Agreement in Middle Green Valley. As you know, the County has been working in collaboration with many of the landowners within Middle Green Valley, the surrounding neighborhoods and interested parties to design a Specific Plan that will ensure the appropriate balance of development, preservation and restoration of Middle Green Valley, consistent with the goals and policies of the 2008 General Plan.

As I stated in my February 10th letter, the County is providing you and all the other landowners of large agricultural lands (15± acres) in Middle Green Valley the opportunity to enter a twenty-five year Development Agreement to ensure that the Middle Green Valley Specific Plan is durable and can be realized at the appropriate time. A Development Agreement is a negotiated contract between a jurisdiction like the County and landowners to vest (or lock in place) various land use regulations for the term of the Agreement. A Development Agreement can contain other benefits as well. Because a Development Agreement provides significant benefits to landowners, it is typical for a landowner to invite the local jurisdiction to participate in a Development Agreement. But in this case, because a Development Agreement is essential for fully implementing the Middle Green Valley Specific Plan, the County is inviting landowner participation.

This letter is meant to provide you an update on the current status and the time frame necessary to ensure that the Development Agreement can be reviewed along with the Specific Plan and Environmental Impact Report (EIR) at the currently scheduled hearings before the Planning Commission on May 20th and Board of Supervisors on June 22nd.

Please note we are requesting all participating landowners confirm their intent to participate in the Development Agreement by no later than June 1, 2010, in order that Solano County is certain which landowners are participating and which are not. The table below indicates our understanding of already confirmed landowner participation based on the responses we have received. Entries below with respect to Del Castillo, DeDomenico, and Parenti are provisional, and we are working with these landowners to confirm whether they will be participating. Final execution of the Development Agreement will occur following Board of Supervisors approval. The current draft of the Master Development Agreement is attached for your review, and we strongly encourage you to get legal assistance in reviewing this document if you have not already done so.

The following is a list of currently participating landowners and the current distribution of the 400 units that are being proposed under the Middle Green Valley Specific Plan and associated EIR:

Participating Landowners	Acreage	% of Participating Area	Allowed New Unit Count (TDR Program)	Allowed New Unit Count (No TDR Program)
B+L Properties	253.0	15.3%	60	9
Del Castillo	82.4	5.0%	20	3
Engell	52.3	3.2%	12	9
Hager	40.2	2.4%	10	2
Mason/Lindemann	296.0	17.9%	70	14
Mason/Lawton Trust	476.1	28.8%	113	21
Maher	146.8	8.9%	35	7
Ragsdale	168.6	10.2%	40	7
Siebe (James)	18.2	1.1%	4	0
Siebe (Jean)	23.7	1.4%	6	0
Volkhardt	38.4	2.3%	9	1
Wiley	15.6	0.9%	4	0
Wirth	40.7	2.5%	10	1
SUBTOTAL	1,652	100.0%	393	74

Non-Participating Landowners	Acreage	New Unit Count	New Unit Count (No TDR Program)
Biggs	61.6	6	6
DeDomenico	40.6	1	1
Parenti	12.9	0	0
SUBTOTAL	115	7	7

Existing Dev & Infrastructure 138

TOTAL STUDY AREA 1,905 400 81

It remains the County's hope that all of the invited landowners will be party to and will obtain the benefits of the Development Agreement.

As a reminder, the Specific Plan, once approved, will apply to new development on all property within its boundary regardless of whether you are a party to the Development Agreement. While participation in the Development Agreement is voluntary, any landowner that chooses not to participate will not obtain benefits offered by the Development Agreement, including, protection against changes in the Specific Plan and the County Code that can affect the cost and right to develop, and protection against new and increased County development fees. In addition, any landowner that does not participate in the Development Agreement will have "opted out" of the TDR Program, and any units assigned to a property in excess of the otherwise allowable units will be reallocated to other appropriate land within the Specific Plan.

Finally, just another reminder that the Draft Specific Plan and the Draft Environmental Impact Report are still available at the County's Department of Resource Management, or can be reviewed on-line at:
http://www.co.solano.ca.us/depts/rm/boardscommissions/middle_green_valley_cac/documents.asp

If you have any questions about the proposed Development Agreement, Specific Plan or EIR, please contact our lead consultant on the Specific Plan for more information: Brendan Kelly can be reached at (415) 963-1089.

Sincerely,

Michael Yankovich
Planning Program Manager

Cc: Enclosures

Saturnino Del Castillo
1630 Mason Rd.
Fairfield, CA 94534
(707) 864-2072

RECEIVED
Solano County
Resource Management

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March 1, 2010

Brigitta Corsello
675 Texas St. Suite 5500
Fairfield, CA 94533

Dear Ms. Brigitta Corsello:

We are the owners of the 82 acres located at 1630 Mason Rd. in Green Valley (parcel number 0148-030-020-01). I am writing to you because we are very unhappy with the way the Green Valley specific plan is going. In the past we have tried to communicate our concerns to Mr. Yankovich but he has not responded to us or helped us in any way. We are very unhappy because we have been treated very unfairly in this planning process.

The county assigned a task force to work on this project which included landowners Ms. Linderman, daughter of Mr. Mason, Mr. Russo (B&L Properties), Mr. Hager, and Mr. Wiley. The task force which was set up to work on this project is suppose to represent all of the property owners but it is clear that the decisions they have made about how to develop the properties benefit them at our expense. The following chart shows how the allowed development units are broken up for the task force members and how they compare to our allotment:

Name	Acres	Terrain	Allowed New Units	Existing Units	Total Acres/Dwelling	Additional Units
Mason	772.1	Mostly Hills	178	2	4.29	Many Mixed Use Units
B&L Properties	253	Flat	58	6	3.95	CS Units
Hager	40.2	Flat	9	1 Winery	4.02	CS Units
Wiley	15.6	Flat	4	2	2.6	None
Del Castillo	82.4	Flat	19	1	4.12	None

The Mason family (Ms. Linderman) has been allotted 1 dwelling per 4.29 acres plus a substantial portion of additional mixed use units. B&L Properties (Mr. Russo) has been allotted 1 dwelling per 3.95 acres plus additional mixed use units. Mr. Hager has been allotted 1 dwelling per 4.02 acres plus additional mixed use units. Finally, Mr. Wiley has been allotted 1 dwelling per 2.6 acres. We have been allotted 1 dwelling per 4.12 acres with no additional mixed use units,

which is significantly less than what Mr. Mason, B&L properties, Mr. Hager and Mr. Wiley received.

We find this to be very unfair because all of the task force members are receiving more rights than us to build higher density units on their land or have additional mixed use units on their land, which we have not received.

Further, we are very upset that the task force has conveniently ignored the fact that most of the hilly lands, of which a substantial portion is owned by the Mason family, are undevelopable and worth substantially less than our property but have been treated the same as our property. A large portion of the lands in the hills are too steep to build homes on, or subject to landslides. For example, the Mason family has received about the same dwellings per acre as we have plus the additional mixed use units when most of their land is in the hills and cannot be developed because these hill lands are either existing lakes or too steep to build on.

I have brought up these concerns with Mr. Brendan Kelly on several occasions and he has refused to help us. I have also brought up these concerns with Mr. Yankovich on several occasions and he has ignored me. The last time I brought this up to Mr. Yankovich at a CAC meeting, Mr. Yankovich told me that I should talk to the task force. I told Mr. Yankovich that there was a conflict of interest and that the task force members benefited by not cooperating with us. As I explained to Mr. Yankovich, the task force members benefit by allocating fewer units to us because that results in more units being allocated to them.

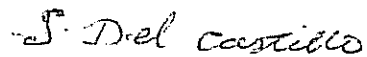
The task force and Mr. Yankovich have instigated a take it or leave it policy which further incentivizes the task force members to make the terms of this development project unfavorable for us. They have threatened us that if we do not go along with this project, then the 19 dwellings that were allocated to us would go to the other property owners which include the task force members. This take it or leave it policy is a further conflict of interest because the task force has every incentive to not include us in the project and to make conditions so unfavorable for us that we do not participate because the end result will be more units for the task force members.

Further, the current plan leaves a substantial part of our property as agriculture while developing other lands on the valley floor that have better soil. The current plan ignores the fact that our property has very poor soil and is not suitable for agriculture. Our soil is heavy clay, which makes it very difficult to grow crops. We have attempted to farm this land for about 35 years and we have never obtained a reasonable crop. During the community involvement planning process workshops that occurred at Solano Community College, several discussions occurred about conserving the best agriculture land in the valley floor. During those workshops we discussed how our property was one of the worse lands for agriculture because of the high clay content. The task force is ignoring this fact about our soil and is opting to develop lands that have better agricultural soil. The expectation that our heavy clay soil can be used for agriculture

in any economically feasible manner is unrealistic and is contrary to the discussions we had at the community involvement planning process.

I am requesting that the County intervene so that the 400 dwellings and the 100 mixed use units are divided among the different parcels in a manner that is more consistent with the developable potential of the land and take into account the natural physical constraints of the land. The existing process benefits the task force members and significantly hurts us.

Sincerely,

A handwritten signature in cursive script that reads "S. Del Castillo".

Saturnino Del Castillo



Department of Resource Management
675 Texas Street, Suite 5500
Fairfield, California 94533
www.solanocounty.com

*Planning Services Division
(707) 784-6765 Fax (707) 784-4805*

*Michael Yankovich
Planning Manager*

March 18, 2010

Mr. Saturnino Del Castillo
1630 Mason Road
Fairfield, CA 94534

Dear Mr. Del Castillo,

Thank you for your March 1, 2010 letter, addressed to Birgitta Corsello, which has been forwarded to me for response. In your letter, you express your unhappiness with the way the Middle Green Valley specific plan has progressed. There are also many assertions about the Middle Green Valley planning process in your letter, and I would like to address them one at a time, below. In addition, I would also like to clarify your options and opportunities under this Specific Plan process.

The purpose of the Middle Green Valley Specific Plan was established in the 2008 Solano County General Plan, adopted by the Board of Supervisors. The goal of the MGV Specific Plan is to "protect and maintain the rural character of Middle Green Valley while allowing opportunities for compatible residential development to occur." Central to this effort is a program that provides residential development credits to property owners who voluntarily forego or limit development on their lands.

Although it has been an ambitious undertaking, there is now a widespread consensus among landowners, neighbors, and other stakeholders regarding the Middle Green Valley Specific Plan. The process which led to this consensus included more than 15 public meetings conducted over a 12-month period, and over 100 smaller private meetings with individual landowners such as you.

Your letter expresses your desire that additional residential development credits be assigned to your property. The MGV Specific Plan does represent a significant opportunity for you, like other landowners, to potentially increase the value of your land, but only while still allowing for the protection of views and natural resources. The plan is not narrowly focused on potential increases in land value for you or for others, but includes important restrictions on non-developed portions of the land in Middle Green Valley in order to protect and maintain the area's character.

An appreciation for this character guided the General Plan's approach to Middle Green Valley.

Understanding that the Transfer of Development Rights (TDR) program assigns a certain number of *additional* units to your property, it would be understandable for any landowner to desire that still more be added. But before I address that issue, it is important to emphasize that neither the plan nor the TDR program diminishes your property. If you decide not to participate in the TDR program that accompanies the plan, the maximum number of units allowed on your property will be three (3) units, which is equivalent to the number that would be available under the General Plan (Agriculture – 20 acre lot minimum). Each of those 3 units will be subject to the use, development and design standards in the final approved Specific Plan, including but not limited to the allowed building areas. Your property's maximum number of units will accordingly not have been reduced by the plan or the TDR program.

Moreover, compared with other landowners, the TDR program also treats you fairly in terms of the number of units that it contemplates *adding* to your land. The most critical assertion of your letter is your belief that the existing process somehow benefits the landowner members of the Citizen Advisory Committee (CAC) members to your detriment. All significant landowners (+15 acres) have been treated the same because one of the essential parts of the MGV Specific Plan is that each acre of land is counted the same as any other acre in terms of assigning *new* residential units. Existing homes (units) and wineries are not being counted because the purposes of the plan include allowing for new compatible residential development without relying on existing homes or other facilities such as ranching or vineyard operations to subsidize or otherwise support the infrastructure of additional units.

The following chart describes all dwelling units among the participating landowners and shows that the your parcel is on par with the average acreage/unit ratio of all parcels and that two of the four landowners who sit on the CAC (Mason & Hager) have lower average density ratios than you. (Figures on existing units have been included for your information, even though the plan cannot include the existing units when allocating new units.) There are 20 existing homes on the parcels of participating landowners (including your parcel) and if they were counted, the average density would be 4.111 acres per total units, while the figure for your property would be different by one or two hundredths of an acre. In fact, as the figures show, most of the study area (+ 1000 acres) will have lower average densities than your parcel when existing units are included which would clearly demonstrate that no one is benefiting at your expense. Whether you calculate it based on new units or all units, your parcel – on average – is being treated fairly relative to everyone else in the study area.

Participating Landowners	Acreage	% of Participating Area	Allowed New Unit Count (TDR Program)	Existing Unit Count	Total Acres/All Units	Total Acres/New Units
Wiley*	15.6	0.9%	4	2	2.592	3.89
Siebe (Jean)	23.7	1.4%	7	2	2.629	3.38
Volkhardt	35.2	2.1%	9	1	3.524	3.92
Siebe (James)	18.2	1.1%	4	1	3.644	4.56
B+L Properties*	253.0	14.9%	58	6	3.953	4.36
Maher	146.8	8.6%	34	3	3.966	4.32
Engell	52.3	3.1%	12	1	4.020	4.36
Wirth	40.7	2.4%	9	1	4.066	4.52
Del Castillo	82.4	4.8%	19	1	4.120	4.34
Mason*	296.0	17.4%	68	2	4.229	4.35
Parenti	12.9	0.8%	3	0	4.293	4.29
Ragsdale	168.6	9.9%	39	0	4.322	4.32
Mason/Lawton Trust*	476.1	28.0%	110	0	4.328	4.33
Hager*	40.2	2.4%	9	0	4.467	4.47
Dedomenico	40.6	2.4%	9	0	4.507	4.51
SUBTOTAL	1,702	100.0%	394	20		
Average					4.111	4.32

* CAC Member

There are five other assertions that you made in your letter which also need to be addressed. These are summarized below, and I will address each of them separately:

1. The planners on this project have refused to help you.
2. Other landowners are receiving more rights to build higher density units or have additional mixed use units which you have not received.
3. The hillside lands are substantially less valuable than your parcel.
4. The 16 new dwelling units that would be reallocated if you choose not to participate represent a benefit to the other landowners which creates a conflict of interest for the CAC members.
5. The current plan leaves a substantial part of your parcel as agriculture while developing other lands on the valley floor that have better soil.

1. The planners on this project have refused to help you.

My understanding is that on two separate occasions in 2009, Mr. Brendan Kelly visited your home to discuss and review the MGV Specific Plan. In these meetings, Mr. Kelly described numerous accommodations to your requests that the Master Plan include:

- All (19) new dwellings on your parcel located near existing roads.
- No new public roads would bisect your parcel.
- No new additional homes would overlook your existing home.
- Some new dwellings would be allowed to be used for commercial purposes such as a restaurant on your parcel.
- Some new dwellings would be allowed to be used for senior living on your parcel.
- Views from your existing home to the east and the south would be protected from new development.
- All new units should be on parcels that are ½ acre minimum.

These individual accommodations in addition to several conversations between your son and me show that Solano County has made every reasonable effort to assist you and your family.

2. Other landowners are receiving more rights to build higher density units or have additional mixed use units which you have not received.

The plan describes three neighborhoods in addition to some hillside lots. There are several issues that involve the location of higher density units. Your parcel is not appropriate for a high density neighborhood because there is a major drainage that goes through the middle of your parcel. In addition, much of the eastern portion is in a flood zone and the western portion where your home sits is at an elevation that can be seen from Green Valley Road. Additionally, you asked that any new units on your land be on ½ acre minimum parcels. These factors are the reason why your parcel did not receive higher density units. Based on financial reasons, this should be an advantage to you since the lower density lots are calculated to be more valuable than the higher density lots.

3. The hillside lands are substantially less valuable than your parcel.

This Specific Plan is not an opportunity to simply develop more new homes in Middle Green Valley. The MGV Specific Plan is based on the premise that hillside lands, lands near creeks and ponds, and lands that are on steep slopes or in very high wildfire hazard areas are judged to be valuable, in the broader sense of that word, and need to be protected. Although you would be free to speculate that your land may one day be zoned for significantly higher densities, the MGV Specific Plan is not premised on that aspiration. Instead, it must treat all lands which have been

designated Agriculture (20 acre minimum) the same in terms of assigning new units. It is the only fair way we have found to get almost all landowners to agree on a way to implement the important policies of the 2008 General Plan for Middle Green Valley.

4. The 16 new dwelling units that would be reallocated if you choose not to participate represent a benefit to the other landowners which creates a conflict of interest for the CAC members.

The 19 new dwelling units that are currently assigned to your parcel represent a 600% increase in the number of allowed new units over your current Agriculture designation (20 acre minimum). Although this increase comes with restrictions on how the remaining portions of your land can be developed, it has the potential to significantly increase the value of your land. Because the 400 new units called for in the General Plan require a certain level of infrastructure to support this growth, an important part of the planning process is determining where these new units are to be located. Your land and corresponding new units represent less than 5% of the Specific Plan. Should you choose to not participate, three units will be assigned to your parcel and the remaining 16 will be reallocated to ALL landowners on a pro rata basis based on acreage – even those who are sending units to other parcels. This is simply a way to determine where the growth in Middle Green Valley can occur so that all landowners can move forward. If you do not request these *added* units and agree to the limitations that this *new* allowance requires, then you will have the number of units allowed under the General Plan (Agriculture -20 acre minimum - 3 units). This choice applies to ALL landowners – not simply the members of the CAC. The units have been divided equally and there is no conflict of interest on the part of the CAC because this situation applies to everyone. If another property owner chooses not to participate, all other participating landowners will receive additional units – including you.

5. The current plan leaves a substantial part of the Del Castillo parcel as agriculture while developing other lands on the valley floor that have better soil.

We recognize that your parcel is not considered Prime Farmland and there is no dispute that other lands in Green Valley are being planned for development on lands that may have more suitable soil for agriculture than your parcel. The MGV Specific Plan, however, is bound to meet several policies including view shed protection, wetland avoidance, wildlife corridor protection, while at the same time investigating mechanisms to ensure agricultural viability. We know from speaking to several local farmers that all lands in Middle Green Valley have many challenges in terms of making agriculture economically feasible. Soil types are among the factors we considered when placing new development but it was not the only criterion we could consider.

In summary, your request that the MGV Specific Plan be revised to accommodate your specific wishes would be very difficult and would delay what has already been a year long effort. I encourage you to review my February 2010 letter to you, which further addresses your choices and

opportunities under this Plan.

The Planning Commission will be reviewing the Specific Plan, Environmental Impact Report and Development Agreement in the near future and is expected to forward a recommendation to the Board of Supervisors, who have the final decision making authority. You are encouraged to participate in the upcoming public hearings.

Sincerely,

A handwritten signature in black ink that reads "Michael G. Yankovich". The signature is written in a cursive style with a large, stylized initial "M".

Michael G. Yankovich

cc: Brendan Kelly