

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



August 25, 2004

To: Peter La Tourrette, President, Committee for Green Foothills  
Mary C. Davey, Chair, Midpeninsula Regional Open Space District  
Dianne McKenna, Chair, Peninsula Open Space Trust  
Susan Packard Orr, Chair, Packard Foundation  
Lewis W. Coleman, President, Moore Foundation

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

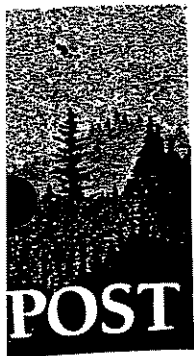
**Subject:** Notice of Intent to file complaint for violation of RICO, 18 U.S.C.  
Sections 1962 & 1964 lawsuit against the Coastal Open Space  
Alliance aka **COSA**.

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](mailto: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 1<sup>st</sup> and 14<sup>th</sup> 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.



## 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. Matteoni  
David W. Mitchell  
Paul Newhagen  
Bill Reller  
Karie Thomson  
T. Chester Wang  
Anne M. Westerfield

### Advisory Council

Robert Augsburg  
James E. Baer  
Eleanor Boushey  
Sheldon Breiner, Ph.D.  
Robert V. Brown  
William H. Clark, M.D.  
Joe Crane  
Lois Crozier-Hogle  
Laurence Dawson  
Herbert J. Dengler  
J. Philip Di Napoli  
Phyllis Draper  
Clarence J. Ferrari, Jr.  
David L. Fletcher  
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. Orr  
F. Ward Paine  
Paul O. Reimer  
Barbara Doyle Rouse  
Alexander H. Schilling, Jr.  
Fritz Snideman  
Geraldine F. Steinberg  
Rosemary Young  
Lea Zaffaroni

### President

Audrey C. Rust

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

May 17, 2001

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.

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.

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.

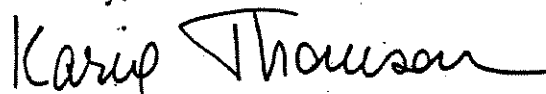
It is with a sense of urgency that I encourage all of us to help protect the rural coastal lands. You and every POST supporter will be asked to contribute to the campaign. Protecting these lands will give us all, for the rest of our lives, an enormous sense of accomplishment.

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,

A handwritten signature in dark ink that reads "Karie Thomson". The signature is fluid and cursive, with the first name "Karie" and the last name "Thomson" clearly distinguishable.

Karie Thomson  
Chair, Coastal Campaign Committee  
Peninsula Open Space Trust

# SAVE OUR BAY FOUNDATION



## Protecting California's Future

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

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



# Protecting California's Future

*"Change is inevitable..."*

*Survival is not."*

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 in 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 four reclassified prohibited and detrimental commercial/industrial facilities uses to operate without benefit of EIR review or permits, the County of San Mateo violates both CEQA/ 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 Coastsides Foundation's Watershed Posse against the County. 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. anti-racketeering 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 Coastsides Protection Initiative, the quality of life, health and safety of all communities in San Mateo County will continue to be at risk.