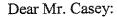
CONFIDENTIAL

December 3, 2004

Thomas F. Casey III County Counsel County of San Mateo Hall of Justice and Records 400 County Center, 6th Floor Redwood City, CA 94063





We regret to have to inform you that during the review and investigation of County administrative and State Court records in preparation for the settlement conference in the pending Federal civil rights case, we have uncovered substantial evidence and facts supporting the undeniable conclusion that the County, its officials and staff have engaged in a series of illegal actions under the color of law against Oscar and Dr. Andrea Braun. The County's vindictive and disparate acts were motivated by animus against the Brauns in retaliation for their exercise of constitutionally protected free speech rights guaranteed by the First Amendment. In addition, the County unlawfully treated the Brauns as a member of its exclusive "class-of-one" club in violation of the Equal Protection clause of the Fourteenth Amendment.

For the record, numerous instances of the County's flagrant misstatement of the administrative and court records and total disregard of critical governmental actions are documented in the Braun's reply settlement letter, dated November 29, 2004, delivered to Michael Murphy, Chief Deputy County Counsel. The County's formal report to the Board of Supervisors, dated July 12, 2004, purportedly submitted to confirm actions required to implement the previously adopted state court approved settlement, contains false and misleading information and conveniently omits critical and relevant events pertinent to the Braun's case. The following is only a partial list of the County's most egregious and deceptive conduct in its unlawful campaign against the Brauns:

- The record ignores the existence of the then pending December 1998 case under the jurisdiction of the San Mateo Municipal Court and fails to acknowledge the payment of the County's requested fees in the amount of \$3,720 by the Brauns. The record nevertheless documents the imposition of a \$271 fine in the same case by the court;
- The record while citing the public hearing fails to document the unprecedented actions taken by the Board of Supervisors at the January 15, 2002 hearing (requirement of advance payment of both planning and building permit fees, ordering new investigation into issues outside the scope of the pending application against the advice of county counsel, and ordering staff to record notice of violation);

- The record omits the County's action in recording multiple and punitive notices of violations against the Braun's Moon Acres Ranch;
- The County's staff report submitted to confirm actions required under the state court approved settlement previously adopted by the Board of Supervisors did not even have the settlement agreement attached for review by interested members of the public. Moreover, the County knowingly violated the court's admonition against the requirement for a *de novo* review and appeal rights to the California Coastal Commission. [The County intentionally violated Judge Weiner's admonition and the doctrine of separation of powers cited by and relied upon by the court in a decision made by Judge Sheldon and upheld by the appellate court (*Yamagiwa v. California Coastal Commission*)];
- The County's flagrant violation of the court approved settlement occurred despite timely cautionary statements made by counsel for the Brauns on at least two different times, including during the time of the Board of Supervisors hearing where the unlawful action was taken;
- The County violated the court approved settlement agreement by failing to timely issue planning permits required by the agreement's deadline. (It is ironic that the County acknowledged the issuance of the Coastal Development Permit during the Federal settlement conference by signing the Notice of Final Local Decision, dated July 29, 2004, on November 30, 2004, only after review and request by the settlement judge (the judge in his own hand-writing wrote across the top of the document faxed to the court by the County: "This is a Coastal Development Permit.").

The foregoing is only a brief summary of the County's numerous unlawful acts documented by the facts and evidence. In case the County takes comfort in denying the potential liability for the consequences of its actions, you may want to review the multimillion dollar judgment (\$22.5 million) and the jury's verdict in the recent *McClure v*. *City of Long Beach* case (U.S. District Court, Central District of California). The McClure case involved the city's use of the building department to cite plaintiffs for building conditions not previously or subsequently considered violation in order to stop a project. The Jury Forewoman was quoted after the verdict as saying, "The city wasn't consistent because of the building violations. They didn't prosecute anybody else. We felt that they weren't consistent and that they did single her (plaintiff) out."

I am saddened to have to report that the compelling evidence and the unconscionable and reckless violation of the Braun's civil rights based on predicate acts of the identified enterprise requires the active involvement of civil RICO counsel to initiate a thorough review of the case against all defendants, including individual County officials and staff in their personal capacities as well as COSA member organizations and individuals as permitted under the law.

Thomas F. Casey III December 3, 2004 Page Three

As an e-publisher (www.oscarknows.com), I intend to hold a press conference next week before the assembled Peterson trial international media to announce the amended release of al defendants names and court documents gathered to date regarding the writ of mandamus suit still before Judge Weiner, the U.S.C. §1983 and the pending civil RICO cases. The public and media will be kept informed in real time by visiting www.noricogov4.us.

We seriously urge the County to achieve a global settlement with the Brauns next week by agreeing to the following terms. (If you have any questions, you are requested to contact the Braun's settlement counsel, Frank Iwama, at the Hannig Law Firm):

- County will pay damages in the amount of \$36 million and the Braun's attorney's fees and costs for the violation of the Braun's constitutionally protected civil rights;
- County will immediately issue ALL planning and building legalization permits for ALL existing Moon Acres Ranch development and close file # PLN 1999-0079;
- County Planning Commission will immediately suspend the Devil's Slide Tunnels Coastal Development Permit and order Caltrans to conduct a third Supplemental EIR/EIS of the 1986 Devil's Slide Hwy-1 Improvement Project studying the impacts of construction activities (blasting, etc.) on federally listed species, wetlands, and the slip/slide plane beneath the current Hwy-1 route at Devil's Slide as required under NEPA and CEQA to retain federal funding;
- The Brauns and the County will sign "Settlement Confidentiality Agreements" barring any disclosure of the settlement terms and conditions of the pending U.S.C. §1983 lawsuit;
- As part of the global settlement, no member of the County Board of Supervisors or County staff will be considered as named defendants in the pending "COSA" enterprise civil RICO lawsuit;
- \bullet The Brauns will immediately cease the publication of ANY information regarding the pending U.S.C §1983 lawsuit against the County.

Perhaps this is a good time for Supervisors Richard Gordon, Mike Nevin, Jerry Hill, Rose Gibson and Mark Church to reflect on the motto adopted for the Oscar Knows publishing network: "Change is inevitable...Survival is not." Will next year be filled with advancing their political aspirations and career goals? Or will they self-destruct not only their personal lives but their political lives? Andrea and I sincerely hope not and pray that the Board of Supervisors elect to bring closure this U.S.C. §1983 nightmare immediately.

Thomas F. Casey III December 3, 2004 Page Four

Merry Christmas and God Bless to all.

Very truly yours,

OSCAR BRAUN

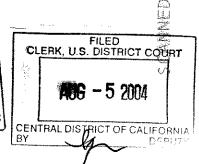
Cc: Terry Burnes

Marcia Raines
William Cameron
Jim Eggemeyer
Dean Peterson
Ann Jenson

Enclosures

Priority
Send
Enter
Closed
JS-5/JS-3
JS-2/JS-3
Scan Only





UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SHIRLEY McCLURE and JASON McCLURE,) NO. CV 92-2776-E

Plaintiffs,)

V.) JUDGMENT

CITY OF LONG BEACH, et al.,)

Defendants.

This action came on for trial before the Court and a jury, the Honorable Charles F. Eick, United States Magistrate Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict,

IT IS ORDERED AND ADJUDGED:

1. That Plaintiff Shirley McClure recover of Defendants
City of Long Beach, Jeffrey Kellogg, Ray Grabinski,
and Eugene Zeller, jointly and severally, the sum of
\$20,000,000, with interest thereon at the rate
provided by law, and Plaintiff Shirley McClure's
costs of action; and

1	
2.	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	1
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	***************************************
26	

2004.

2.	That Plaintiff Jason McClure recover of Defendants
	City of Long Beach, Jeffrey Kellogg, Ray Grabinski
	and Eugene Zeller, jointly and severally, the sum of
	\$2,500,000, with interest thereon at the rate
	provided by law, and Plaintiff Jason McClure's costs
	of action.

Dated at Los Angeles, California, this 5th day of August,

CHARLES F. EICK UNITED STATES MAGISTRATE JUDGE



UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SHIRLEY AND JASON McCLURE,

Plaintiffs,

v

14 CITY OF LONG BEACH, et al.,

Defendants.

NO. CV 92-2776-E

VERDICT

DOCKETED ON CM

AUG 1 7 2004

-*

VERDICT OF THE JURY

We, the jury in the above entitled action, find the following verdict on the questions submitted to us.

VERDICT ON CLAIMS BROUGHT BY SHIRLEY MCCLURE I.

Interrogatory No. 1

Do you find in favor of Shirley McClure and against the City of Long Beach on Shirley McClure's claim for violation of section 3604(f) of the Fair Housing Act?

Interrogatory No. 2

Do you find in favor of Shirley McClure and against the City of Long Beach on Shirley McClure's claim for violation of section 3617 of the Fair Housing Act?

- 10 M No. 10

2.

1.

Do you find in favor of Shirley McClure and against Jeffrey Kellogg on Shirley McClure's section 1983 claim that Jeffrey Kellogg, while acting under color of law, violated Shirley McClure's right to Equal Protection under the United States Constitution?

<u>468</u> Yes

No

Instruction Preceding Interrogatory No. 4

Answer Interrogatories Nos. 4, 5, and 6 only if you answered "yes" to Interrogatory No. 3. If you did not answer "yes" to Interrogatory No. 3, do not answer any of Interrogatories Nos. 4, 5, or 6 and, instead, go directly to Interrogatory No. 7.

Interrogatory No. 4

Do you find that Jeffrey Kellogg, while acting under color of law, violated Shirley McClure's right to Equal Protection under the United States Constitution by intentionally treating Shirley McClure differently from others similarly situated out of malice?

 $\frac{\text{Yes}}{\text{Yes}}$

1.

Do you find that Jeffrey Kellogg, while acting under color of law, violated Shirley McClure's right to Equal Protection under the United States Constitution by intentionally treating Shirley McClure differently from others similarly situated because of an irrational prejudice against persons with Alzheimer's disease?

UCS Yes



Interrogatory No. 6

Do you find that Jeffrey Kellogg, while acting under color of law, violated Shirley McClure's right to Equal Protection under the United States Constitution by intentionally treating Shirley McClure differently from others similarly situated in a way that was plainly arbitrary?



No

2

1

3 4 c

6

7

8

10

11

12

13 14

15

16

17

18 19

20 21

22

23

24

25

26

27

28

Do you find in favor of Shirley McClure and against Ray Grabinski on Shirley McClure's section 1983 claim that Ray Grabinski, while acting under color of law, violated Shirley McClure's right to Equal Protection under the United States Constitution?

yes Yes

No

Instruction Preceding Interrogatory No. 8

Answer Interrogatories Nos. 8, 9, and 10 only if you answered

"yes" to Interrogatory No. 7. If you did not answer "yes" to Interrogatory No. 7, do not answer any of Interrogatories Nos. 8, 9,

or 10 and, instead, go directly to Interrogatory No. 11.

Interrogatory No. 8

Do you find that Ray Grabinski, while acting under color of law,

violated Shirley McClure's right to Equal Protection under the United

States Constitution by intentionally treating Shirley McClure

differently from others similarly situated out of malice?

Yes

Yes

No

τ,

Do you find that Ray Grabinski, while acting under color of law, violated Shirley McClure's right to Equal Protection under the United States Constitution by intentionally treating Shirley McClure differently from others similarly situated because of an irrational prejudice against persons with Alzheimer's disease?

4e5



Interrogatory No. 10

Do you find that Ray Grabinski, while acting under color of law, violated Shirley McClure's right to Equal Protection under the United States Constitution by intentionally treating Shirley McClure differently from others similarly situated in a way that was plainly arbitrary?



No

_ ...

Do you find in favor of Shirley McClure and against Eugene Zeller on Shirley McClure's section 1983 claim that Eugene Zeller, while acting under color of law, violated Shirley McClure's right to Equal Protection under the Constitution of the United States?

<u>988</u> _____

Instruction Preceding Interrogatory No. 12

No

Answer Interrogatories Nos. 12, 13, and 14 only if you answered "yes" to Interrogatory No. 11. If you did not answer "yes" to Interrogatory No. 11, do not answer any of Interrogatories Nos. 12, 13, or 14 and, instead, go directly to the Instruction Preceding Interrogatory No. 15.

Interrogatory No. 12

Do you find that Eugene Zeller, while acting under color of law, violated Shirley McClure's right to Equal Protection under the United States Constitution by intentionally treating Shirley McClure differently from others similarly situated out of malice?

Yes No

Do you find that Eugene Zeller, while acting under color of law, violated Shirley McClure's right to Equal Protection under the United States Constitution by intentionally treating Shirley McClure differently from others similarly situated because of an irrational prejudice against persons with Alzheimer's disease?

 $\frac{\mathcal{Y}eS}{\text{Yes}}$

Interrogatory No. 14

Do you find that Eugene Zeller, while acting under color of law, violated Shirley McClure's right to Equal Protection under the United States Constitution by intentionally treating Shirley McClure differently from others similarly situated in a way that was plainly arbitrary?

Yes No

Instruction Preceding Interrogatory No. 15

Answer Interrogatory No. 15 only if you answered "yes" to one or more of Interrogatories Nos. 1, 2, 3, 7 or 11. If you did not answer "yes" to any of Interrogatories Nos. 1, 2, 3, 7 or 11, do not answer Interrogatory No. 15 and, instead, go directly to Interrogatory No. 16.

Interrogatory No. 15

What sum of money, as compensatory or nominal damages, do you award in favor of Shirley McClure?

\$ 80 MILLION

1	
2	
3	Interrogatory No. 16
4	
5	Do you find in favor of Jason McClure and against the City of
6	Long Beach on Jason McClure's claim for violation of section 3604(f)
7	of the Fair Housing Act?
8	
9	$\frac{9eS}{\text{Yes}} = \frac{N_0}{N_0}$
10	
11	
12	Interrogatory No. 17
13	
14	Do you find in favor of Jason McClure and against the City of
15	Long Beach on Jason McClure's claim for violation of section 3617 of
16	the Fair Housing Act?
17	
18	48
19	Yes No
2 0	
21	Interrogatory No. 18
22	incorregatory not re
23	Do you find in favor of Jason McClure and against Jeffrey Kellogg
24	on Jason McClure's section 1983 claim that Jeffrey Kellogg, while
25	acting under color of law, violated Jason McClure's right to Equal
26	Protection under the United States Constitution?
27	\sqrt{a}
28	Yes No

VERDICT ON CLAIMS BROUGHT BY JASON MCCLURE

Instruction Preceding Interrogatory No. 19

Answer Interrogatories Nos. 19, 20, and 21 only if you answered "yes" to Interrogatory No. 18. If you did not answer "yes" to Interrogatory No. 18, do not answer any of Interrogatories Nos. 19, 20, or 21 and, instead, go directly to Interrogatory No. 22.

Interrogatory No. 19

Do you find that Jeffrey Kellogg, while acting under color of law, violated Jason McClure's right to Equal Protection under the United States Constitution by intentionally treating Jason McClure differently from others similarly situated out of malice?

Interrogatory No. 20

Do you find that Jeffrey Kellogg, while acting under color of law, violated Jason McClure's right to Equal Protection under the United States Constitution by intentionally treating Jason McClure differently from others similarly situated because of an irrational prejudice against persons with Alzheimer's disease?

16			
Yes		No	

. ...

Do you find that Jeffrey Kellogg, while acting under color of law, violated Jason McClure's right to Equal Protection under the United States Constitution by intentionally treating Jason McClure differently from others similarly situated in a way that was plainly arbitrary?

Ye5
Yes
No

Interrogatory No. 22

Do you find in favor of Jason McClure and against Ray Grabinski on Jason McClure's section 1983 claim that Ray Grabinski, while acting under color of law, violated Jason McClure's right to Equal Protection under the United States Constitution?

Yes No

Instruction Preceding Interrogatory No. 23

Answer Interrogatories Nos. 23, 24 and 25 only if you answered "yes" to Interrogatory No. 22. If you did not answer "yes" to Interrogatory No. 22, do not answer any of Interrogatories Nos. 23, 24 or 25 and, instead, go directly to Interrogatory No. 26.

Interrogatory No. 23

Do you find that Ray Grabinski, while acting under color of law, violated Jason McClure's right to Equal Protection under the United States Constitution by intentionally treating Jason McClure differently from others similarly situated out of malice?

<u>Yes No</u>

Interrogatory No. 24

Do you find that Ray Grabinski, while acting under color of law, violated Jason McClure's right to Equal Protection under the United States Constitution by intentionally treating Jason McClure differently from others similarly situated because of an irrational prejudice against persons with Alzheimer's disease?

 $\frac{\mathcal{Y}_{\text{Yes}}}{\mathcal{Y}_{\text{No}}}$

Do you find that Ray Grabinski, while acting under color of law, violated Jason McClure's right to Equal Protection under the United States Constitution by intentionally treating Jason McClure differently from others similarly situated in a way that was plainly arbitrary?

Yes No

Interrogatory No. 26

Do you find in favor of Jason McClure and against Eugene Zeller on Jason McClure's section 1983 claim that Eugene Zeller, while acting under color of law, violated Jason McClure's right to Equal Protection under the Constitution of the United States?

Yes No

Instruction Preceding Interrogatory No. 27

Answer Interrogatories Nos. 27, 28, and 29 only if you answered "yes" to Interrogatory No. 26. If you did not answer "yes" to Interrogatory No. 26, do not answer any of Interrogatories Nos. 27, 28, or 29 and, instead, go directly to the Instruction Preceding Interrogatory No. 30.

Interrogatory No. 27

Do you find that Eugene Zeller, while acting under color of law, violated Jason McClure's right to Equal Protection under the United States Constitution by intentionally treating Jason McClure differently from others similarly situated out of malice?

$$\frac{\sqrt{e^{\varsigma}}}{\text{Yes}}$$
 No

Interrogatory No. 28

Do you find that Eugene Zeller, while acting under color of law, violated Jason McClure's right to Equal Protection under the United States Constitution by intentionally treating Jason McClure differently from others similarly situated because of an irrational prejudice against persons with Alzheimer's disease?

Do you find that Eugene Zeller, while acting under color of law,

violated Jason McClure's right to Equal Protection under the United States Constitution by intentionally treating Jason McClure differently from others similarly situated in a way that was plainly arbitrary?

No

Instruction Preceding Interrogatory No. 30

Answer Interrogatory No. 30 only if you answered "yes" to one or more of Interrogatories Nos. 16, 17, 18, 22, or 26. If you did not answer "yes" to any of Interrogatories Nos. 16, 17, 18, 22, or 26, do not answer Interrogatory No. 30 and, instead, go directly to the end of the verdict form and sign and date the verdict form.

Interrogatory No. 30

What sum of money, as compensatory or nominal damages, do you award in favor of Jason McClure?

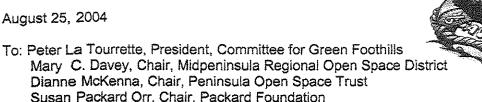
\$ 2.5 MILLION dollARS

3 DATED:

8/4/04

PRESIDING JUROR

"Change is inevitable... Survival is not."



From: John Plock, Oscar & Dr. Andrea Braun, Founders & Directors, Half Moon Bay Coastside Foundation aka Save Our Bay

Subject: Notice of Intent to file complaint for violation of RICO, 18 U.S.C. Sections 1962 & 1964 lawsuit against the Coastal Open Space Alliance aka COSA.

Lewis W. Coleman, President, Moore Foundation

Dear Directors.

It is with sadness that the Board of Directors of the Save Our Bay Foundation approves this Notice of Intent (NOI) to file a complaint for violation of RICO, 18 U.S.C. Sections 1962 & 1964 lawsuit against the Coastal Open Space Alliance aka COSA. The individual directors and organizations that receive this NOI have been named as members of the COSA RICO enterprise. Our Board has directed Oscar Braun, Executive Director of Save Our Bay to provide a confidential briefing directly to the Board members of the COSA enterprise. Oscar Braun will respond to all questions regarding the filing of this RICO action and disclose the defendants named in the complaint. Mr. Braun can be reached at his office during business hours at 650-726-3307 or emailed at Oscar@saveourbay.org.

COSA, the "no growth, anti-community" cartel, launched their racketeering land grabbing campaign called **Saving the Endangered Coast** in early spring of 2001 (see enclosed POST letter May 17, 2001). In December 2001, the infamous COSA RICO mob boss, Lennore Roberts demanded that the San Mateo County Board of Supervisors order an abatement of Oscar and Andrea Braun's Moon Acres Ranch (see enclosed Save Our Bay letter dated December 26, 2001). In August 2002, the Board of Supervisors granted COSA their appeal and ordered the abatement of the Braun's Moon Acres Ranch.

In 2002 and 2003, the Braun's and Save Our Bay filed two lawsuits against the County of San Mateo alleging that the Board of Supervisors, while acting under color of law, violated the Braun's right to Equal Protection under the U.S. Constitution, intentionally treated the Braun's differently from others similarly situated in a way that was plainly arbitrary and an act of malicious retaliation. On July 27, 2004, the San Mateo County Board of Supervisors settled the first of the two lawsuits which included an "admission of guilt" for violating the Braun's Constitutional 1st and 14th amendment rights. Today, the U.S. District Court, Northern District of California, San Francisco Division appointed a settlement judge to preside over the civil rights statute violations found in section 1983. The County of San Mateo has already been provided a NOI to file this RICO lawsuit and they have also been informed that the Board of Supervisors as individuals are among the named defendants.

SAVE OUR BAY FOUNDATION



"Change is inevitable...

Survival is not."

Protecting California's Future

December 26, 2001

To: Honorable SMC Board of Supervisors

From: Oscar & Andrea Braun

Subject: Stable/Affordable Housing Appeal of PLN-1999-00079

The purpose of this letter is to respectfully request that the Board of Supervisors uphold the SMC Planning Commission's legalization of our horse stable and affordable housing without conditions or mitigation measures. We request that the Board also take into consideration the following track record of the appellants during their review.

On December 6, 1995, Lenny Roberts told the San Mateo County Board of Supervisors that they are "partners" with the Committee for Green Foothill and Sierra Club for implementing the 1994 Coastside Protection Initiative. Ms. Roberts directed the Board of Supervisors to instruct the Planning Commission to begin the legislative process contained in their 1994 initiative. The Board was further instructed that the Planning Commission focus only on the specific amendments contained in their initiative and not broaden the proposal beyond that. These specific amendments included: Reduction of government expenditures; reduction of costs to San Mateo County taxpayers for roads, law enforcement, fire protection, and other government services for scattered and remote development (aka Rural Lands). The initiative defined perceived "Development Treats" and claimed that pressure for extensive development on the Coastside was severe, especially with proposed construction of increased water supplies, additional sewage treatment facilities, and larger highways.

The official public record shows what accomplishments the 1994 Coastside Protection Partnership has brought to the voters of San Mateo County and the quality of life on the Coastside.

- In 1999 & 2000 San Mateo County was found to be the most polluted county in the Bay Area...from sewage discharge and stormwater runoff by the Natural Resource Defense Council.
- All roads in the San Mateo County coastal zone are sub-standard and the CGF/Sierra Club Tunnel boondoggle has successfully failed the EIR process for the third time. The Tunnel Task Force greatest achievement has been Devil's Slide Hwy 1 improvement delay and loss of Federal funding.
- The San Mateo County Wildlands/Urban Interface (WUI) now has the highest risk level in history for a catastrophic WUI wildfire threatening the Bay Area's regional water system. The CCWD currently cannot deliver enough water or head pressure in the event of a WUI fire in approximately 40% of the Coastside.
- Effectively blocked PMAC supported flood control implementation measures to protect CDF Fire/Rescue/Emergency access to Pescadero



"Change is inevitable... Survival is not."

Protecting California's Future

from the West continues to be delayed . Endless CCC appeals resulting in: No Boys & Girls Club, no middle schools, no nun convents, no expanded health care clinic services, no affordable housing for our community employees, even less substandard sheriff and fire protection throughout the Rural Lands.

San Mateo County has allowed, without benefit of USFWS or State Fish & Game site plan or EIR review, at least four prohibited and detrimental commercial/industrial classified operations that violate the Clean Water Act and the Endangered Species Act. The prohibited and detrimental commercial/industrial operations are Shamrock Ranch, Wildlife Associates, Half Moon Bay Sealing & Paving and Johnston Ranch unlicensed landfill. The County of San Mateo Planning Commission has reclassified prohibited uses and found, based on the advice of the Planning Administrator and lobbying by the Committee for Green Foothills Lenny Roberts, that these four commercial/industrial operators activities conducted statutory delineated critical environmentally sensitive habitats qualify as non-residential uses accessory to agriculture and permitted by right in the Planned Agricultural District on either prime or non-prime soils. By allowing these reclassified prohibited and detrimental commercial/industrial facilities uses to operate without benefit of EIR review or permits, the County of San Mateo violates both CEOA/ NEPA environmental review statutes. Clean Water Act or Endangered Species violations disqualifies the County from receiving State or Federal permit approval (ROD) and funding.

In closing, as stated on the record before the Planning Commission: Applicants do not concur with the Mitigation Measures for Case #PLN 1999-0079, a project to legalize Moon Acres agricultural structures. San Mateo County Environmental Services Agency, at the direction of Lenny Roberts, has conducted a four year campaign of unlawful punitive retaliation against the Braun family in response to their "lawful whistle blowing" complaints brought by the Half Moon Bay Coastside Foundation's Watershed against the PosseCounty. Environmental Services has coerced and unlawfully compelled the Brauns to sign the mitigation agreement document. The Brauns have suffered significant financial damages from the actions of the San Mateo County Environmental Services Agency and are not precluded from now giving their notice of intent (NOI) to file a criminal complaint with the U.S. Attorney for violations under the U.S. antiracketeering and environmental protection statutes.

In our opinion, as long as the San Mateo County Board of Supervisor's supports the agenda and purpose of the Anti-Community Alliance's (Committee for Green Foothills, Sierra Club, Peninsula Open Space Trust, Mid-Peninsula Open Space District) 1994 Coastside Protection Initiative, the quality of life, health and safety of all communities in San Mateo County will continue to be at risk.

SAVEOURBAY.ORG 1589 HIGGINS CANYON RD. HALF MOON BAY, CA 94019 PH 650-599-1954 FAX 650-726-2799



Peninsula Open Space Trust

Board of Directors

Allan F. Brown Patricia A. Compton Vince S. Garrod Sukey Grousbeck Christina A. Holloway Robert C. Kirkwood Dianne McKenna Norman E. Maueoni David W: Mitchell Paul Newhagen Bill Relier Karie Thomson T. Chester Wang Anne M. Westerfield

Advisory Council

Robert Augsburger James E. Baer Eleanor Boushey Sheldon Breiner, Ph.D. Robert V. Brown Villiam H. Clark, M.D. Crane bis Crozier-Hogie Laurence Dawson Herbert J. Dengler J. Philip Di Napoli Phyllis Draper Clarence J. Ferrari, Jr. David L. Fiercher Rosemary Hewlett Patricia L. Hooper Mary P. Hufty, M.D.

Suzanne B. King

Melvin B. Lane Robert W. McIntyre George M. Marcus Jacqueline Mayer Robert H. Miller Gordon E. Moore, Ph.D. Bette Moorman Janet Morris Susan P. Ott F. Ward Paine Paul O. Reimer Barbara Doyle Roupe Alexander H. Schilling, Jr. Fritz Snideman Geraldine F. Steinberg Rosemary Young Lea Zaffaroni

President

Audrey C. Rust

Dr. Andrea Stoll-Braun 425 Burgess Drive Menlo Park, CA 94025

Dear Dr. Stoll-Braun,

Recently the Peninsula Open Space Trust (POST) announced a major campaign to protect one of our areas' most extraordinary and endangered landscapes: the rural San Mateo Coast. Because you are a member of the POST community, I want to share some personal thoughts with you about this unprecedented initiative.

May 17, 2001

The land we are working to save through this campaign is the open natural landscape of the rural San Mateo coast: from Skyline to the Ocean, from Pacifica south to Año Nuevo.

The campaign's goals are large, matching the size and importance of these lands. The campaign's financial goal of \$200,000,000 is far beyond what we could have even considered only a few years ago.

Fortunately for all of us who love the open lands of the Peninsula, we have a huge head start in realizing our goal.

The David and Lucile Packard Foundation and the Gordon and Betty Moore Foundation have pledged \$100,000,000 toward this campaign. They have challenged all of us to step up and commit the rest. Their leadership inspires us to take on the challenge to raise the additional \$100,000,000. Your ongoing support gives us the courage to launch an endeavor of this magnitude.

This campaign, Saving the Endangered Coast, is the largest land protection initiative ever undertaken by any land trust. Its ambitious goal and sheer size are dictated by the fact that these open coastal lands are irreplaceable. Because of this campaign, we know we will never look back with regret at not acting now to protect this special place.

We know that in order to protect these lands, we must buy them. That is the only way to control inappropriate development, and ensure that this extraordinary place does not become ordinary.

3000 Sand Hill Road, 4-135 Menio Park, California 94025 Tel: (650) 854-7696 Fax: (650) 854-7703 www.openspacetrust.org

We also realize that it's a miracle these lands are still undeveloped, still available to protect. This is the opportunity. The challenge is to raise the capital needed to acquire these lands.

I was inspired to chair this campaign because of what the coast has meant to my family and myself. I was able to bring my children to the coast when they were young, and now that they are old enough, they come on their own to hike, explore and surf. Someday I hope to share the wonders of the coast with my grandchildren so they can enjoy its wild beauty, the cultivated fields and the rugged ocean cliffs as much as I do.

It is with a sense of urgency that I encourage all of us to help protect the rural coastal lands. You and every POST supporter will be asked to contribute to the campaign. Protecting these lands will give us all, for the rest of our lives, an enormous sense of accomplishment.

Margaret Mead's words come to mind as I consider what we are taking on: Never doubt that a group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.

You, as a key member of the POST community, can safeguard the landscape and resources that exist only on our coast, in our part of the world.

Thank you for all you continue to do for open space. I look forward to keeping you up to date on our campaign, Saving the Endangered Coast.

Sincerely,

Karie Thomson

Chair, Coastal Campaign Committee

Peninsula Open Space Trust