

Letters & - A Newsletter of Letters and Writings



ADDRESSO'SET PUBLICATIONS

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San Francisco Estuary Project - An EPA Plot to Take Over All Central Valley Water - It Takes Governor Approval

Franklin H. Ernst Jr., M.D. attended many of the "San Francisco Estuary Project" meetings. He wrote extensively about these meetings. Several of his letters and reports are included in this newsletter. Many games people play are described. "Consensus" is dissected. The OK Corral defines the social forces involved in "consensus" production as limiting outcomes

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To whom it may concern,

10/22/92

The enclosed report primarily addresses the U S Environmental Protection Agency plan to gain **control over all the land AND water within the California Central Valley and Bay Area** on out to the Golden Gate via the ruse of gaining jurisdiction over that "watershed" area. The plan name is the "**San Francisco Estuary Project Comprehensive Conservation Management Plan.**"

Coming in a close second in this report here is the companion feature of bills "coincidentally" appearing in California legislature placing appointee Commissioners in charge of "regions" of local county and municipal governments.

The San Francisco Estuary Project and its document is a plan to gain control of ALL land within the "watershed" of the California Central Valley and out through the S F Bay to the Golden Gate. It is explicit about breaking any and all water contracts now in existence. This would embrace close to 50% of California territory and more that 50% of California's water supply. It would divert more fresh water into the salty Bay at the expense of all of California's economy and people.

This particular EPA "San Francisco Estuary Project" (SFEP) is one of EPA's 17 on line "National Estuary Projects." Staff report another 11 in the works.

This SFEP has been reported to have been on their drawing boards variously 2, 5, 8 years. It received its public unveiling on 8/24/92 with Project Director's cover letter. Public hearings and written input periods were crowded into the next 5 weeks, closed down 10/2/92. Efforts to get public consideration time extended were countered by some vague and undefined authority which to date has not been produced despite "U S Freedom Of Information Act" request by this writer.

Effectively this SFEP has been concealed from public awareness. It has been staged to come out with reduced media and newspaper coverage by placing the public notification period astride the heat of the General and Presidential Election campaigns of 1992. Like any good magician, EPA timed the exposition of this Project to occur when the audience (public) attention was on another activity on the stage. Project's sleight-of-hand (and mouth) is good; refusal cite authority for its being, its actions, briefness public review period, etc.

Other questionable actions include refusal, to date, to allow this reporter to buy transcript of hearings, refusal allow local public hearing televising.

Special points of interest:

- The San Francisco Estuary Project and its document is a plan to gain control of ALL land within the "watershed" of the California Central Valley and out through the San Francisco Bay to the Golden Gate.

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San Francisco Estuary Project

GOVERNOR PETE WILSON OF CALIFORNIA WAS INSTRUMENTAL IN GIVING TEETH TO THE FEDERAL "CLEAN WATER ACT" OF 1987, AMENDED 1990.

[EDITOR'S NOTE: THE "CAL-FED" SUPER AGENCY CREATED OUT OF THE INITIAL STRUCTURE, HAS A VORACIOUS APPETITE FOR POWER, WITH A WANTON DISREGARD FOR THE CONSEQUENCES TO THE PEOPLE OF THE STATE OF CALIFORNIA.]

Their finished "Comprehensive Conservation Management Plan" is, according to staff latest report, due to go to the Governor for his review and requested signature on **some undefined date** during November '92. By some **authority unknown** to me, Governor's signature would then empower a U S Regional Water Commissioner to also sign onto the plan. Those two signatures apparently would then give the Congress "Clean Water Act" of 1987, amended 1990, some teeth in California under "Section 320" of that act.

85% of the Capitol staffs of California legislators have been hand delivered a copy of this report, personally by myself. The remaining will be mailed.

I view California as a sovereign, whole State. Central Valley AND Bay Area communities depend on Central Valley water. It would not only hurt Southern California. **MY WHOLE STATE WOULD BE HURT!**

BEST INFO after attending, between son and self, all 11 public hearings:

- 1) **San Francisco, Hetch Hetchy Water** personnel and local governments so affected, are asleep at the switch, have been disinformed or don't care.
- 2) **Oakland East Bay Municipal Water** people and local governments so affected are complacent, have not been effectively informed or don't care.
- 3) **Los Angeles Metropolitan Water** District personnel have not been effectively informed, are paralyzed or both and/or don't care. I finally identified one person from LA Metro Water at the 10/2/92 meeting. He told of coming to two others I attended but I did not hear him say anything either time. Awareness, if any, on the part of the southern California local governments that would be affected by shorting of fresh water is unknown to me.
- 4) The only local, regional or State **Chambers of Commerce** person to so identify himself in public hearing was someone from Greater Metropolitan Area of Sacramento. He, however, specifically denied representing businesses, "I'm only an engineer."
- 5) Almost routinely the few **pro-business and pro-municipality** people testifying prefaced their remarks by an apology for being **inadequately informed**, barely getting the "draft CCMP" document, or barely hearing about Project public hearing meeting which they got to. One late arrival at one public hearing meeting was a man living locally. He worked for US Army Corps of Engineers. "I just read about this meeting when I got off the train here and came right over." Curiously, the panelists at several of the early meetings admitted the same inadequate time to review the draft document before they spoke as "experts" on this Project.

This report also touches on some **parallel dangers** appearing "coincidentally" and simultaneously with this Estuary Project. These **"regional" dangers** are to our political **Constitutional** representational, **elected local governments**, particularly in central California. These dangers to representational, elected government authority issue both from the Governor's (announced?) actions and by the bills coming from both the California Senate and Assembly.

One measure, **SB 1866 (Johnston)**, did sneak through and was signed by Governor on 9/23/92. Details covered in body this report. In brief this measure would give a **19 member "Delta Protection Act" Commission** absolute land use controls over vast amounts of a five county area: San Joaquin, Sacramento, Yolo, Contra Costa and Solano. Commission members

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would include a scattering of only 8 elected local County and municipal representatives, while the **Governor** would **control 6 members**, Agency head appointees. As one San Francisco Estuary Project Management Committee member exclaimed at a recent meeting on hearing that SB 1866 had been signed: "This opens the door to our super agency."

Each individual member of the five County Boards of Supervisors will be sent, by name, a copy of this report and letter. On pages 8 and 9 of the first section (in front of the green sheet) of the enclosed report are outlined some **steps** open **both** to County Boards of Supervisors **and** to citizens **to push SB 1866 back, to deny it authority** to rule local County affairs. If and as members of these County Boards of Supervisors balk at taking measures to protect their districts, balk at protecting their County's integrity and County constituents from encroachment by non-elected, non-representative authority, **if and as they balk then we will see** which members are voting instruments of the Big Bankers (see body of report) and which are in office to represent and protect their constituencies.

Signed,

Franklin H Ernst Jr, citizen of Solano County, District #1

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10/20/92

To: **Citizens who want and stand for**

CONSTITUTIONAL GOVERNANCE

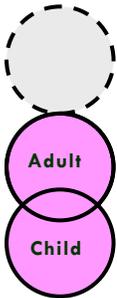
re: **SAN FRANCISCO ESTUARY PROJECT**

During a vaguely defined period over the last few years a group of unidentified people have been meeting at unidentified places and times with the goal of starting up a "**San Francisco Estuary Project**" **under an EPA authority**. Documentation of these "Estuary Project" meetings and this authority requested by writer (FEJR) under Federal Freedom Of Information Act, not yet received. This federally funded "Project" appears to be a method to impose a non-elected authority over Californians. Governor Deukmejian, by an authority unknown here, is reported to have signed onto this Project about 1986 as part of "EPA National Estuary Program"; documentation requested of Project, not yet received.

Gov Wilson is to be asked, under some unknown authority at some undefined time in next few months, to also "sign on" to this Project for reasons undefined by Project staff. The information about Governor's authority and EPA Project documentation for need for Governor's signature has been requested from Project disclosure officer under **Freedom Of Information Act**. Project staff have to date not honored any of several FOIA requests by writer (FEJR).

By some unidentified to us (State Constitutional? Federal Constitutional?) authority, which is reportedly at the Governor's disposal, his signed agreement would then supposedly empower a Regional Federal Clean Water Act Commissioner. This would be by some, unknown to us, provisions of the (Constitutional?) Federal Clean Water Act of 1987, 1990 and would impose unknown to us restrictions on Californians and their water supplies, especially people residing within Central Valley, Bay Area and those dependent on water from the Delta pumping stations.

IN 1992
SB-1866 OF
CALIFORNIA
OPENED THE DOOR
TO A
"SUPER AGENCY."



IN THE CASE OF THE "SITUATIONAL PERSONALITY" THE PERSONAL PARENT HAS BEEN REPLACED BY THE "SITUATIONAL-COMMITTEE" PARENT AND ITS "SITUATIONAL" ETHICS, VALUES & INSTRUCTIONS. (& "PEER REVIEW") IN THE BACKGROUND, EXTENSIVE "COMMITTEE WORK" HAS GONE INTO PREPARATION OF THE UNIT, (DEACTIVATING PERSONAL VALUE AFTER PERSONAL VALUE) AND A REGULAR TESTING PROGRAM IMPLEMENTED TO MAKE SURE THOSE PERSONALITY ELEMENTS ARE NOT COMING BACK TO LIFE. DIAGNOSTIC OF THE SITUATIONAL PERSONALITY: NO PERSONAL PARENT. SELF-REKIDDING IS ACTIVE. INDEPENDENT DECISIONS ARE IMPOSSIBLE.

San Francisco Estuary Project

QUESTIONS:

What is the San Francisco Estuary Project?
Where does this "Estuary Project" get its authority? Who does it answer to?
How does this "Estuary Project" relate to recent Governor encouraged regional (Constitutional?) governance bills in the California legislature?
How does Governor's "WELFARE REFORM" Proposition 165, fit into this Project?
WHO ARE THE BACKERS OF THE PROJECT REALLY?

Some of these questions may be partially answered below.

Some of these are also, still our own questions. But we do know the **Bay Area Council** is active with SFEP!

PRES & CEO of **SF FEDERAL RESERVE BANK** SITS ON EXEC COMM OF BAY AREA COUNCIL.

THE ROAD TO CALIFORNIA REGIONAL GOVERNMENT IS LIKE PUTTING UP A BUILDING:

IT TAKES: THE PLANS, THE CONSTRUCTION, and THE OCCUPANCY OF THE STRUCTURE

In terms of understanding the recent efforts of the "social termites" to get their California regional government structures built and in place along side Constitutional Government structures, we can look at the way any new building, for termites or not, comes into use. The termites goals are to eat up and cannibalistically destroy the structures of representational, elected governance.

Setting aside the permitting process for now and in a simplified form: **First** an architect draws up a set of **plans**. Then **second** is **construction** of the structure or some functional part it. The **last** step is the **occupancy** of the structure itself.

PLAN

Using this picture, the San Francisco Estuary Project and its "**Draft Comprehensive Conservation Management Plan**" (CCMP) is the set of **architectural drawings**. This San Francisco Estuary Project "Plan" document was supposedly drawn up by **Project's "Management Committee" ("MAC")**. The Chairman of MAC is the capable and controlling H Seraydarian, also of Regional EPA office. The enclosed copy of the Management Committee **resolution dated 7/24/92** makes it appear as if the Management Committee were an autonomous, self directed body. In fact, these Management Committee members were informed by Chairman and staff at their 10/02/92 meeting that whatever they (may have) "decided" (as of their last meeting on 11/6/92) would next be going to the "**Sponsoring Agency Committee**" ("**SAC**"), Chairman, Dan McGovern, also of Regional EPA office. MAC was further told that Sponsoring Agency Committee might very well agree to accept all, part or none of this Draft "CCMP."

PLAN

The San Francisco Estuary Project, according to staff, is one of 17 active "Estuary Projects" under the Environmental Protection Agency along the coast inlets of the USA. Others include Puget Sound, Tampa Bay, Long Island Sound, Delaware Bay, Delaware Inland Bays, Santa Monica Bay, etc. For a map and listing write SFEP, c/o ABAG, 101 Eighth St, Oakland CA 94604. Reportedly EPA has its eyes on capture of some 11 more "Estuaries." Activity on these other "Projects" is probably going on about now also. This timing will thus effectively conceal their significance from the public during the heat of the General and Presidential election

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campaigns of the fall of '92. "Estuary" is an EPA term with a specific meaning, which to date SFEP staff has not defined for us.

SF Estuary staff members indicated during public hearings they had received some federal grants, the inference being from the EPA, of some \$7 million. The dates, agency sources and amounts of grants have been requested under Freedom Of Information Act with no response yet.

Staff told me (FEJR) in September that the San Francisco Estuary Project got started as an agreement between Gov Deukmejian and an EPA authority about 1986. EPA wanted San Francisco Bay declared as an "Estuary Project." Reported was that Deukmejian would not agree to San Francisco Bay as an "Estuary Project" unless EPA also agreed to make Santa Monica Bay an Estuary Project too. Reason? BUT it did take approval by the State's Governor to declare an "Estuary Project" in existence. This documentation has been requested under Federal Freedom Of Information Act without response to date.

San Francisco Estuary Project personnel claim Project started variously 2 to 5 to 8 years ago. Authority for this Project not yet forthcoming from staff. Apparently about 6 or 8 years ago some people in the Bay Area began gathering to discuss and promote it. Documentation has been requested under federal Freedom Of Information Act without response to date.

During some undefined period in 1991-'92 a "Draft Comprehensive Conservation Management Plan" document was reportedly "written by the Management Committee" and on 8/24/92 completed with the Project Director's cover letter. As stated in Public Hearings held 9/12/92 through 9/24/92, Management Committee consists of many members, variously stated as "over a 100", "a hundred" and "49." The number, frequency, member attendance and location of these meetings has not been specified by staff. This requested information has not been received here yet.

From close study by both undersigned it would appear that the SFEP's "Management Committee" with its "diversity of interests" was needed more for window dressing than policy setting (see below). One person we heard talking about this "Project" described that it got its authority by "smoke and mirrors." Is this another "Potemkin Village?"

About Management Committee activities of 1991 and 1992, it also appears to these writers as if it were necessary, according to some EPA manual (to make it appear), that these "plans" had received much, if not "unanimous", "consensus" approval from a body which was made up to look like it had a diverse set of wide ranging qualifications and the best interests of the public-at-large in mind. Maybe the goal was: "This body is only trying to help the public solve its social and environmental problems." See Games People Play, Berne, p 143.

It would appear to these writers (FE JR & FE III) that the Plan document was produced via some staff member(s) taking copy off a master document, externally supplied, perhaps a diskette, adapting its pertinent sections to fit the San Francisco-Delta "Estuary" area. These sections would then have been presented to Management Committee members to look over during that Committee's meetings and during which, "guided discussions" of the sections would have taken place.

Those "discussions" were guided by paid professionals whose job it was then to get "consensus" on the sections as they were presented. Curiously "consensus" did not mean a committed agreement on the part of a particular Management Committee member.

Attending and listening to the 10/2/92 Management Committee meeting (FEJR) it was clearly stated by Chairman Seraydarian that no more discussions would be allowed on those sections in which "consensus" had already been achieved, this despite evident discontent, changed minds; objections silenced by the Chair.

IT WOULD APPEAR TO THESE WRITERS (FE JR & FE III) THAT THE PLAN DOCUMENT WAS PRODUCED VIA SOME STAFF MEMBER(S) TAKING COPY OFF A MASTER DOCUMENT, EXTERNALLY SUPPLIED, PERHAPS A DISKETTE, ADAPTING ITS PERTINENT SECTIONS TO FIT THE SAN FRANCISCO-DELTA "ESTUARY" AREA. THESE SECTIONS WOULD THEN HAVE BEEN PRESENTED TO MANAGEMENT COMMITTEE MEMBERS TO LOOK OVER DURING THAT COMMITTEE'S MEETINGS AND DURING WHICH, "GUIDED DISCUSSIONS" OF THE SECTIONS WOULD HAVE TAKEN PLACE.

San Francisco Estuary Project

It was also clear in listening to members talk at the 10/2/92 MAC meeting that several did not realize "consensus" in fact had meant "**One man, One vote, One time! That's it!**" See also 9/24/92 "Consensus" written public input by this writer.

PLAN PROCESS AND ADMINISTRATIVE RULES

Management Committee Chairman and staff appeared most reluctant on 10/02 to consider any changes at all to the 8/24/92 document and plan. Chair made it quite clear there would not be any changes permitted on those sections where a previous "consensus" had taken place. This resistance by Chairman to ANY changes occurred **despite 11 public hearings and officially submitted, public written input** having taken place since document was written. This same unchanging stance was also taken by Chief Writer (CRD) in his report submitted to Project on 7/15/92. Was that **before acceptance by Management Committee** on 7/24/92?

This writer thus is led to believe that all major PLAN decisions had been made before any official Management Committee meetings were held, ie the only changes to be permitted would be cosmetic. Therefore, Public Hearings were also merely "WINDOW DRESSING", to satisfy an EPA manual requirement. The "window dressing" aspect here is clear enough to show **evidence of fraud.**

From what has been learned, the Plan document will be presented to Governor Wilson after a non-defined set of processes and procedures have been completed at a date not yet identified.

TO BECOME OFFICIAL POLICY, GOVERNOR'S SIGNATURE REQUIRED

San Francisco Estuary Project is a "plan" which reportedly, if signed onto by our Governor next month would then "become California policy." By some authority unknown to us the Governor's signature on this Project would have some power over Californians about which we are uninformed. It would then supposedly also confer some authority which we don't know, onto a "Regional Water Commissioner" via the 1987, amended 1990, Federal "Clean Water" act.

BUT ONLY IF THE GOVERNOR SIGNS ONTO THIS PROJECT.

Although I do not have a copy, my memory (FEJR) is of seeing some document indicating that, if Governor does not sign approval then Clean Water Act Commissioner will not be signing his approval either. Thus the Governor has some power to REFUSE TO inflict further federal oppression on the citizens of California **OR TO INFLICT MORE FEDERAL PAIN on Californians.**

CONSTRUCTION of a parallel "mud structure" next to a Constitutional one:

It is unlikely the Federal Clean Water Act requirements will be effective on State without some State legislation. I do not yet, however, have enough data on this element.

SAN FRANCISCO ESTUARY PROJECT IS A "PLAN" WHICH REPORTEDLY, IF SIGNED ONTO BY OUR GOVERNOR PETE WILSON NEXT MONTH WOULD THEN "BECOME CALIFORNIA POLICY."

PLAN "ACTION GOALS"

In terms affecting people of California this "Estuary Project" plan:

1) Aims to gain **complete control of "land use management"** within the entire watershed of the Sacramento-San Joaquin Central Valley plus the San Francisco Bay Area watershed and on out to the Golden Gate. Their map includes some ocean shelf on down past Half Moon Bay.

2) **"Preserving Biological Resources."** **Less than one thousandth** of this plans printed material is devoted to **preserving the biological resources of human public health.** Their goals include returning the "Delta" to its "natural habitat", ie **a swamp ("wetlands").**

MOSQUITOES?? MALARIA?? BUBONIC PLAGUE??

3) Another major objective is to gain **control of ALL PUBLIC and PRIVATE water** contracts and control of all water coming down within this "watershed." Their title of this section is **"Freshwater Diversions and Altered Flow Regime."** They aim to establish their own **"salinity gradient"** within the Delta-Bay Estuary and maintain it by diverting more fresh water into the salty bay water. Page 61 of document "Draft Comprehensive Conservation Management Plan for the Bay and Delta" top of page **"GOAL: Develop and implement aggressive water management measures to increase fresh water availability to the Estuary."**

4) **"Pollutants"** in the Bay-Delta are a big EPA deal in this PLAN and to public hearing panel presenters. This was almost continuous through the hearings, despite much public testimony about the vast improvement in the Bay by non-biased authoritative persons with considerable personal and work experience with the Bay. We have to keep in mind that if EPA officials discontinued their allegiance to skewed technical reports and presentations they would be out of a job and have to turn in their badges. They would lose their perks. Project would aim to gain gun-carrying badge-wearing police control over all "urban runoff", over all "nonurban runoff" and over non-defined "nonpoint source pollution", all these according to their own technical experts decisions and their own administrative (law) findings.

5) **"Dredging and Waterway Modification"** is their fifth area for capturing authority.

Public health considerations in their Plan are almost **non-existent**; get your own copy of their "Draft Comprehensive Conservation Management Plan" (CCMP) dated 8/24/92: San Francisco Estuary Project (SFEP), attention M Brockbank, c/o Association of Bay Area Governments, 101 Eighth St, Oakland, CA 94604, telephone 510/464-7990.

Another way they have subdivided their programs and actions as of 7/15/92, per Memorandum to SFEP, from Craig Denisoff, Chief Writer:

- | | |
|---|---|
| 1) Aquatic Resources
"Consensus" | 5) Pollution Prevention and Reduction
"Consensus" |
| 2) Wildlife
"Consensus" | 6) Land Use Management
"Consensus" |
| 3) Wetlands Management
"Approved by Vote" | 7) Dredging
"Consensus" |
| 4) Water Use
"Pending Approval" | 8) Public Involvement
"Consensus" |
| | 9) Research and Monitoring
"Pending Approval" |

PUBLIC HEALTH
CONSIDERATIONS
IN THEIR PLAN
ARE ALMOST
NON-EXISTENT

San Francisco Estuary Project

MEETING DATES:

Dates and places of the remaining open-to-public Management Committee meetings are:
1) Fri 10/30/92, 9:30AM to 1:00 PM and **2) Fri 9:30 AM 11/6/92**
both at Vallejo Public Library, 515 Santa Clara, Vallejo

CONSTRUCTION: With OR Without Constitutional Permit?

In the meantime while the "Estuary Project" was being developed, **construction** was started in 1991 on some of the building structures this Project would require. SB 797 (Rebecca Morgan) "Bay Area Growth Management" Act began to go through the California legislature in 1991. The State Legislature is where the real **social construction** takes place.

At the same time that SB 797 was being heard by the legislature in "Local Government" Committees of Senate and Assembly, there was another piece of **social construction**, SB 1866, which started going through the legislature. This SB 1866 also of 1991 - '92 vintage, however, traveled down darkened legislative halls via a different route. It took an inconspicuous ("concealed") route, ie SB 1866 proceeded through the California Legislature using a Senate Rules Committee cloaking device. It was dubbed by Senate Rules Committee as "A Natural Resources" bill, contrasted to its real thrust as a "Local Government" bill.

This SB 1866, (Johnston) "The Delta Protection Act" also was intended to establish a ruling Commission over a several county area's land use general plans. It too was intended to establish and pay an Executive Director and some hired guns with a mandated authority over a several county area. Governor, who was well aware of this bill's intentions, nevertheless signed it on 9/23/92. Governor knew its consequences to all of Yolo, Sacramento and San Joaquin and parts of Contra Costa and Solano Counties, ie establishing one ruling Commission with absolute authority, again one able to dictate control of county land use general plans over a **five county area**. Until this bill was passed, this authority had resided in elected representatives of the individual County Boards of Supervisors. These latter are elected authorities, responsible to their constituents, known, identifiable.

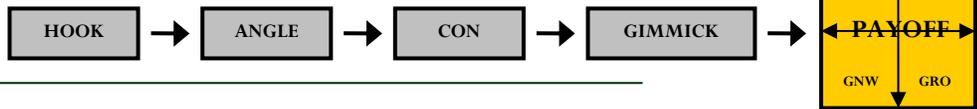
This SB 1866 **structure** would replace the authority of elected members of these Boards of Supervisors in the control of general land use plans. Instead now there would be with a 19 member commission mandating controls over the 5 county area. This Commission would consist of a scattering of eight (8) elected members from various sections of the area, five (5) from special interest water districts **AND** six (6) members who would be Agency heads, appointed by the Governor, none of whom would be accessible to the private owner of land property. These 6 would be the **six hired guns** directly under the authority of the **Governor of California** (and directing the internal County affairs).

OCCUPANCY: With OR without proper plumbing and wiring:

Improper, non-code plumbing and/or wiring will seriously jeopardize Health, Safety and Lives. Occupancy permit can be denied by local elected authority.

Once a bill gains approval by the legislature and Governor signs on, then the new ruling body may be given the **occupancy** authority (permit). With their occupancy permits and funding they then go out into the open market to hire their guns to make their rulings stick, ie Executive Director, administrative staff and legal policing personnel. This is what makes a governmental "building" structure functional, whether or not it is safe.

SENATE
RULES
COMMITTEE
CLOAKING
DEVICE



The newly initiated, SB 1866, will become an oppressive danger and a major problem for the land owner in the Delta area. Whereas before this act, the property owner could easily go in to see his own District Supervisor, now instead of being able to explain his situation to his own "District 2" Supervisor, he would **get the run around**. His District 2 Supervisor, pleading realistic helplessness (because of Supervisorial inaction in defending his constituency, in permitting county authority usurpation occupancy), would refer him, say, to the "District 4 Supervisor" in the same County, "because he is the member on the Delta Protection Commission." Then this District 4 Supervisor, who really has no vested constituency interest in anybody from District 2, could easily respond "Well I'm just one of 19, ..." However, they would all be liable.

GAMES PEOPLE PLAY

Perhaps, at least for me (FEJR), an easier way to look at the activities of these paid regional government agents is to look at their administrative and organizational maneuvers, machinations and "political findings" and the impositions of their authorities over the citizens, to look at these as being some of the "Games People Play" (Berne, 1964). Certainly they play the game "Let's Pull A Fast One On Joey (Californians)" magnificently, you might say almost flawlessly (see page 139 in the Underworld Games chapter). "Let's Pull A Fast One" is, like with any good con operation, mixed in with pieces of "I'm Only Trying To Help You (Dear)." Once the new hired guns get their shiny badges and new guns, you get to watch them play their hard game of "Now I've Got You, You Son Of A Bitch" (page 85). For more on the Games People Play involved in this Project see the contents of my (FEJR) enclosed written public input to this Project.

For the record: My (FEJR) written Public Input was witnessed as submitted and officially received by staff, M Brockbank, by the 32 members of their Management Committee present at their meeting on 10/2/92. M Brockbank is chief administrator of this Project. My written public input is thus a part of the official record of this Project.

REFUSAL TO:

1) PRODUCE PUBLIC HEARING TRANSCRIPT, 2) TELEWISE PUBLIC HEARING

This Project is Federally funded. Project personnel, nevertheless, deny that the Federal Freedom Of Information Act applies to this Project. See sheets at end of this report re efforts to personally pay to have the complete transcript produced and made available at my own expense, some 900 pages, and their refusal. Transcript would show intimidation of select witnesses. Concealment of certain public testimony? See section on "Collusion?" re their refusal to permit public service televising of hearing in Vallejo on 9/16/92.

CONSTRUCTION

To put this Project in place requires "implementation", their word for State Legislators to pass some bills. During this past '91-'92 legislative session some of us fought back attempts to pass bills which would have "implemented" part of this "Project." These included Senator Rebecca Morgan's "Bay Area Growth Management" (SB 797) which would have established a Commission with absolute authority to rule over the nine Bay Area Counties. One of the factors to emerge during study of this bill was the naked, brute strength efforts of the private Bay Area Council organization to gain control of the entire Bay Area through this bill, its own "Bay Vision 2020" sponsored legislation. Bay Area Council Executive Committee includes the top ranking officers of the Federal Reserve Bank of San Francisco, Bank of America and Well Fargo Bank. Ask one of your local representative, elected city of county officers to show you a

A GAME IS DEFINED AS A RECURRING SET OF TRANSACTIONS WITH ULTERIOR TRANSACTIONS, CONCEALED MOTIVATION, A GIMMICK, AND A PAYOFF. ERIC BERNE, M.D. USED A PARTICULAR VARIATION OF THE DUPLEX TRANSACTIONAL DIAGRAM TO REPRESENT THE ULTERIOR ASPECTS OF A GAME. BERNE ADDED THE CONCEPT OF SWITCH IN 1966 AND INTRODUCED "THE GAME FORMULA." CON + GIMMICK = RESPONSE > SWITCH > PAYOFF. THE "ERNST GAME DIAGRAM" AS DESCRIBED BY FRANKLIN H. ERNST JR., M.D. IN HIS PAPER "THE GAME DIAGRAM" SHOWS THE PHENOMENA OF THE VARIABleness OF A GAME AND NUMBER OF VARIATIONS WITHOUT CONTRADICTING "BERNE'S GAME FORMULA." THE GAME DIAGRAM" HAS FIVE MOVES: MOVE #1-HOOK, MOVE #2-ANGLE, MOVE #3-CON, MOVE #4-GIMMICK, MOVE #5-PAYOFF.

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San Francisco Estuary Project

copy of his or her recent correspondence from Bay Area Council as it continues its unending pressure to regionalize Northern California. Look at the names of its Executive Committee listed on their letterhead. Maybe their intent is "We Are Only Trying To Help You."

SB 1866 did get passed. The hand of the Bay Area Council in that piece of legislation is not hard to infer. See above re the Regional Authority Commission which that legislation established.

Most elected public officials in the Bay-Delta area have already received their copies of the announcement from Bay Area Council about **its 1993 - '94 agenda for local governments and the California Legislature**. Wells Fargo Bank, Bank of America, Federal Reserve Bank of San Francisco leaning on legislators? On the Governor? Political campaign donations? Corporate fascism?

The effort of Bay Area Council with the SB 797 (Morgan), "San Francisco Bay Area Growth Management Act" of 1991 - '92 became clear. SB 797 came from "Bay Vision 2020", a clear subsidiary of Bay Area Council. That Act would have created a Commission with 57 members: 22 municipal elected, 18 county elected and 17 "appointed from the public sector" (BAC appointees?). This Commission would have had **authority over land use general plans** of counties and cities in the nine county area **AND** control of federal, state and regional (and locally generated?) the incoming **funds** of these local government bodies within its jurisdiction. That one was held off in 8/92 after strong citizen opposition and when legislators were shown bill's backers were the big bankers.

COUNTY SUPERVISORS CAN DENY PERMIT FOR OCCUPANCY OF SB 1866

Supervisors in these five counties affected by SB 1866 who do not participate in an appeal through the courts of this new usurpation of their powers, instead permit occupancy by not filing a Court appeal, these Supervisors are seen by these writers as being at least derelict in their duties. Any County and any of its elected County Board of Supervisor members who fail to participate in the filing and start of some form of court action within the next few weeks to contest and reverse this subversion of their representational responsibilities should be looking recall actions in the face.

County Boards of Supervisors pay out \$100,000s OF TAX dollars every year in their budgets for County Counsel lawyers and personnel to staff the District Attorney offices in the their counties. State should be sued through court systems for the unconstitutional actions of the Legislators, perhaps including actions against the individual legislators who voted for this bill and the Governor for signing it, plus for damages and legal costs.

Any response from a member of a Board of Supervisors which is less than a firm, clear, definitive, bona fide, and a good faith assertion of legal opposition and lawful resistance to this bill could easily be seen as a violation of the member's oath of office. Any response from a County Counsel Department that is less than that same when so directed by its Board of Supervisors would be suspect.

County Administrators should not be permitted to participate in these actions, in fact, probably best kept totally separated from awareness of details of these actions. Their allegiance (more than dues paying?) to their County Administrators' Association and to the CSAC administration should at all times be kept in mind by the elected members of the Boards of Supervisors of the affected counties. They have a potential conflict of interest.

THE EFFORT OF BAY AREA COUNCIL WITH THE SB 797 (MORGAN), "SAN FRANCISCO BAY AREA GROWTH MANAGEMENT ACT" OF 1991 - '92 BECAME CLEAR. SB 797 CAME FROM "BAY VISION 2020", A CLEAR SUBSIDIARY OF BAY AREA COUNCIL. THAT ACT WOULD HAVE CREATED A COMMISSION WITH 57 MEMBERS: 22 MUNICIPAL ELECTED, 18 COUNTY ELECTED AND 17 "APPOINTED FROM THE PUBLIC SECTOR" (BAC APPOINTEES?). THIS COMMISSION WOULD HAVE HAD **AUTHORITY OVER LAND USE GENERAL PLANS** OF COUNTIES AND CITIES IN THE NINE COUNTY AREA **AND** CONTROL OF FEDERAL, STATE AND REGIONAL (AND LOCALLY GENERATED?) THE INCOMING **FUNDS** OF THESE LOCAL GOVERNMENT BODIES WITHIN ITS JURISDICTION. THAT ONE WAS HELD OFF IN 8/92 AFTER STRONG CITIZEN OPPOSITION AND WHEN LEGISLATORS WERE SHOWN BILL'S BACKERS WERE THE BIG BANKERS.

In those cases where a majority of the members of the Board of Supervisors fail to agree to measures to uphold the integrity of the County which they represent, and pending citizen action to bring about County Authority integrity, the Board members who do want to protect their County from the imposition of illegal authority have the County Grand Jury and/or calling upon the Attorney General of California for assistance, available to themselves.

If citizen action is needed because of dereliction of elected authority duty, then there is the route of a class action lawsuit against illegal usurpation of County authority by an outside agent and perhaps also against a permitting County authority. This writer is not a legalist but does see there are several routes open by which to actively resist and turn back this incoming flood of unlawful mandates placed onto local constitutionally established and protected governments.

"Legal" compared to **"lawful"** defines the difference between **hiring some guns OR abiding by sworn oath of office**, upholding the State and Federal Constitutions. Article XI of State Constitution prohibits removing County lines without a vote of those residents as I read it. Legislatively mandating controlling authority over a region of several Counties is therefore unlawful.

DELTA LEVEES

CONSTRUCTION: LEGISLATIVE PROGRAM FOR DELTA LEEVE DESTRUCTION

Delta Levees and the hand of ??? with the explicit hand of FEMA as personally told by attenders at the Stockton hearing on this Project! If levees break then FEMA, a federal agency, moves in instantly with its full array of "EMERGENCY POWERS", - **Constitutional Law is suspended!** How long would the occupation be for? Who knows! Is this the California legislature's program?

If Delta levees break its not hard to see FEMA officers, guns drawn, refusing to let levees be repaired. At just concluded August budget hearings, legislators refused to fund adequate repair and maintenance of Delta levees to assure non-breeching of them over the coming year. Look at the levees yourself to see the visible, identifiable to an untrained eye, severe, major danger to levee integrity. The legislators who voted against Delta levee funding and the Governor should be (can be?) held personally and individually responsible if these are breached.

If levees were breached Delta would become one gigantic inland tidal basin, swamp. It would become an impossibility to get water south to the lower San Joaquin Valley and Southern California. For those who doubt that there are people in authority willing to do this, they should come and view Vallejo's tidal swamps which have invaded private property. Owners of these Vallejo private properties from earliest days forbidden at gun point from repairing the levees in order to reclaim the use of their property, while they continue to be taxed. One man I know already served time in a federal prison for this effort.

The question of the legislators flaunting human safety and health in re Delta levees is noted. The agreements of California government and some County governments with the federal FEMA agents in re the Delta are dangerous for the health and safety of Californians. For the legislators to allow these dangerous conditions to continue is to misrepresent their constituents, therefore unlawful.

"LEGAL"
COMPARED TO
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THE DIFFERENCE
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San Francisco Estuary Project

Many of us are aware of dereliction of duty by State legislators in refusing to fund protective repair and maintenance of the Delta levees, upon which so very much of the health, safety and welfare of the population depends. We are aware of the planning in the background to let the levees breach and then have agents of the Federal Emergency Management Administration go out on the breached levees with guns drawn to shoot down any person daring to repair the levee. Wasn't FEMA the supervising agency at Ruby Ridge, Idaho, August 1992.

To the extent any of our State Legislators are a participant in this overall master plan to make a swamp of the Delta they would be legally answerable to the citizen. This swamping of the Delta is a plan of the elitists and Federal Reserve Bank of San Francisco to gain control of the Delta real estate and turn it into a Federal Reserve Preserve Swamp ("Wetlands") under the control of federal employee vassals. The Federal Reserve Bank does intend, as does any bank, to secure its "loans/debt" (to Congress and US Treasury). Who do you really think has the first deed of trust on our "Federally controlled lands and offshore oil pools?"

Governor Wilson is not King of California. If he signs new legislation mandating new regions and structures of Government, then he is going along with a new way to gerrymander the state, but this time **districts without** elected **representation**. These new district lines, the regional government structures, should and can be vigorously challenged and reversed. They can be reversed, that is unless the social termites have taken over control all elected County and State Public Offices.

by

Franklin H Ernst, Jr. and

Franklin H Ernst III

FEMA,
KATRINA,
NEW ORLEANS

SAN FRANCISCO ESTUARY PROJECT
Resolution: Adoption of Public Draft CCMP

WHEREAS:

- 1) *The San Francisco Estuary Project (SFEP) is a five-year (1987-1992) cooperative effort that has involved the active participation of diverse environmental, social and economic interests, to promote effective management of the San Francisco Bay-Delta Estuary and to restore and maintain its water quality and natural resources.*
- 2) *The Management Committee (MC), as SFEP's primary decision-making body, represents a unique partnership of organizations that have overseen the preparation of a series of "Status and Trends Reports" to characterize the Estuary's problems and have worked together to prepare a Public Draft Comprehensive Conservation and Management Plan (CCMP).*
- 3) *The purpose of the CCMP, as specified by Section 320 of the federal Clean Water Act, is to "restore and monitor the...integrity of the estuary, including restoration and maintenance of water quality, a balanced indigenous population of shellfish, fish and wildlife, and recreational activities in the estuary, and assure that the designated uses of the estuary are protected." The Act further states that the "plan shall be implemented."*
- 4) *The members of the Management Committee have strived to reach consensus on the draft CCMP goals, objectives and actions in each program area. However, in a few areas where consensus could not be reached, voting was utilized as per adopted SFEP operating procedures. Where a decision was reached via a vote, the minority has the option of preparing a "minority report" that will be included in the Public Draft CCMP.*
- 5) *Recognizing that the Estuary is one of the nation's greatest resources, the MC adopted the following CCMP vision statement (adopted by consensus on January 13, 1992):*
"We, the people of the State of California and the San Francisco Bay-Delta Region, believe the San Francisco Bay-Delta Estuary is an international treasure and that our on-going stewardship is critical to its preservation, restoration and enhancement. We acknowledge the importance of the Estuary to our environmental and economic well-being and we will achieve and maintain an ecologically diverse and productive natural estuarine system."
- 6) *To further encourage full participation in developing the CCMP, SFEP will conduct an active public review and comment period, and the comments will be reviewed and considered by the Management Committee in approving the final CCMP in November 1992.*

THEREFORE, BE IT RESOLVED THAT:

We, the members of the Management Committee agree to:

- 1) *Adopt the July 24, 1992 draft CCMP, with changes as specified by the MC, as the Public Draft CCMP;*
- 2) *Broadly distribute the Public Draft CCMP, facilitate public review, hold public meetings, respond to public comments and revise the document to prepare the final CCMP; and*
- 3) *Work together to achieve consensus on a final CCMP by November 1992.*

This resolution was approved by the Management Committee on July 24, 1992.


Harry Seydarian
Chair, Management Committee

San Francisco Estuary Project

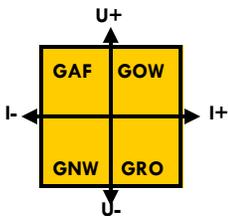
10/20/92

The written report which follows is an edited version of that one which was submitted to San Francisco Estuary Project staff on 10/02/92, their deadline for written public input on their Estuary Project public hearings and Draft Comprehensive Conservation Management Plan document. While dated 10/1/92 it has in the interval since been edited for spelling, syntax, grammar and clearing up some muddy sentences. Content is unchanged from 10/01/92 report.

F H Ernst Jr 10/20/92

THE OK CORRAL
DEFINES THE SOCIAL
FORCES INVOLVED
IN "CONSENSUS"
PRODUCTION AS
LIMITING THE
OUTCOMES OF
OPPOSITION
ELEMENTS TO
"GET-RID-OF" AND
"GET-NOWHERE-
WITH"

WITHIN THE
PROJECT'S
MEETINGS.



Diplomate, American Board of Psychiatry and Neurology, Inc. Psychiatry

Franklin H. Ernst, Jr., M.D. Fellow: American Psychiatric Association

P.O. Box 3009
Vallejo, California 94590
707/643-6611

To: San Francisco Estuary Project,
101 Eighth St, Oakland, 94604

Date: 10/01/92

Re: Written input on
SAN FRANCISCO ESTUARY PROJECT COMPREHENSIVE CONSERVATION MANAGEMENT PLAN (CCMP)

Summary and Forward:
This written, public-input document on the San Francisco Estuary Project's Comprehensive Conservation Management Plan contains references to:

1) CONSTITUTIONALITY
CONSTITUTIONALITY issues: If implemented SF Estuary Project authority would **subvert** constitutionally established local government; gives appearance of **colluding** and **conspiring** against Federal and State Constitutions, by its method of creation, the delegation of responsibilities and the equal representation requirements of the California and Federal Constitutions. **GOALS TO CIRCUMVENT AND SUBVERT.** Constitution of California provisions for local governance authority are referenced and some of the games observed. **GOALS TO CIRCUMVENT VOTER INITIATIVE AND REFERENDUM PROCESS PROVISIONS OF CALIFORNIA'S CONSTITUTION** for approval of a plan that would encompass over 50% of California territory. Also enclosure of four page tract on the OK CORRAL which better defines the social operations involved.

2) PUBLIC HEALTH CONSIDERATIONS

3) GAMES PEOPLE PLAY that were observed during hearings: Some are identified here.

4) FLAWED PUBLIC NOTICE PROCEDURE and some games observed.

5) FLAWED PUBLICITY and QUESTIONS OF COLLUSION to prevent public awareness of the Project and some of the games observed.

6) FLAWED PUBLIC HEARING PROCESS - Intimidation producing tactics, similar to those used in "consensus building."

7) FLAWED PUBLIC ACCESS TO PUBLIC RECORDS OF PUBLIC HEARINGS proceedings, refusal to supply.

8) CONSENSUS", A **FLAWED PROCEDURE** IN PRODUCTION OF COMPREHENSIVE CONSERVATION MANAGEMENT PLAN document. "Consensus building" is a program to eradicate, regulate, reduce and/or ignore and conceal opposition. The OK CORRAL defines

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the social forces involved in "consensus" production as limiting the outcomes of opposition elements to "Get-Rid-Of" and "Get-Nowhere-With" within the Project's meetings.

9) EPA MALFEASANCE AND DISINFORMATION. EPA is an agency subverting both Federal and California State Constitutions.

10) ALSO NOTED IS THE "PLANNING, PROGRAMMING, BUDGETTING SYSTEMS" METHODOLOGY.

11) STATED PROJECT GOALS WITH ANNOTATIONS BY WRITER AND GENERAL CONSIDERATIONS

Due to this Project's plan calling for major restriction on public reviewing and study time, this report has not been adequately edited before forwarding. This **Project's major flaw** is, in fact, their **major plan: Restrict effective access** via placing its primary social exposure (**concealment**) precisely during the most **distracting time** of a major nationally absorbing **presidential election** campaign AND **reducing public exposure** to a minimum. **Collusion. Subversion.**

1) CONSTITUTIONALITY CIRCUMVENTION OF CONSTITUTION CIRCUMVENTION OF VOTERS

CONSTITUTIONALITY issues: If implemented SF Estuary Project authority would **subvert** constitutionally established local government; gives appearance of **colluding** and **conspiring** against Federal and State Constitutions, by its method of creation, the delegation of responsibilities and the equal representation requirements of the California and Federal Constitutions.

GOALS TO CIRCUMVENT AND SUBVERT Constitution of California provisions for local governance authority and some of the games observed.

GOALS TO CIRCUMVENT VOTER INITIATIVE AND REFERENDUM PROCESS PROVISIONS OF CALIFORNIA'S CONSTITUTION for approval of a plan that would encompass over 50% of California territory. Also enclosure of four page tract on the OK CORRAL which better defines the social operations involved.

CONSTITUTIONALITY issues

The approach of the SF Estuary Project to gaining control over and **subverting** constitutionally established local government gives the appearance of **colluding** and **conspiring**; one person asked if it would be **treasonous**. This references the stated goals of achieving a unified authority over local governmental jurisdictions previously constitutionally established and whose authorities are defined by the State Constitution. **To knowingly** work with others in order to achieve these goals would be defined by one or more of the terms used above.

A letter to Assemblyman John Vasconcellos, dated 7/29/92 from the Solano County Board of Supervisors, seriously questions the Constitutionality of a bill then before the Assembly Ways and Means Committee with the following **"NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Solano does hereby request, that ... (our elected California State officers) ... be directed to determine whether or not ... regional government(s) ... proposed ... are constitutional in the method of creation, the delegation of responsibilities and the equal representation requirements of the California and Federal Constitutions."**

What follows are extracts of letters from Mrs. O.M. O'Grady to the Governor on issues of the Constitutionality of regional governance:

A) On 9/14/92 a letter requesting him for "a Veto of SB 1866 (Johnston), the Delta Protection Act." This bill is regional government and should be vetoed on that basis.

DUE TO THIS PROJECT'S PLAN CALLING FOR MAJOR RESTRICTION ON PUBLIC REVIEWING AND STUDY TIME, THIS REPORT HAS NOT BEEN ADEQUATELY EDITED BEFORE FORWARDING. THIS PROJECT'S MAJOR FLAW IS, IN FACT, THEIR MAJOR PLAN: RESTRICT EFFECTIVE ACCESS VIA PLACING ITS PRIMARY SOCIAL EXPOSURE (**CONCEALMENT**) PRECISELY DURING THE MOST DISTRACTING TIME OF A MAJOR NATIONALLY ABSORBING PRESIDENTIAL ELECTION CAMPAIGN AND REDUCING PUBLIC EXPOSURE TO A MINIMUM.

San Francisco Estuary Project

"Regional governance, as you well know, subverts our representative form of government. This bill would establish a Commission of 19 members only 8 of whom would have been elected by the municipal and county voters ... SB 1866 would place the jurisdiction of policy making decisions under appointed individuals instead of under voter elected persons."

B) On 9/26/92 a letter requesting appointment with the Governor "to discuss regional governance as it affects the State of California and its cities and counties ... The reason for protesting past and current regional governance bills is that the bills (would) subvert the autonomy and representative form of government of cities and counties.

"This threat has prompted cities and counties to request an inquiry by their legislators, the governor and the attorney general of the state and other interested parties into the constitutionality of regional governance ... and that the process for any investigation be in the form of public hearings to allow public testimony and public participation regarding the issue."

"Enclosed is correspondence from the Solano County Board of Supervisors addressed to Assemblyman Vasconcellos ... dated July 29, 1992. ... As Governor (you have) taken an oath to preserve, protect and defend the Constitutions of both the State of California and the United States of America... I am appealing to you for the opportunity to further discuss this very serious issue of regional governance."

CONSTITUTIONALITY

As shown in the OK Corral document enclosed, on page 3 the diagrams 15b & 15c do show a much reduced freedom and liberty in the Socialist and the Total Bureaucracy forms of governments. The San Francisco Estuary Project as an implemented policy would result in a major and significant reductions in the freedom and liberty of individuals, thus productivity. People still pretty much use mutual consent in order to regulate the life items this Project seeks to have an ironhanded control over. **Land use management controls over 50%** of California's area, **threatening populace with water shortage and/or jailing** in the face of adequate **abundance of water, if reasonable judgment** were allowed to have sway above the hysteria by the media at the behest of ... ; these are the marks of terrorists. If this Project were to be put in place it would explicitly affect and unconstitutionally place additional regulatory burdens on **20 million citizens of California.**

As Governor is aware, regional governance has been vigorously fought by voters and citizen experts on constitutional, representative, accountable, local government. Some would see Governor's signing on to the imposition of any more regional governance as a violation of the oath of office he took and grounds for remedial citizen action.

CIRCUMVENT VOTERS

Any permitting, authorizing, or unilateral signing onto changes of the magnitude proposed and which was done without being subject to the **REFERENDUM** or **INITIATIVE** process provided under the California Constitution could be seen as **TREASONOUS**: 50% of the land area and 70% of the people living in California.

This project just would not sail, let alone float, if in fact the public at large became aware in any significant manner of its significance for "your grandchildren who will have to live with it." This may well be the reason why promoters of this would so vigorously and adamantly resist any general election voting on any **Initiative or Referendum** involving this Project which would be **"affecting all of Central California and the Metropolitan Water District of Los Angeles."** Not explicit in writing yet, by listening in public hearings it is clear that goals of this proposed Project are: **ONE super agency controlling "land use management" of 50% of California and controlling California water rationing.**

THE OK CORRAL DOCUMENT ENCLOSED, ON PAGE 50, IN DIAGRAMS 15B & 15C, SHOWS A MUCH REDUCED FREEDOM AND LIBERTY IN THE SOCIALIST AND THE TOTAL BUREAUCRACY FORMS OF GOVERNMENTS. THE SAN FRANCISCO ESTUARY PROJECT AS AN IMPLEMENTED POLICY WOULD RESULT IN A MAJOR AND SIGNIFICANT REDUCTIONS IN THE FREEDOM AND LIBERTY OF INDIVIDUALS, THUS PRODUCTIVITY.

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San Francisco Estuary Project seeks the Governor's supposed power to **establish State policy without necessity of voter approval**, in order to then initiate certain other administrative and legislative steps toward **phase one** (of the several phase plan) to gain explicit "implemented" authority over 1 600 square miles of the Delta Estuary under the Clean Water Act 1987, amended 1990. They would not, however, be successful in further pursuit of this authority (for now) if the Governor fails to give his approval to this **drastic policy**.

Games of Project planners if Governor fails to approve: Another "Big Store", another "Try-And-Get-Away-With-It" down the line and for the time being "Why's-This-Always-Happening-To-Us." If Governor were to approve the Project backers would start up some "Now-I've-Got-You,-You-SOB."

If Governor were to **approve** this project, the people of California would be facing yet another of the series of **straight-jackets**, which when forced onto productive citizens cause societal and productivity slow downs, another big **GET-NOWHERE-WITH program** (see diagrams #5 & #6 in "Guide to the User Friendly OK Corral) and another oppressive, not-accountable-to-the-people agency. **Subversion of local governance** can only lead to decline in productivity of our society.

CONSTITUTIONALITY

This **authority to impose** the intended **additional coercion** on the public, however, COULD NOT be "implemented" if there were no State enabling legislation on down the line. "Implementation" here would be the "programming" phase of this well known PPBS approach to sidestepping voter approval and subverting our State of California representational, Constitutional form of governance.

CONSTITUTIONALITY

If Governor signed on, while not true, backers of this Project would claim there was A POLICY "MANDATING" some "implementing" legislation . This is to say that if the Governor were to sign on, some of our state legislators could play that they were "powerless" in the face of a "mandate" and thus abrogate their own oath of office while voting to pass certain pieces of "implementing legislation" on down the line.

About our **State's sovereignty** as a state: One should not forget that it is the **individual States** of this nation, as **sovereign political entities**, which (initially were and still) **are the units** which (together) agreed (to the agreement) to have a Federal Constitution.

CONSTITUTIONALITY

Project authors would intend to take over from the crest of the Sierras on the east, crest of the coastal range on the west, Mt Shasta on the north and Tehachapis on the south, ie the entire Central Valley or about 50% of California's territory plus control of the territory of the watershed area within the entire Bay area. They also would gain additional controls over those not living in the Central Valley itself but nevertheless dependent for their drinking and other water coming from the Delta transfer points.

The intent of the "**consensus facilitating**" personnel they hired to help them establish their "group process" ground rules was to **remove all vestiges of "Management Committee" opposition** to placing the entire area under one gun-carrying and policing authority.

See below re "**consensus**", a **flawed process** for reasoned thinking & good judgment, **but perfect for elimination of opposition**.

GAMES OF PROJECT PLANNERS IF GOVERNOR FAILS TO APPROVE: ANOTHER "BIG STORE", ANOTHER "TRY-AND-GET-AWAY-WITH-IT" DOWN THE LINE AND FOR THE TIME BEING "WHY'S-THIS-ALWAYS-HAPPENING-TO-US." IF GOVERNOR WERE TO APPROVE THE PROJECT BACKERS WOULD START UP SOME "NOW-I'VE-GOT-YOU,-YOU-SOB."

San Francisco Estuary Project

CONSTITUTIONALITY and CORPORATE FASCISTS

One of the pieces of hoped-for "implementing" legislation in the just concluded session of the California Legislature and which was pushed very hard by backers of SFEP was **SB 797 (Morgan), Bay Area Growth Management Commission Act**. This failed after tenacious, extensive lobbying, testifying, writing Governor and State Attorney General's office about it and related matters, eg Assembly voting irregularities personally witnessed. The final nails in the coffin after several citizen witness **experts** on US and State Constitutions testified - the final nails apparently were the ability to 1) defineably identify the backers as "Corporate Fascists" and 2) from Bay Vision 2020's own literature be able to identify the Bay Area Council as the primary and principal agent pushing it; then showing on their own printed material that Bay Area Council Executive Committee includes the top men of the i) The Federal Reserve Bank of San Francisco, ii) the Bank of America, and iii) Wells Fargo Bank. This is **the same Bay Area Council which SFEP staff** have pridefully told writer is a major and principal backer of this SFEP plan. (See also pg 28 Public Review Draft published 7/12/92 re Bay Area Council participation.)

COLLUSION IN "CONCEALMENT" OF PUBLIC LEGISLATIVE HEARING INFORMATION

The second piece of Estuary Project implementing legislation, was found only after it had been passed by an uninformed legislature. This was SB 1866 (Johnston), the "Delta Protection Commission." Its significance to the constitutional authority of elected local government representatives was concealed from a majority of the members of the legislature, by the **timing of its presentation** at the end of the session **AND by the subterfuge of hiding its Committee route** to the floors of the legislature in the **"Natural Resources" Committees**. That **Rules Committee** action also concealed its significance from the public and possibly also from many members of the five county boards of supervisors. Wouldn't a person ordinarily expect the **County Supervisors Association of California** (CSAC) to have been aware of this bill's effect of subverting the county Supervisor's local authority and so alerted the intended targets of this pending action **before it occurred?**

Chief of Staff of author (Senator Johnston) claimed to me personally that there was no opposition. He made the same claim to an elected official who had personally testified in opposition. So much for **veracity, mendacity** by proponents of this and similar plans and the programming for them. **Is the reliability of those associated with this Estuary Project better?**

SB 1866, as "implementation" for the San Francisco Estuary Project would establish a 19 member commission (**only 8 of whom would have been elected by voters at general elections**) to control, regulate, oversee and draw up an **overriding land use general plan** as **the management plan which would secure to themselves a "mandated" power and control over the elected members of the Boards of Supervisors of the five Delta counties**. **This bill removes the appeal rights of a landowner from his personal District Supervisor and instead places these in the hands of a minimally accountable, non-local, impersonal authority**. **If the owner of some private property wants to change the use of his land, there is no individually accountable elected person he can turn to under this bill, no individual to whom he can appeal for a modification of the County General Plan. THIS IS AN ACT WHICH SUBVERTS LOCAL governance and local elected county supervisor authority**. Some cosmetic compromises were made to prevent any one really studying the bill, **to prevent an outbreak of attention focusing on its subverting aspects** by some "noisy objector", legislator who was otherwise very hurried and honest.

COLLUSION IN
"CONCEALMENT"
OF PUBLIC
LEGISLATIVE
HEARING
INFORMATION

BUT nothing substantial was "sacrificed" in the so-called compromises. It kept its **iron-fisted Commission**, its power over a **non-appealable land use plan, absolute control** over the five County area. Governor kept his **centralized controls** through his **six appointed, non-elected State Agency Czars**.

While giving lip service to the already incorporated cities and agricultural activities within its sphere of control, the bill includes all of Sacramento, Yolo and San Joaquin Counties plus pieces of Solano and Contra Costa. Of the 19 member Commission to be established, **only eight (8) members would be elected by voters** in general elections. **Five (5)** would be (s)lected by **special interest** reclamation districts. **Constitutionality of this Commission should be appealed** and is clearly appealable, if the Governor signed it, on grounds of the subversion of local elected authority. SB 1866 was also written to indirectly affect six (6) incorporated municipalities including Stockton and Sacramento plus directly affecting eleven (11) that are not unincorporated.

Where was **CSAC** on this? Where was **League of California Cities** on this?

There is already a **Joint Powers Agreement** between these five counties which functions through their **Delta Advisory Planning Council (DAPC)**. But "power-and-control" can't get into power if voluntarism continues to prevail.

Belittlers of the continuation of Constitutional State and local governance by elected, accountable representation as the regulating authority, do instead "balloon" and emphasize the areas of disagreement, that "it takes too much time." They are careful to avoid mentioning that THAT TIME IS SPENT IN ORDER TO ACHIEVE **VOLUNTARY, MUTUALLY AGREEABLE TERMS** WHICH ARE NEGOTIATED BY FREE PEOPLE IN ORDER TO GET WORKABLE COMPROMISES TO WHICH COMMITMENT IS MADE and which commitment then clearly leads to productive, mutually respecting, "God fearing" self-governance, law-abiding, self-reliant citizens. Social planners, being proponents of social coercion and more gun-carry police to enforce their legal (personal) will, ie enforceable regulations, do not trust voluntarism. Besides basic cynicism, many don't trust voluntarism because of personal past decisions which have rendered them, like caught fish, enmeshed in networks from which they cannot escape, networks in which they experience much coercion on an almost daily basis. Instead they sew discord and seek authority (dictatorial) over others. How could the entire Central Valley be helped by something like that? "One authority is needed instead of the (about 150)", per JH 9/16/92 presenting on Project panel in Vallejo.

When they talk "fragmentation" you can bet they do not believe in freedom or the republic, let alone democracy. Governance "fragmentation" in fact, is readily seen as "the free mentation" of give and take by people who do mentate (think) for themselves, who are not captives of mental-emotional blackmail networks run by controllers through the "consensus" building process.

AUTHORITY AND CONTROLS (GUN-CARRYING POLICE) WITHOUT CONSTITUTIONAL AUTHORITY

San Francisco Estuary Project is explicit in its plan to achieve and implement "land use management" over the entire watershed area that would fall under its hammer. This would be a clear act of subverting local constitutional governance, ie a single agency dictating land use management authority, policy and planning. It would usurp representational elected authority.

Project also **now** is clearly talking actions leading to more endangerment to the humans and their livelihoods, people who live and work within the area of the Project. The listing of more "endangered species" in fact indicates the zeal of a select minority, backed by the elitist corporations to endanger the health, welfare and safety of the majority of Californians. Big Corporation elitists with their major financial backing of the environmental groups keep these groups going.

BELITTLERS OF THE CONTINUATION OF CONSTITUTIONAL STATE AND LOCAL GOVERNANCE BY ELECTED, ACCOUNTABLE REPRESENTATION AS THE REGULATING AUTHORITY, DO INSTEAD "BALLOON" AND EMPHASIZE THE AREAS OF DISAGREEMENT, THAT "IT TAKES TOO MUCH TIME." THEY ARE CAREFUL TO AVOID MENTIONING THAT THAT TIME IS SPENT IN ORDER TO ACHIEVE **VOLUNTARY, MUTUALLY AGREEABLE TERMS** WHICH ARE NEGOTIATED BY FREE PEOPLE IN ORDER TO GET WORKABLE COMPROMISES TO WHICH COMMITMENT IS MADE AND WHICH COMMITMENT THEN CLEARLY LEADS TO PRODUCTIVE, MUTUALLY RESPECTING, "GOD FEARING" SELF-GOVERNANCE, LAW-ABIDING, SELF-RELIANT CITIZENS.

San Francisco Estuary Project

PUBLIC WELFARE AND SAFETY CONSIDERATIONS ARE CONSTITUTIONAL CONCERNS

They are endangering the lives of Californians for the sake of the "delta smelt" and the "clapper rail", etc. In this physician's view these goals smack of cannibalism. They talk "better management" of the fresh water being sent south, inadequate "flushing of the Bay", "restoring the Delta to its natural habitat", the need for them to have regulatory power over "non-point source pollution" of the rivers and Bay, "need for better management of the wetlands" issue. They talk more and expanded wildlife refuges for the birds. Absolute avoidance of the effects on the humans to be affected. Mosquitoes? A passing reference only.

CONSTITUTIONAL POLITICAL CONSIDERATIONS

California Republican Party, Committee on Resolutions will be considering at least one resolution at its spring 1993 convention calling for elected officials of the State government to hold public hearings "to determine whether or not the various forms of regional government, either currently established, or as proposed to be established, are constitutional in the method of creation, the delegation of responsibilities and authority and in the equal representation requirements of the California Constitution and the Constitution of the USA." This resolution further calls upon "the Governor and the legislature (to) declare a moratorium on all further development and building and empowerment of regional government structures within California until after the constitutionality questions about these regional government structures have been fully investigated and lawfully decided."

Repeated calls and request have been made to the legislature for public hearings into the constitutionality of regional government which this project clearly has in mind. Before approval of any San Francisco Estuary Project Solano County Board of Supervisors asked the legislature for these hearings in its resolution 90-184 over two years ago, and this request was again forwarded to Assemblyman John Vasconcellos on 7/29/92, copy in Assemblyman Hannigan's hands. To date, there has been no response from any legislator. This matter may have to be referred to the Attorney General's office.

2) HUMAN PUBLIC HEALTH CONSIDERATIONS:

What about constitutional authority "For the health, welfare and safety of the public."

HEALTH HAZARDS would be much greater if SF Estuary Project is implemented, eg fostering the proliferation of mosquitoes, protecting the natural habitat of rodents. Malaria is endemic in California. Western equine encephalitis ("sleeping sickness") is endemic in California.

Bubonic plague continues endemic in California, carried by rodent wildlife in its "natural habitat."

As heard, Mosquito Abatement personnel were rarely, if at all called upon for their input in putting together the document for the public to review. That aspect has received minimal Project Report consideration.

AIDS: See book, "AIDS: What the Government Isn't Telling You", Lorraine Day. The AIDS virus has been identified in the salivary glands of mosquitoes and in the blood in their gut. There is no evidence that AIDS is not carried by mosquitoes. DDT, now well established as **factually-not-harmful** to humans, was the best method of controlling mosquitoes until some "environmentalists" caused its banning. Cannibalistic?

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7/29/92, COPY IN
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FROM ANY
LEGISLATOR.

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"Mosquito abatement" districts' involvement has been minimal to miniscule to none. Public health considerations appear to have been absent while "implementation", regulation (gun carrying police), administration and take-over costs of funding have been high priority considerations.

Benefits of this expensive, oppressive project to the citizen-voter and the population of the State of California are ill-defined if at all present. Cost benefit analysis is missing and resisted by Project staff. "Human benefits" are never mentioned in the CCMP, as if anathema to project originators. Initially costs would be "\$47,000,000 a year." These would be locally borne costs. This is compared to BCDC's current policing costs of "about \$2,000,000 a year"; meaning an initial minimal 23x increase of "administering", policing activities.

The sources and amounts of dollars used to fund and finance this project to date are vague, ill-defined and so-far, concealed from public view. To the extent that public funds have been used up to now, this information would ordinarily be considered public information, that is, information not requiring exercise of the "Freedom of Information Act." Inquiries into these matters have resulted in vague, circular, evasive, non-informative responses.

SFEP has offices in ABAG. What has been the budget of this project during its life, variously given as 2 years ("of actively considering it"), 3 years, five years, 8 years? How much is their rent within ABAG quarters? How much federal money has been spent on this project to date since its inception?

HEALTH

As a **physician** my primary professional concerns have been for individual human beings. In contrast, the writers of this Project have placed consideration for the people within the area of the plan very low if not at the bottom of their priorities, ie below igneous rocks. Human considerations including public health are only infrequently, casually and peripherally of concern to the writers of this CCMP. The SFEP seems to have placed a dangerously low value on the lives of humans which the project would intend to alter and control. What's new?

3) GAMES PEOPLE PLAY observed during hearings: Some are identified here.

"**Let's-Pull-A-Fast-One-On-Joey (Californians)**" (pg 139 in Underworld Games section of "Games People Play", E Berne, 1963) and its BIG BROTHER version the "**Big Store**" were the easiest to recognize. Others may recognize "**Big Store**" as the game of the "**Potemkin Village**", a set of village fronts built to fool a visiting Russian monarch in the past.

As reference points for portrayals identifying these "Let's-Pull-A-Fast-One" and its giant size version, "the "Big Store" games, recall 1) "**The Rockford Files**" series, James Garner in the episodes of playing a "Con" on a "mark", 2) "**Mission Impossible**" series, 3) movie "**The Sting**" with P Newman and R Redford. Do you recognize the "**Big Store**" when you turn on the "**TV Evening News**"?

Other games:

"**I'm (We're)-Only-Trying-To-Help-You**" (p 143), ("I'm From The Government and Here To Help You"), (We're Doing This For You're Own Good).

"**Look-How-Hard-I'm(We're)-Trying**" (p 105), ("My Check Bounced?"), ("I've Told You And Told You").

"**Try-And-Get-Away-With-It**" (p 83), (self explanatory).

"**Why's-This-Always-Happening-To-Me (Us)**" (pgs 86, 89, 125) eg, staff, panelists, testifiers at hearings - ("Why-Always-Me!")

"**Now-I've (We've)-Got-You,-You SOB**" (p 85), (after regulations are in place).

"MOSQUITO ABATEMENT" DISTRICTS' INVOLVEMENT HAS BEEN MINIMAL TO MINISCULE TO NONE. PUBLIC HEALTH CONSIDERATIONS APPEAR TO HAVE BEEN ABSENT WHILE "IMPLEMENTATION", REGULATION (GUN CARRYING POLICE), ADMINISTRATION AND TAKE-OVER COSTS OF FUNDING HAVE BEEN HIGH PRIORITY CONSIDERATIONS.

San Francisco Estuary Project

SF Estuary Project Plan backers intend that by persuading to Governor to approve this Project it would create a "mandate" to the legislature for "implementing" (programming) actions. This policy's backers intend the "policy" should lead to control, for example, over "urban runoff", over "nonurban runoff", and over "nonpoint source pollution" and runoff. This last "non-point source pollution" is an OPEN INVITATION to endless arbitrary, unilateral legalized and administrative mischievous games and psychological rackets.

"Non-point source" is also the term, being new as it is, that fairly directly ties in the collaboration of efforts between prime staff writer of SB 1866 (Johnston) "Delta Protection Commission" AND the San Francisco Estuary Project.

TIMING:

The SF Estuary Project has not yet been put in place. They just finished going through the motions of going through the required "the public process" with "public hearings", "workshops", and "open houses" "for public input." These latter started 9/12, went through 9/24/92. The project has formalities resembling an environmental impact report. Those just ended are called the "public input" phase. The last day for written input was 9/29/92, under pressure extended to 10/2/92. Then the "Management Committee" will put together the final draft during a vaguely defined period October into November. When pinned down for a date they instead play "Look-How-Hard-We're-Trying."

After that, at another unidentified date, they will ask Governor Wilson to sign an approval in order to make it an "official" policy, that the EPA and Clean Water act can then use, to get started getting in their hooks, (in order) to harass California citizenry further. Enforceable aspects? If Governor's signature is affixed then some aspect of regional EPA and (?)Clean Water administrators also sign. Enforceable? Probably not yet, as long as Attorney General and legislators do not want to surrender California State sovereignty.

If Governor were to give written approval to this Project then there certainly would have been created the psychological power weapon for use in an arm twisting game with the so-called "mandate" when project lobbyists later began to pressure legislators to "implement", put teeth into the project program. "Implementation" means setting up regulations which are to be enforced against citizens who now are not breaking laws, regulation enforced by more HIRED GUNS at the disposal of The Estuary Project, police who would be punitively aimed at now productive, law-abiding Californians who are not harming anyone else or anyone else's property.

Several requests were made to Project's program administrator for extension of time for the public (and panel members) to become reasonably informed about this Project, time to be able to study the proposal. These have been met with a variety of excuses including they, the staff having a "five year clock running" ending somewhere in November.

Game: "Look-How-Hard-We're-Trying."

The citation for their closing date authority although requested has not been forthcoming (requested of staff BT on 9/17, Oakland evening public hearing). They claim they have documentation for severely limiting the time for citizen consideration and study. Their claimed authority is vague, evasive and has not been forthcoming to this point. **Game?** Reader take a guess.

GAME:

**"LOOK-HOW-HARD-
WE'RE-TRYING."**

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During the first two public meeting there was no "public" person testifying who did not preface his remarks with an apology about not yet having had time to digest, read, understand the document as well as he wanted to have commenting. This apologetic prefatory comment was also heard repeatedly from members of the project's own presenting panel members during the first week of hearings, from 9/12 at San Jose on through to 9/17. I was reminded of "Look-How-Hard-We're-Trying."

After the evening hearing on 9/17/92, one of the panelists came over to interview me. During the same paragraph of personal conversation he readily admitted that **not even the panelists had had enough time** to actually familiarize themselves with the basic document, the "Draft CCMP" and then he backfilled his "oops" with "If there was not enough time then ... (you should ask for a time extension)." Curiously that panelist had already heard writer's public input verbal request for more time, that the request was not a hypothetical request, **not hypothetical UNLESS the transcript** minutes will not show the repeated and clear requests for an extension of time before public input was cutoff. That particular panelist's closing personal comment was "I'm sorry you feel you were left out." This last was obviously intended as an **intimidating rebuttal** in the face of the just preceding exchanges. If it was not intended to be intimidating then there is possibility of a learning disability or an **example of one of the tactics used to achieve "consensus"** in Management Committee. The writer's experience was of **"Why's-This-Always-Happening-To-Me."** I am aware that the other side of that particular game is almost invariably someone playing the "Now-I-Got-You,-You-SOB" game.

The draft plan of the document was to be available for public comment at the maximum for **no more than five weeks** if we can believe the **Project Director's cover letter dated 8/24/92**, ie until 9/29/92. Since then they have graciously extended the deadline for written public input to 10/02/92. For the planners to have this program in hand for a five to eight year period then not allow the public any more than a short five week period directly straddling the most heated part a nationally gripping election period is unjust, infliction of undue mental distress, possibly tort liable, if not an act of collusion, while someone asked privately if this was an act of conspiracy and/or treasonous. Could it be the Project personnel have us the public where they want us, by the short (time)? **"Now-We-Gottcha?"** That is, if any public citizen is going to get in some written comment, then it's going to be on their timetable.

GAMES WITH RELATIVE VALUES STUDIES

While the Estuary Project personnel and committee members may well have put in some 50,000 man-hours of work on this, at the same time this writer asserts that over 5,000,000,000,000 (5 trillion) man-hours of work and time have been given by the Bay Area-Delta's human population during their past 30 years of living time toward achieving what many presenters, unpaid and unbiased experts in their field, agreed in their public testimony has been a significant improvement in the Bay Area-Delta Estuary condition in all areas called "problems."

Project's plan now would appear to be to inflict pain on the Bay Area-Delta Estuary human inhabitants, inflict an expensive and unwarranted added layer of gun-carrying policing, fees-taxes and permitting process onto those whose crime would be that of being a human being in **the Project's territory**; not being a bird or goose or a fish or a chinook salmon or a stripped bass or a clapper rail or a delta smelt.

If someone person while inhabiting the area, decided to not back down or not move out of his home because one of the "protectors" or a bird or a goose or a fish or a chinook salmon or a stripped bass or a clapper rail or a delta smelt wanted in, what then? The new policing, autocratic, unconstitutional agency which would be made way for would be **socially dangerous to the health, welfare and safety of the public**. It would be undesirable, costly,

GAMES WITH RELATIVE VALUES STUDIES

San Francisco Estuary Project

endanger the human species living here. The authority it would put in place would be aimed **AGAINST** those productive, the hardworking honest, the law-abiding members of society who have already effectively and conscientiously been getting the Bay and Estuary into its admittedly improved condition. Here the scenario depicted is the sequence of games of first "Let's-Pull-A-Fast-One-On-Bay-Area-Delta-Estuary-Residents" ("Big Store" style, ie lots and lots and lots of props) then could start up "We're-Only-Trying-To-Help-You" and "Look-How-Hard-We're-Trying-To-Improve-The-Estuary", ending with many individual instances of "Now-I've-Got-You,-You SOB", the favorite of agencies modeled on the IRS and the **FEMA** pattern.

A CERTIFIED PROFESSIONAL NIGYSOB AGENCY

SF Estuary Project Draft document envisages BCDC (San Francisco Bay Conservation Development Commission) playing a prominent (gun-carrying, policing?) implementation role in any approved Project. As written before, the BCDC ranks near the top of the list of "most loathed and hated agencies" in the Bay Area now, especially as to promotes its program of "SWAMPATOSIS."

Students of Corporate Fascism and its use of the duplicitous presentations have had little problem understanding Chevron's talk and plans a few years back to **fill in Benicia Bay waterfront** as the precipitating event triggering formation of the San Francisco Bay Conservation Development Commission. **BCDC was fully backed** behind the scenes by Bay Area Council. Look at Bay Area Council's own letterhead for their **Executive Committee** membership. **Chevron** is only multinational with **two top executives on its Exec Comm**.

4) FLAWED PUBLIC NOTICE PROCEDURE and some games observed.

The article in the 8/11/92 **Vallejo Times Herald** clearly showing the nature and some of the intent of the Project. It is also seen to be one of those public notification (suppression) events that "slipped through the cracks" in an otherwise almost flawless suppression of the significance of SFEP. The article never had any follow-up. It did demonstrate nevertheless how, if there were in fact a real desire on the part of the papers and print media **and backers of the public advisory arm of the Project**, the print media could easily have gotten out many a quality story. As Vallejo's well written story identified, these would have easily alerted the citizenry about this Project's intentions and the Project's major significance for the political, economic, human health and welfare aspects for the citizens of this constitutionally defined state of California. To the best of my knowledge, **Vallejo's** timely story was the only story on the Project until those few appearing the day of or the day before a hearing in their local community. The day of or day just before is **a good way to conceal while claiming the opposite**, ie these are **duplicitous acts**.

COLLUSION?

This above, of course, presupposes that the heavy weight bankers behind the efforts at power and control of the area were to let up just briefly and allow real reporting on local events. For example, **Bay Area Council** is very much behind this SFEP, as is pridefully admitted by SFEP staff in personal conversation 9/4/92. You think for a moment that the papers of the Bay Area would have refused to print the San Francisco Estuary Project in full if the President of the Bay Area Council had called a press conference for that purpose. When the Chief Executives of the **Federal Reserve Bank of San Francisco**, the **Bank of America**, and the **Wells Fargo Bank**, plus say **Chevron** and P G & E, in unison, want some story in the print media they generally get it. And they know it. So does the President of the Bay Area Council.

HERE THE SCENARIO
DEPICTED IS THE
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"LET'S-PULL-A-FAST-
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I.E. LOTS AND LOTS
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Is there any question about the multiple contact openings between San Francisco Estuary Project and Bay Area Council's President and then also his contacts with that body's Executive Committee? Wasn't the Bay Area Council behind the formation of the "**Save the San Francisco Bay Association.**" Can anyone imagine Bay Area Council being other than **for the "implementation"** of the San Francisco Bay Conservation Development Commission (BCDC)?

BANKERS

Which of these **big bank members in Bay Area Council** was it which were also involved recently in **financially boycotting the Boy Scouts of America** because of the Boy Scouts refusal to accept sodomites as members and/or troop leaders? Take a look at Bay Area Council's Executive Committee listed on their letterhead for other organizations opposed to the position of Boy Scouts of America against infiltration by the sodomites.

COLLUSION FOR CONCEALMENT FROM PUBLIC NOTICE?

This complex legislative-administrative program is being pushed by the social engineers **NOW**, using the timing of voter preoccupation with National and local **elections as a smoke-screen to camouflage and in effect, conceal** citizen awareness of their actions. A similar GOAL to that of gaining control of California is **probably** being pushed simultaneously **also with some 16 other "ESTUARY PROJECTS" in the nation**, including perhaps, that one for **Santa Monica Bay "Estuary."** (Personal observations of Santa Monica Bay have failed to reveal any Santa Monica Bay "Estuary", but EPA documents say there is supposed to be one there. Who you going to believe?

Games: "Let's-Pull-A-Fast-One-On-Californians" and "Try-And-Get-Away-With-It."

FLAWED PUBLIC NOTIFICATION

It is unknown if any **official public notice** was placed in the Public Notice section of any newspaper of general circulation about the intentions of the actions of this plan and the members of the Management Committee making the plans. I'm not sure what the state law is about public disclosure of intentions of this nature.

BUSINESS COMPANY NOTIFICATIONS

No industrial, and only three business firms appeared at public hearings despite SFEP statements about sending out at least 10,000 mailings about the Project and its meetings. One staff member reported several times in public hearing about going out to meet with people and groups for a total of about 5,000 hours during the past three years. That may be my memory error, he may have said 5,000 groups or 5,000 people. It was vague, at least to me.

At the public hearings I attended there were representatives of Audubon Societies and several "environmentals", one local elected person in San Francisco, and some representing "save the fishes." **No food processing** firms, but some "anti-seleniumites." Private agricultural interests in the state were inadequately represented except in Stockton. I am the son of a homesteader.

There were three different representatives of County Mosquito Abatement Districts, otherwise no Public Health Official representing himself as such. **Mosquito Abatement** personnel were unanimous about the **inadequate** to almost complete lack of attention to **this public health matter**. Two of the three reported no contact from Project personnel before arrival at hearing.

LACK OF POLITICAL AWARENESS

During personal attendance at the **California Republican Party Convention** of 9/18-20/92, I found an almost **total lack of awareness of the SF Estuary Project**. Testifying before its **Agriculture Committee**, there was no one else present who acknowledged any awareness of

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San Francisco Estuary Project

this Project, let alone awareness of the significance of the Project for the future of California's agricultural industry and economic base.

Our state's **agricultural industry is absolutely dependent on a water** supply initially developed for and devoted to that vital aspect of California. Are we to let an armchair set of professional **"consensus builders"** who are **the hired guns** working for those who are fronting for the take over of California, are we to let them prevail? This is not only the future of that California industry AND the future of the individual California Central Valley farmer, IT IS THE FUTURE OF THE ENTIRE STATE OF CALIFORNIA.

This is deplorable, **if not a conspiracy**, considering the Project's verbally acknowledged plan **to take over control of the entire central valley, ITS LAND-USE MANAGEMENT AND THE WATER THAT COMES DOWN IN ITS WATERSHED.** AND their own panelist's says of these apparently ironclad, unchangeable goals "It will affect the grandchildren of you young people here" (panelist at second hearing at ABAG Bldg Thurs, 9/17/92).

COLLUSION? ON PUBLIC NOTICE OF HEARINGS

Only one elected representative official from a local constitutionally established government testified as such. This dearth of elected testifying may be an extension and reflection of the situation which I found in **Vallejo City Hall Friday 9/11/92** when a major official in the **Planning Dept** there informed me they **did not have a copy of the Estuary Project's "Draft CCMP"** themselves in that office, but that "there is one in the library you can look at if you want to." Certainly, when on both 9/1/92 and 9/8/92 at Community Forum I asked the mayor and Vallejo City Council each time "What is the position of the City Council on the San Francisco Estuary Project?" (and requested televising of the public hearing) the mayor gave the appearance of confusion to the question, gave no information on either occasion. When this is coupled with the fact **SFEP was booked into that City Hall on 6/20/92 for its 9/16/92** public hearing session, three months earlier, then we have **some reason to wonder about the Project's public notification and outreach program** and/or **collusion with City Hall to suppress community awareness** of the Project. Then too one has to wonder about **coordination between Project and the League of California Cities, County Supervisors Association of California, Vallejo City government, etc, etc. Coordination? Collusion? Notification? Suppression** of information?

Additionally here in Vallejo, I have to doubly wonder at the lack of candor what with **San Francisco Estuary Project Management Committee having scheduled over half of its post hearing meetings in Vallejo City and County Public Library.** That library is a scant 25 to 30 yards across an open level courtyard from City Hall main floor. Collusion?

Vallejo Mayor on both 9/1/92 and 9/8/92 instead of giving any information about the Project, each time responded he would have the City Manager write me a letter about that matter. Up to 9/30/92 there has been no letter from City Manager, let alone call from his office. There was the call from a member of the Planning Dept which, as mentioned above, revealed that Planning Dept had only the skimpiest of information on the Project. The Project documentation I personally gave that Dept after their call to me was more than 5 times what they had up to that point. **Has there been some collusion on part of City of Vallejo and this Project?**

There was **no representative of any Chamber of Commerce** at any of the public hearings who testified while affirming that he was representing business interests of a locale or area. The one panelist listed as Greater Metropolitan Sacramento Chamber of Commerce, in fact publicly denied a business orientation, instead described himself as an engineer.

OUR STATE'S
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OF CALIFORNIA.
ARE WE TO LET AN
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"CONSENSUS
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ENTIRE STATE OF

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5) FLAWED PUBLICITY and **QUESTIONS OF COLLUSION** to prevent public awareness of the Project and some of the games observed.

Why did the San Francisco Estuary Project refuse the offer of a public televising of its evening workshop hearing in Vallejo?

SEE ALSO SECTION ABOVE.

6) FLAWED PUBLIC HEARING PROCESS - Intimidation producing tactics, similar to those used in "consensus building?"

ATTENDANCE at public hearings as identified by personal count and observation.

	TOTAL BODIES	STAFF-PANEL IDENTIFIED	"VISITOR?" (?)Personal	PUBLIC IDENTIFIED
	In/out of room	friend of staff		
San Jose, 9/12/92	26	10 (INC PS)	1	13
Fresno, 9/14/92	26	11 "		
Sausalito, 9/15/92 (by FHE3).	42	11 (approx)		
Vallejo, 9/16/92	23	10		
Oakland, 9/17/92 afn	20 est	12		
Oakland, 9/17/92 evening ...	26	11		
Burlingame, 9/21/92	25 est	13		9
Stockton, 9/22/92	42 est	11	1	
Sacramento, 9/23/92 afn	45 est	12	1	
Sacramento, 9/23/92 ev	17	12		
San Francisco, 9/24/92	47	15	6	
Totals	339	128		

Claimed origins of SFEP are obscure, variously given eg amount of time and who started it up. Authority for a "timetable" requiring a fore shortened period for public study and input is not forthcoming as of 12 days later despite personally seeing "promiser" five times since. Request to be formalized by personal letter.

Budget and budget origins of SFEP not forthcoming despite verbal requests in Fresno, over two week ago. Request to be formalized by personal letter to Project Director. If not forthcoming in a reasonable time period, plans are to go the Freedom Of Information Act route since a federal agency and federal funds are involved.

The use of the Get-Nowhere-With outcome is the classical bureaucrat's when in doubt with the public. See pg 4, figure 18 in OK Corral brochure enclosed. I forgot to put "**stonewalled**" into the left lower corner there.

The design for handling public hearing input was generally skewed by use of approval in tones of voice, show of approving interest **toward those exhibiting a bias toward more controls and policing**. Those not in favor of more controls, who were pro-business, eg in Burlingame, were in their presentations, careful in phraseology to avoid anything that panelists might take offense at, as if seeming to sense that readiness on the part of the panelists. Once when a member of public admitted being some overwhelmed and "threatened" because she had not had adequate time to study the document since learning of the Project, one of panel almost immediately jumped on the "You felt threatened?" to send public presenter into apologies.

There was no mistaking panel prejudice against contrary public input. In my own presentation in Vallejo I was interrupted several times by querulous questions. I finally decided to get panel

THE DESIGN FOR HANDLING PUBLIC HEARING INPUT WAS GENERALLY SKEWED BY USE OF APPROVAL IN TONES OF VOICE, SHOW OF APPROVING INTEREST **TOWARD THOSE EXHIBITING A BIAS TOWARD MORE CONTROLS AND POLICING.**

THERE WAS NO MISTAKING PANEL PREJUDICE AGAINST CONTRARY PUBLIC INPUT. IN MY OWN PRESENTATION IN VALLEJO I WAS INTERRUPTED SEVERAL TIMES BY QUERULOUS QUESTIONS.

San Francisco Estuary Project

to stop doing that to me, identified the serial interruptions, attempts to contradict and/or refute what I had to say, declared to the interrupters this was a PUBLIC HEARING, I HAD BEEN RECOGNIZED BY THE CHAIR AND I WANTED THE DISAGREEMENTS WITH MY PUBLIC INPUT TO STOP. It did stop except for one more moderate sized shouting match with one of the panelists a couple of moments later.

I did note at other meetings when members of the public were testifying that panelists almost without fail worked against those in disagreement, "helping" them to become embarrassed, ashamed, angered, stupified, confused, or otherwise intimidating them. One tactic was to query the disagree-er in order to place him at a disadvantage, on the defensive. At one hearing someone pointed out the inadequate public notice. He was asked by a panelist "How would you have done it?" That member of public did not back off, instead rebuked the questioner by responding that they had already introduced their personnel responsible for "public outreach", was panelist asking questioner to tell them to fire their public outreach personnel? That that question was out of order and that there are professionals who are experts in these kinds of things, for example political campaign managers.

Other panelist tactics to dissuade and control those in less than full accord with the Project's goals included cutting a person short and impatiently interrupting although that particular one was not a 2nd time speaker, this within less than 3 minutes.

Further tactics in dealing with disagree-ers were disputing, arguing, dismissing, intimidating, interrupting with the insulting "I don't understand (you)" and sometimes not so subtle attempts to pick a fight, ie begging the question, asking for a clarification of a clarification, something no one else had any question about. **Intimidating** is an action of put-down, U are NOT-OK, defined with the **OK Corral**.

Intimidating can be used to confuse the other person, to belittle, to mislead, to disrupt the exposition of a thought.

A **verbatim transcript** would show these facts and the actions of shorting of those in disagreement

As the sequence of public hearings progressed into its final days this writer began to formulate the questions for himself about whether this approach of systematically stifling opposition might have resembled the process whereby Project's much vaunted series of agreements by "CONSENSUS" had been reached. "We only had to take a vote on one (item)", in the Management Committee's meetings where the Comprehensive Conservation Management Plan document was being composed, as if that were something to feel proud about.

This CCMP covered so many areas of wide ranging political and economic significance, so many points about which there are in society vast and wide ranging divergences of very strongly held opinions that to expect freely given "consensus", let alone agreement, would be almost unthinkable and certainly does strain the credulity of this writer. You could take almost any four of your friends OR people off the street and you would find at least two if not four firmly held views, held with conviction and commitment. To expect 49 un-coerced, thoughtful leading people, representative leading members of society to concur on the subjects proposed? The subject matter and considerations of the CCMP would supposedly call for the use of a person's considered JUDGEMENT. For me the repeated statements about being **representative of the community AND** having achieved the goal statements mostly by "**consensus**" was, let's face, **was unbelievable**. I've led a few workshops. I can speak with some experience. Discussions, led or not "facilitated", on these topics in meetings could realistically be expected to produce, at least two, if not ten clearly divergent and strongly held views.

I DID NOTE AT OTHER MEETINGS WHEN MEMBERS OF THE PUBLIC WERE TESTIFYING THAT PANELISTS ALMOST WITHOUT FAIL WORKED AGAINST THOSE IN DISAGREEMENT, "HELPING" THEM TO BECOME EMBARRASSED, ASHAMED, ANGERED, STUPIFIED, CONFUSED, OR OTHERWISE INTIMIDATING THEM. ONE TACTIC WAS TO QUERY THE DISAGREE-ER IN ORDER TO PLACE HIM AT A DISADVANTAGE, ON THE DEFENSIVE. AT ONE HEARING SOMEONE POINTED OUT THE INADEQUATE PUBLIC

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In one hearing, when a disagreeer brought up implementation legislation, he was told that had no bearing on the matter. In contrast when Greenbelt Alliance presenter discussed status of same implementation legislation, panel moderator encouraged his continued public testifying for some 15 minutes additional time, as personally clocked.

The non-verbal **discrediting** and "Don't pay any attention (him/her)" gestures did decrease as the hearings came to the latter phases.

Attending the entire (except Sausalito) series it was noted that hearing after hearing we heard the same panelists propaganda that "Bay is worse", "more polluted." This was despite second and third timer panelists having heard unquestioned authoritative contrary opinions during earlier testimony. Like with EPA in other known situations, it did not make any difference what any contrary view testifier said; verifiable authoritative data did not make any difference. The only thing that counted was what was "politically correct." The particular panelist had his mind made up AND did not accept any new information, as if the presentation were a prerecorded tape which he would play over any time his "play button" was pushed at a hearing. In fact, this writer is quite well acquainted with several current Delta Estuary water-skiers, none of whom have faulted the quality of water they skied, bathed and swam in. This includes their very healthy children. Recent personal trips into the Estuary revealed personally used potable drinking water there in the streams.

FLAWED PUBLIC HEARING PROCESS: Best estimate of summed **coefficient of veracity** of panelists and presenters at public hearings was **mid to low range**.

A claim was made at one hearing that "LA Water Dept" had made public hearing input and, as I heard it, had attended a non-specified meeting. This writer attended all public hearings except that in Sausalito (F H Ernst III attended that one and no "LA Water Dept" then). I neither saw nor heard anyone representing himself as from "LA Water Dept."

The size of the Management Committee quoted has varied: "a hundred people participated in the (Project's) Management Committee meetings", "over a hundred", "49" - it really depended on which public hearings one came to.

Hearings were run like a part of the game "The Big Store"; data presented by panelists would appear to be backed up on the surface. A lot of what got presented, however, does not hold up on looking further. This could be understood as part of pulling a fast one on Californian's; the meat and potatoes of EPA's way of life.

CONCEALING AND EVADING:

Two of the three Project post-hearings Management Committee meetings are scheduled for Vallejo Library. These would have had to be firmed up at least three months before 10/30/92. **Mayor and City Manager continue to be mum in public about this San Francisco Estuary Project. Collusion?**

7) FLAWED PUBLIC ACCESS TO PUBLIC RECORDS OF PUBLIC HEARINGS AND PROHIBITION AGAINST PUBLIC TELEVISIONING OF HEARING PROCEEDINGS, refusal to supply transcripts, refusal to allow the public service televising of Estuary Project hearings.

Personal attendance at 10 of 11 of Project's public hearings revealed both a flawed public notice and public hearing process. They claimed a desire for the widest possible dissemination of information and "complete openness" in input. On both 9/1/92 and 9/8/92 at Vallejo City Council "Community Forum" this writer asked to have the Project's public hearing scheduled to be held in Vallejo, publicly televised. On 9/11/92 City Manager personally reported to

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CAMPAIGN
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me "they (SFEP) don't want it (hearing televised)." Many local public hearings of public concern are televised in Vallejo, eg the recent "Waste Management" increase of garbage rates, the budgetary problems facing city employment practices, Council meetings, Planning Commission meetings, etc. Was this refusal to permit televising of the hearing an act of collusion between San Francisco Estuary Project and City of Vallejo to prevent public notification of the Project? Does the Project have something to conceal from the public at large? Does the City of Vallejo?

REFUSAL TO PROVIDE TRANSCRIPT OF HEARINGS

At the second SF Estuary Project public hearing, Fresno 9/14/92, I made a personal contractual, mutually agreeable arrangement including payment of a significant deposit to obtain a verbatim transcript from the Certified Court Reporter who was recording the meetings' transactional events. At the fourth public hearing, Vallejo 9/16/92, this Certified Court Reporter informed me he would not be able to make a verbatim transcript for me from his verbatim notes. This fact was verified by the chief administrator of the Project telling me their attorney ruled against my getting transcripts of this federally funded Project's public hearings. (See attached copy of letter from him.)

Project administrator further asserted then that the Court Reporter "could write what he wanted for the minutes" of these meetings. The fact that this writer would not be permitted to obtain a verbatim copy of the public testimony of Project hearings was not only a surprise to writer that evening at the public hearing but also came as a surprise to at least one of the presenting panelists, also on the Project's Management Committee.

Further efforts to obtain the verbatim transcript of hearings will be made.

This writer has some question about how reliable minutes of public hearings will be in view of Project to date refusing writer a transcript although hiring a certified court reporter who did take verbatim notes. See also below re flawed public hearings. Game? We'll see.

8) **CONSENSUS**", A **FLAWED PROCEDURE** IN PRODUCTION OF COMPREHENSIVE CONSERVATION MANAGEMENT PLAN document. "Consensus building" is a program to eradicate, regulate, reduce and/or ignore and conceal opposition. The OK CORRAL defines the social forces involved in "consensus" production as limiting the outcomes of opposition elements to "Get-Rid-Of" and "Get-Nowhere-With" within the Project's meetings.

The Management Committee produced Comprehensive Conservation Management Plan document is severely flawed because the procedure of "consensus building" stifles independent judgment and individual thinking. "Consensus" is recognized here as a program to eradicate, regulate, reduce and/or ignore opposition. This is also shown in accompanying diagrammatic backup material in the "Guide To The User Friendly OK Corral." The goal of "consensus building" is explicitly to remove differences of opinion. Therefore, anyone whose better judgment shows him he cannot agree is, in terms of "the process of the group", placed under personal duress if not in fact physically threatened, at least psychologically threatened; is a **NOT OK person**. "Consensus building" also relies on restricting the scope of discussions to "bring about orderliness of the points to be considered" and strict adherence to rules about sequencing of items discussed. Thus there are serious considerations never permitted. There are strict rules to follow to get consensus.

"Facilitators" whether one or several, are paid employees ("impartial consultants"). As such, they have a vested interest in doing the job they are paid to do, ie get "consensus" on the matters needed for the Project to go forward, **as if there were no disagreements**, therefore, no need for questions by a legislature, the Governor and certainly no need for any kind of

THE MANAGEMENT COMMITTEE PRODUCED THE COMPREHENSIVE CONSERVATION MANAGEMENT PLAN DOCUMENT. IT IS SEVERELY FLAWED BECAUSE THE PROCEDURE OF "CONSENSUS BUILDING" STIFLES INDEPENDENT JUDGMENT AND INDIVIDUAL THINKING. "CONSENSUS" IS RECOGNIZED HERE AS A PROGRAM TO ERADICATE, REGULATE, REDUCE AND/OR IGNORE OPPOSITION.

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general election "initiative" or "referendum." The outcome of "consensus achieving" involves a fairly precise sequencing of a fairly precise set of games, procedures and maneuvers.

Project's "consensus" production is a flawed procedure for producing the CCMP; flawed, if in fact, the goals were to actually be a reflection of the best judgments of the institutions and personnel represented in the written material of "THE PLAN."

"Consensus" is a program to eradicate, regulate, reduce and/or ignore and conceal opposition. It is not one aimed at allowing the expression of the considered judgments and thoughts of a society's representatives.

OK CORRAL defines the social controls involved in "consensus" production as limiting the outcomes of opposition elements to "Get-Rid-Of" and "Get-Nowhere-With" within the Project's meetings. Here we see more than ample basis for concluding that **"consensus building"** as used in this Project was **aimed at clouding, if not disabling the good judgment** of those responsible for the production of the Project's master document, the CCMP. The Constitutions of both California and the USA specifically address the issues of the primary priorities: The best interests of the humans inhabiting these legal, political and geographic finite entities.

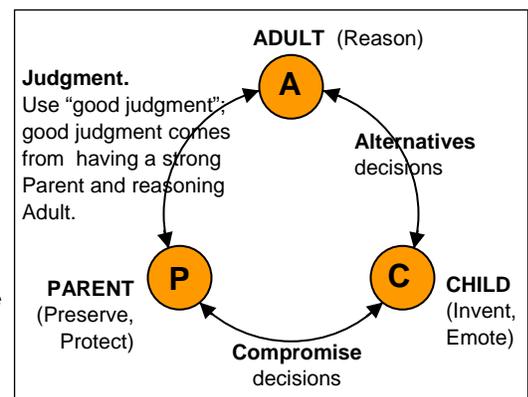
To outline: "Consensus" builders work within closed social settings in which, as a rule, "plants" are found; "plants" whose purpose is to "back up" the points which will bring about a predetermined set of objectives. Consensus builders are also skilled in spotting appose-ers, eliciting their opposition, then getting those appose-ers to commit themselves as appose-ers. Then in a coordinated manner, some of the "plants" will seem to align themselves with the appose-ers, then depending on balance of "social forces", begin to either "peel away" from opposition and leave them (emotionally) isolated OR alternatively assume a leadership role of the opposition, establish "friendships" with those authentically in opposition then endeavor to chip away at the individual reasons for opposing. The authentic appose-ers eventually discovers that the "plants" who aligned themselves temporarily with him had in fact been "skills" playing for the house, that all the time, he'd been up against a stacked deck.

Detailed exposition of the varieties of tactics belongs to another setting. Suffice it to say, "consensus builders" work within controlled settings within which the "opposition" is playing against a "stacked deck", the stacking of which is centered on playing the cards of embarrassing, ridiculing, putting down, shaming, making to appear stupid, cutting off comments, shows of impatience, etc at the appose-ers; done mostly by choice of words, tones of voice, physical movements and gestures - in short the varieties of methods to persuade, emotionally coerce appose-ers. It comes out that one who opposes "consensus" is (quite) unacceptable as a human being, **IS NOT SUITABLE TO TALK TO**, is not suitable as a "friend", **"JUST IS NOT OK."**

"Consensus builders" are quite familiar with the fact that if you can just once get an apposer to agree to a particular element, even if he changes his mind later when he has more information, or on reflection sees how he was conned into giving up his own better judgment; if you can just once get him to agree to your view, THEN you have the door to his opposition unlatched. Professional consensus builders are good at showing opponents just how they are "not intelligent" if they continue in their opposing views.

One of the other functions of "plants" in the meetings is to furnish the consensus builders with information, specific data useful to cutting down appose-ers. To understand consensus building it is good to keep in mind that opposition will be rooted in individual appose-ers and it is these individual views OR even the person himself that needs to be eliminated. **The reasoning of the appose-ers has to be shut down** and a very good way to do this is by demoralizing the

WE SEE MORE THAN AMPLE BASIS FOR CONCLUDING THAT **"CONSENSUS BUILDING"** AS USED IN THIS PROJECT WAS **AIMED AT CLOUDING, IF NOT DISABLING THE GOOD JUDGMENT** OF THOSE RESPONSIBLE FOR THE PRODUCTION OF THE PROJECT'S MASTER DOCUMENT



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opposer. From the consensus facilitators' ("professional") point of view this will **disable the presentation of that set of reasoning**. After all, that is what the "project" hires them to do.

See also attached below here the written public input about this "consensus" process which input was submitted at the 9/24/92 hearing in San Francisco.

9) EPA MALFEASANCE AND DISINFORMATION. EPA is an agency subverting both Federal and California State Constitutions.

"Estuary" as used by Feds has a specifically defined meaning.

In the background, we have become aware of the very tenuous legal basis of Environmental Protection Agency. There is no Congressional action authorizing its formation or continuance.

Any project associated with EPA, no matter how worthwhile it might otherwise appear to be, now if associated with the EPA is almost automatically going to have a brown mark painted on it.

The claims of EPA about asbestos have been disproven (THE ASBESTOS RACKET, M J Bennett). Its banning of asbestos was prohibited in a federal court (Access to Energy, September 1992). Times Beach, Missouri evacuation and hysteria about dioxins was later found to have been unfounded according to original "scientist." The EPA claims about PCBs have been disproven. The "ozone depletion and hole" arguments have holes in them big enough to drive a Mack truck through; sunlight forms ozone and once a year there is a major reduction in sunlight over the south pole. "Acid rain" theories have been disproven in writings funded by a \$600,000,000 National Acidic Precipitation Assessment Project study done for Congress; instead, the Director of the study fired and now nationally blackballed from employment. EPA's CAFE (Corporate Average Fuel Economy) auto mileage standards proposed for future were demonstrated in Court to endanger human lives (CEI vs EPA '91-'92) and abandoned by EPA after court found them illegal. Banning of refrigerating CFCs instituted solely on basis of political findings (Fighting Chance, Robinson, 9/92). (Certain corporate fascists would get rich if this politically instituted ban continues.)

GENERAL CONSIDERATIONS

Any and all **studies** documented by, performed by and/or for this Project would be suspect for the same reasons as those by which "consensus" was arrived at in the Management Committee on the Comprehensive Conservation Management Plan and its goal and objectives. Their primary purpose would be expected to be seriously flawed, the result of goals with a major conflict of interest, be self-serving. "Public servants" are the most notorious for the development and implementation of self-serving goals. They rarely have an intact **internal (self-)limiting** apparatus. Their limits for the most part are "Give-It-A-Try-And-See-If-You-Can-Get-Away-With-It", ie **limits externally imposed** on their reach and grab exercises.

GENERAL CONSIDERATIONS

The material in **the attached OK Corral** document has been taught to high school students with no problems in comprehension, including the "learning disability grouping" students. Almost without fail in classrooms they developed more respect for each others and for their teacher's points of view, **and** classroom morale went up.

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10) ALSO NOTED IS THE "PLANNING, PROGRAMMING, BUDGETTING SYSTEMS" METHODOLOGY.

"PPBS" refers to the Planning, Programming, Budgeting Systems approach repeatedly used knowingly, perhaps in a conspiring manner, to subvert local and State of California Constitutional Governance.

Used at Federal level for about 20 years explicitly. Goal is the eventual subjugation of Americans. Its methods and plans were made to order, at the order of the NEW WORLD ORDER. See Don Bell Reports of about 20 years ago for fuller explanation of "PPBS" history, ulterior nature of terminology, concealed motivations by users and the GAMES which that methodology relies upon.

PROJECT "GOALS" AND PLANNED SEQUENCE OF STEPS

To quote **SFEP** manuals, staff and workshop presenters:

"The Management Committee of this Project has identified five major problem areas to be addressed:"

1) LAND USE MANAGEMENT, goals are to establish controls over all lands in central valley and SF Bay watershed. **MAKE NO MISTAKE ABOUT IT THIS IS A GOAL OF TOTAL CONTROL OVER THE USE ALL PUBLIC AND PRIVATE LAND.** WONDER HOW THE MILITARY AND OTHER FEDERAL LANDS WOULD BE AFFECTED, EG NATIONAL FORESTS, NATIONAL PARKS.

This Project, if it gained "policy approval" status with Governor Wilson signature, followed by EPA and/or Federal Clean Water Administrator, could then begin to assert that (whether it were a fact or not) "implementation" had become "mandatory according to Federal law" when Project staff and other backers were to be lobbying state legislators and or/local governments and/or objecting citizen-voters, claiming the necessity as it were real "or they'll cut off our water." There would be wild claims for need for passage of legislation, which legislation **only after is was passed** would establish any mandate to affect persons and areas of California.

Games: "Let's-Pull-A-Fast-One-On-Californians" and "Try-And-Get-Away-With-It." To get state legislation passed, the leading legislators would have to play a heavy "See-What-The-Feds-Made-Us (Me)-Do." If in fact legislators can be persuaded to **betray their constituents**, there would then follow some very hard games of **"Now-We've-Got-You,-You-Sons-Of-Bitches (who thought you were still free)."** The ensuing NIGYSOB that should be expected then would be massive numbers of events like the horror stories we all have heard once in a while about the IRS, about FEMA, eg coordinating the attack on Randy Weaver, killing his wife and 13 year old son, and their making worse victims out of the survivors of "Hurricane Hugo" about three years ago. If this Project ever got into effect then YOU AIN'T SEEN NOTHING YET." Or "Cheer up saints, it's going to get a lot worse."

The Project's initial goals (plans) would be "modest" and "only additionally cover the 1600 square miles of the Delta." San Francisco Bay Conservation Development Commission [BCDC] already has jurisdiction over the Bay proper. Without question the "policy" (plan), if approved by the Gov, would instantly unleash the claims of a "mandate" behind the flurry of "implementation" bills that would besiege the legislature, aimed at laying claim to **land use CONTROL AND REGULATION** by a resulting agency over the entire watershed territory of Central Valley of California and the San Francisco Bay watershed, including the incorporated

"PPBS" REFERS TO THE PLANNING, PROGRAMMING, BUDGETING SYSTEMS APPROACH REPEATEDLY USED KNOWINGLY, PERHAPS IN A CONSPIRING MANNER, TO SUBVERT LOCAL AND STATE OF CALIFORNIA CONSTITUTIONAL GOVERNANCE.

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municipalities and local elected representational county governments and special district authority governments. We were told in public hearings this goal and section on "Land use management" was adopted "by consensus agreement of the Project's Management Committee."

Games: "Let's-Pull-A-Fast-One-On-Californians", "Try-And-Get-Away-With-It", "We're-Only-Trying-To-Help-You-Californians-Bring-Orderliness-Into-Your-Affairs", "Look-How-Hard-We're-Trying-For-Your-Own-Good"

2) FISH AND WILDLIFE AND WETLANDS

FACT: "Wildlife" in the ocean is especially lush and abundant around the ocean floors of oil wells driven into the ocean floor, (Policy Review, 1985). This is similar to abundance of sea life around ocean floor "thermal" vents.

PRODUCTION OF SWAMPS WITHOUT REGARD FOR HUMAN SPECIES ENDANGERMENT

See above section on Mosquito Abatement District non-consultation.

The **International Law and World Government aspects** intended for this project, if it gets in place, can easily be inferred from the Project's CCMP, ie pg 28, "... international treasure ..."

Re "**wetlands**", **certainly Sacramento City is below the level** of the flood plane and therefore it could fall prey to **wetlands "reclamation."** The greater portion of Stockton City is now being "readied" for "wetlands reclamation" by the "swamp creators."

Project denies any projected tie-in with the United Nations/New World Order's 1979 Wetlands Convention, ie quasi-treaty.

Games: "We're-Only-Trying-To-Help-You-See-How-Important-Wetlands-Are"

3) WATER DIVERSION -, ie **overriding, super-ordinate, superceding controls over all water** and its use which would come down in the **watersheds of the Central Valley** and Bay Area watersheds, **BOTH PRIVATE AND PUBLIC**, and including controls over all "nonpoint sources" of "pollution."

Their **"Goal: develop and implement aggressive water management measures to increase fresh water availability to the Estuary."** They would **subtract a fixed portion** from California's water sources, already in short supply by their statements, in order to run it into the salt water of the "Estuary" to achieve their own personally determined planning process and "salinity gradient" objectives for Californians.

Games: Big Store, Look-How-Hard-We're-Trying, Try-And-Get-Away-With-It.

The ultimate game goal would be a very tough **"Now-We've-Got-You,-You-SOBs"**

4) POLLUTION

Bay and Estuary are cleaner now than they were and continue to improve according to several authoritative testifiers at hearings.

REF "**WETLANDS**",
CERTAINLY
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"READIED" FOR
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RECLAMATION" BY
THE "SWAMP
CREATORS."

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Notes: From **Spotlight, MIA, Insider Report** we learn that

After the Exxon Valdez oil spill orders went out to US Forestry Rangers: Go get some ducks and geese, kill them, dip them in the Rupert Sound sludge then bring them into us. We'll do the rest.

After Exxon Valdez dropped its oil, THEN over the next 2 to 3 years salmon runs and catches in Rupert Sound have been over twice (some say X3) the normal. (Access to Energy, Human Events, etc).

Federal Prison liability for where you're dog drops his doo-doo, the tree your dog chooses to stake out his territory? Take a look at what they wrote in this Federally funded document, their "Comprehensive Conservation Development Plan." If your dog were to relieve himself say on yours or a neighbors lawn, it might get into the "groundwater" or on your cement apron or the sidewalk. It might get into the urban run-off over which the hoped for agency would have power and control.

Bay and estuary water would be no cleaner as result of proposal implementation.

5) DREDGING

Others have commented on how BCDC has really munked up the Bay on this score. No need to repeat that here.

GENERAL OBSERVATIONS:

THE DIALECTIC APPROACH

Here we note the standard Hegelian dialectic of the social coercers. **First** define an evident situation as a **"thesis"** ("**problem**"). Then propose an **"anti-thesis"** as the "solution." But the goal is not the "anti-thesis."

The goal at the first phase is to sow the seeds of social discord. Social discord takes place when **the game "Let's-You-And-Them-Fight"** has gotten a good foothold in a portion of the society. Another term for this social event is **"Divide and Conquer."** The game involves the clear ulterior objective of some "out of the line of fire", the fight promoter, eg **"the coat holder"** who takes home the marbles or the fair damsel, whatever the prize is.

Once discord has been started then you can start looking for **someone on a white-washed brown horse** with the **"synthesis"**, perhaps described as the "compromise." This compromise will temporarily settle the discord until the behind the scenes controllers need another "discord." In fact, Hegelian "compromises" are merely a break in the take-over-of-complete-power-and-control action until the next action. They are not compromises in which signators committedly bind themselves. They instead should be seen as one of the "alternative solutions", in the serial actions (tactics) required by their long range master plan of coming into full and absolute power-and-control.

WATER WARS

Imagine the wars and fighting if this Project's "water diversion problem" and goal enabled this project's authority to capture control of all fresh water. They would capture control of all water transfer operations **and destroy the underlying agreements** which permit water transfer to the lower San Joaquin and Southern California. Those who would cheer for "taking back" the water going south are the dupes of the coat holders and the coat holders' controls.

THE GOAL AT THE FIRST PHASE IS TO SOW THE SEEDS OF SOCIAL DISCORD. SOCIAL DISCORD TAKES PLACE WHEN **THE GAME "LET'S-YOU-AND-THEM-FIGHT"** HAS GOTTEN A GOOD FOOTHOLD IN A PORTION OF THE SOCIETY. ANOTHER TERM FOR THIS SOCIAL EVENT IS **"DIVIDE AND CONQUER."** THE GAME INVOLVES THE CLEAR ULTERIOR OBJECTIVE OF SOME "OUT OF THE LINE OF FIRE", THE FIGHT PROMOTER, EG **"THE COAT HOLDER"** WHO TAKES HOME THE MARBLES OR THE FAIR DAMSEL, WHATEVER THE PRIZE IS.

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This is because Project plans, if not stopped, to **take over total control of Northern Californian's** and their water also. Project planners, fronting for the big bankers mentioned above, plan to take over total control of **both the federal Central Valley Authority AND the central valley State Water Project**. Nor would project's authority stop there. It would include **all water use from upstream tributaries, private or public** notwithstanding. Their announced position: **"(All) water is a public resource."**

Game: NIGYSOB! "Now-We've-Got-You,-You-SOB-Californians!" probably also stirring up a heavy quality action resembling civil war.

GAME then: "Let's-You-And-Them-Fight (for your water rights)." Bloody waars!

GOVERNOR'S SIGNATURE REQUIRED AS ONE STEP ON THE WAY TO POWER AND CONTROL OVER ALMOST ALL OF CALIFORNIA

This Estuary Project apparently requires the Governor's signed approval to get it off the ground, ie to have it become an official "policy of the State."

Additionally, the "Governor's policy" ("policy", in PPBS terminology, is "the plan") would require implementation legislation (the "programming"). Presumably at a future time when such legislation was being introduced by some one fronting for the Project's backers, other legislators would be told such legislation "was mandated by Federal Law (Clean Water Act, EPA or other)." In fact, as this writer understands the Constitutional issues involved, the **federal government cannot "mandate"** such a program on the sovereign State of California **without the elected State officials violating their oath** to defend the federal and state constitutions. Nevertheless, one could expect the backers of this Project to try to "**snow**" and/or "**con**" the necessary number individual legislators on the matter of their votes for the (programming) "implementing" legislation.

Games: "Let's-Pull-A-Fast-One-On-Joe", "Big Store", "Try-And-Get-Away-With-It"

Several key pieces of legislation in this implementing (programming) direction showed up already during the just concluded session (1991-'92). These included the regional government bills to control ground water pumping; SB 922 (Pressley); SB 797 (Morgan), "Bay Area Growth Management Commission"; and SB 1866 (Johnston), the "**Delta Protection Commission**" act; and many others sponsored by Willie Brown. This SB 1866 "Delta Protection Commission", went onto the Governor's desk (see severely flawed public notice of hearings on that bill) at the end of August. Re SB 1866 (Johnston) there was inadequate or **lack of notification** to affected municipalities and county **boards of supervisors** about the **violation of their constitutionally established authority** in county local government matters and **subversion of their local representation powers** by this act.

CONGRESSIONAL "IMPLEMENTATION" ACTIVITY

A Congressional House Resolution (HR 5546 -PELOSI, Boxer, Dellums, Edwards (CA), Fazio, Lantos, Miller (CA), Mineta, Stark) "to amend the Federal Water Pollution Control Act to provide implementation of a management plan for the San Francisco Bay-Delta Estuary, and other purposes" was passed 7/92, supposedly to assist in getting power and control over the entire watershed land of the Sacramento-San Joaquin **and tributaries and Delta and SF Bay** out to the Golden Gate, ie about 75,000 square miles of California's 158,000 sq miles of area. "Implementation of a (regional) management plan for the San Francisco Bay-Delta Estuary", noted above is **unconstitutional** because this action is clearly intended to **subvert the authority of elected representational authority** of both State Assemblymen and State

GAMES:

"LET'S-PULL-A-FAST-ONE-ON-JOEY",
"BIG STORE",
"TRY-AND-GET-AWAY-WITH-IT"

Volume 1, Issue 5

Senators as well as subverting the authority of County and municipal local government elected representatives.

Games considered: "**Let's-Pull-A-Fast-One-On-Californians**", "**We're-Only-Trying-To-Help-Californians**", "**Look-How-Hard-We're-Trying**", "**Try-And-Get-Away-With-It**."

But why should anyone be surprised at such gamey attempts at illegal activities from this group when you look at the names. After all isn't Fazio the leader in preventing California getting more water storage capacity? Isn't he the one who says of his own extremely disruptive actions in Congress, witnessed on C Span, 9/23/92, "I was out of control?"

Game: "Try-And-Get-Away-With-It"

COLLUSION ON CONTROL OF PUBLIC INFORMATION

Proponents of this Project decry the inadequate "flushing" and circulation of the south bay mud flats. At the same time watch them panic as they go into their routines of ridicule and belittlement whenever the 1950's **REBER PLAN** is brought up. It would still provided both flushing **and** the ability to store almost unlimited amounts of the periodically excessive Sierra winter runoff water in gigantic fresh water reservoirs within the bay. Didn't this Reber Plan resemble what the Seattle area had done?

Those who recall the Reber plan, also remember the Reber Plan's carefully drafted attention to taking care of the fishies, pleasure boating, commercial navigation, "salinity gradient", etc, etc, etc. **AND THE VOTERS LIKED IT.**

The **only defense which opponents of the Reber Plan** have is their offensive displays of ridicule, derision, belittlement, jeering, and other put-downs. Because it is such a sensible plan it takes extremely harsh ridicule and derision being ready at a moments notice and **directed at anyone who dares to bring it up**. The social engineers are terrified of it because if it ever got going very big chunks of their carefully laid plans would be blown, plans to terrorize Californians into submission on some of their regional plans and authority scheduled down the line for unveiling. Reader here is invited to refer to the attached "Guide to the User Friendly OK Corral" for the social intimidation and control exercised by ridiculing, jeering, derision as **operational blackmail** and "killer" social weapons when used by "social engineers."

The same Congressman Vic Fazio of central California was seen on C-Span 9/23/92 busily doing his best (worst) at obstructing the testimony being given at hearings on additional **flood prevention and fresh water storage** behind the yet to be built Auburn Dam. TV showed his unending rudeness, interruptions, insults and in his words "I was out of control", as he seemed to be aiming at disrupting Congressional hearings on providing water for California. These actions can be expected of a person who relies on "**situational values and situational ethics.**" In fact, those with situational ethics and situational values also characteristically have **defective judgment** and routinely do not keep compromise agreements reached with others. Certainly, **their word IS NOT their bond.**

ENLARGEMENT OF ALREADY EXISTING, SOLELY PUNITIVELY-ORIENTED ENFORCEMENT AGENCY

BCDC current budget by personnel familiar with both BCDC AND the "Estuary Project" is \$2 million. Estuary Project budget as envisaged by them would be \$47 million a year for starters. This would indicate at least a X23 expansion of the police powers of the current BCDC. SFEP is now talking user fees on those who sprinkle (crops or lawns), those using any waterways for whatever purpose, etc.

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CERTAINLY, **THEIR
WORD IS NOT THEIR
BOND.**

San Francisco Estuary Project

BCDC for several years now has exacted a 100 foot "conservation easement" beyond high tide, therefore control on any property bordering one of "**their waterways.**" BCDC has caused at least one man I know to be incarcerated in Federal Prison for uses of his private property which did not affect any aspect of the BAY, except BCDC's vision of and for the Bay. SFEP gives every appearance of being another and much enlarged San Francisco Bay Conservation Development Commission (BCDC). BCDC's civilian arm, "Save the San Francisco Bay Association", personnel and members have been quite active supporters, pushers of this Project.

SF Estuary Project's water grab:

They are talking renegotiating (breaking) the contracts of San Francisco's Hetch Hetchy water supply, the East Bay Municipal water supply, etc. **"A deal is a deal is no longer a deal! Sorry! Too bad! You lose!"**; one of the cardinal signs of a person or a group led by someone who bases his actions on "**situational values and situational ethics**" compared to God based personal values and ethics.

Games on the way to getting an approved Project:

**"Let's-Pull-A-Fast-One-On-Joe", "Big Store",
"We're-Only-Trying-To-Help-You (Save the Birds and the Fishes)",
"Ain't-It-Awful (What-You-Did-Is-Awful)" and especially
"Now-We've-Got-You,-You SOB's", favorite of gun & badge wearing police with zeal.**

Submitted by,

Franklin H Ernst, Jr

Dated: October 1, 1992

ATTACHMENTS:

- 1) Copy of letter to Vallejo City Manager 9/15/92 re reported refusal by San Francisco Estuary Project to allow local public televising of hearing.
- 2) Copy letter to California Republican Party dated 9/15/92.
- 3) Copy letter from Certified Court Reporter, citing SFEP basis for inability to supply transcripts of public hearings.
- 4) Copy Freedom of Information Act amended request dated 9/25/92 for verbatim transcript of public hearings.
- 5) Copy public input at hearing 9/24/92 in San Francisco re "consensus" as an action of oppression and suppression of opposition, performed by experts in these techniques, who are paid to achieve these "consensuses."
- 6) For copy Bay Area Council letterhead see your own correspondence files.
- 7) Copy of letter to Gov Wilson urging VETO of SB 1866, Delta Protection Act.
- 8) Copy of "User Friendly Guide to OK Corral: Grid For What's Happening."

CC:

Solano County Board of Supervisors
Solano County District Attorney
Solano County Counsel
Vallejo City Council
Vallejo City and County Library
Los Angeles County Board of Supervisors
Los Angeles Metropolitan Water District
Governor Wilson
Attorney General
Senator Keene
Assemblyman Hannigan

League of California Cities
County Supervisors Association of California
Human Events
American Spectator
California Republican Party
Committee to Restore the Constitution
Committee to Restore the Constitution legal counsel
Olivia O'Grady
F H Ernst, III
Select others

**"A DEAL IS A
DEAL IS NO
LONGER A DEAL!
SORRY!
TOO BAD!
YOU LOSE!"**

Volume 1, Issue 5

Diplomate, American Board of
Psychiatry and Neurology, Inc.
Psychiatry

Franklin H. Ernst, Jr., M.D.

Fellow: American Psychiatric Association

P.O. Box 3009
Vallejo, California 94590
707/643-6611

For: Public Input
Public Hearing in San Francisco
San Francisco Estuary Project

Sept 24, 1992

During the period of the public hearings on this project we have heard many times about the fact that there was much "consensus" in the facts and composition of the CCMP's content. This fact of the "consensus" was voiced with pride by those announcing it.

It was also stated many times that a wide divergence of interests and people were involved in its present content.

My own experience with the diversity of background described and major geopolitical significance of this policy setting document would indicate that "consensus" is achieved only after:

- 1) some of the thoughtful people's interest had been decreased by "active measures" re the topic or attendance and/or
- 2) some of their careful attention to the details of the significance of the subject matter had been blunted and/or
- 3) some of those attending meetings had become more apprehensive about being shamed, ridiculed, embarrassed, intimidated, etc, ie had their thinking capabilities impaired by the process of those "amateur psychologists" who have "clever" remarks, comments, questions and/or
- 4) some gave up on attending after the first one or two meetings after finding themselves dismissed by those skilled in controlling the input in large measure to those favorable to a pre-conceived goal and program and/or
- 5) some gave up or shut-up after a few doses of the subtle put-downs and/or
- 6) some found their superiors at the workplace directing certain views as being acceptable to present and/or
- 7) etc.

Any consensus on something this size can only be arrived at after opposition has been removed, disallowed or intimidated into silence IF IN FACT the diversity of orientation and interest represented was as large as claimed.

A better way to get consensus would be to be very careful in selecting who the "volunteers" for this project were to be. That would seem to involve a fairly careful attention somewhere behind the scenes to references and background information on those who did ultimately become the MAC, TAC and PAC.

This project just won't sail, let alone even float, when in fact the public at large becomes in any significant manner aware of the policy's significance for "your grandchildren who will have to live with it." This may well be the reason why promoters of this would so vigorously and adamantly resist any voting on an initiative involving this project which would be "affecting all of Central California and Metropolitan Water District of Los Angeles." Most people recognize the disadvantage to their freedoms of having some super agency controlling their "land use management" and the rationing out of their water supplies.

The people of California know there is enough water, including its storage in wet years, in California to support a population of 50 million including the present level of agriculture, that is as long as the controllers and propagandists don't get in charge of it.

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San Francisco Estuary Project

Diplomate, American Board of
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Franklin H. Ernst, Jr., M.D.

Fellow: American Psychiatric Association

P.O. Box 3009
Vallejo, California 94590
707/643-6611

Mr. Ed Wohlenberg
City Manager of Vallejo
555 Santa Clara St
Vallejo, CA 94590

September 15, 1992

Re: San Francisco Estuary Project,
and a local/regional informed
(or not) electorate

HAND DELIVERED TO OFFICE of CITY MANAGER **AND** CITY CLERK OFFICES

Mr. Wohlenberg,

This is to confirm your report to me on Friday late afternoon September 11, 1992 about not televising the San Francisco Bay Estuary Project hearing scheduled for City Council Chambers on Wednesday evening September 16, 1992.

Your statement then was that "They do not want it (televised)" thus there would not be a cablevision televising of the hearing to viewers in Vallejo. This is not inconsistent with other data being collected on their approaches in their project of capturing political control of the watershed area of the SF Bay and Delta Estuary.

In response to my Community Forum question to City Council about Vallejo City Council position on the SFEP I still do not have any answer from your office. I first asked that question as you will recall on Sept 1, 1992. At that time Mayor Intintoli stated you would be writing to tell me what it was. I again asked that same question on 9/8/92 at City Council Community Forum. Again Mayor Intintoli assured me I would be hearing from you. He did not, however, give me a date by which I could expect to hear from you. It would seem to me that time is of the essence in the City of Vallejo giving me and the other voters of Vallejo an answer to this very important political control question.

Is there some problem unknown to me which prevents the City Council and the City Manager's office from showing candor on the City's position about this project which would have such far reaching political effects on the entire State of California?

Are the other locally elected municipal and county governments of the State of California which would be similarly affected by this major and very far-reaching piece of administrative law if it were to be enacted, being similarly reluctant to inform their electorate?

Sincerely,

Franklin H Ernst, Jr

CC: City Clerk
City Attorney
Mayor and Council
Board of Supervisors of Solano County
California Republican Party
Governor Pete Wilson
SFEP
Select others

IN RESPONSE TO MY
COMMUNITY
FORUM QUESTION
TO CITY COUNCIL
ABOUT VALLEJO
CITY COUNCIL
POSITION ON THE
SFEP I STILL DO NOT
HAVE ANY ANSWER
FROM YOUR OFFICE.
I FIRST ASKED THAT
QUESTION AS YOU
WILL RECALL ON
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THAT TIME MAYOR
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ME WHAT IT WAS. I
AGAIN ASKED THAT
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Volume 1, Issue 5

Diplomate, American Board of
Psychiatry and Neurology, Inc.
Psychiatry

Franklin H. Ernst, Jr., M.D.

Fellow: American Psychiatric Association

P.O. Box 3009
Vallejo, California 94590
707/643-6611

James Dignan, Chairman
California Republican Party
FAX #: 818/841-6668

Re: San Francisco Estuary Project
another proposed approach to
Regional Government

Date: 9/16/92

Sir:

See enclosed copy of letter to Vallejo City Manager re televising the San Francisco Estuary Project hearing in Vallejo. There seems to be some problem on the part of the Estuary Project and/or Vallejo City about making the hearings in Vallejo City available for public information.

Should the general public be excluded from viewing these hearing for some reason unknown to me. San Francisco Estuary Project as proponents envisage it is regional government for the entire watershed from the Golden Gate all the way up to the crests of the Sierras and inland side of the coastal ranges, from the Tehachipis to Mt Shasta. This is about 75,000 square miles out of the total of California's 158,000 sq mi area. It would take charge of the water being shipped to southern California. It could easily call Modesto a wetlands area, which should be allowed to return to its "natural habitat." It would be at least a x20 enlargement of SF Bay Conservation Development Commission authority and territory.

As you are aware, there is a resolution in CRP Committee now requesting Governor to declare a moratorium on the building, development, structuring or implementing of any more regional government codes and authorities until the legislature has had a public hearing with public input about the Federal AND State Constitutionality of this matter. These hearings are necessary in order to determine whether or not the various forms of regional government, either established, or as proposed to be established, are constitutional in the method of creation, the delegation of responsibilities and the equal representation requirements of the California and the Federal Constitutions.

From: FH Ernst Jr., member CRP
telephone 707/643-6611

REGIONAL
GOVERNMENT
QUESTIONS

San Francisco Estuary Project

Diplomate, American Board of Psychiatry and Neurology, Inc. Psychiatry

Franklin H. Ernst, Jr., M.D.

Fellow: American Psychiatric Association

P.O. Box 3009 Vallejo, California 94590 707/643-6611

To: Governor Pete Wilson FAX: 916/445-4633

9/21/92

re: Subversion of local authority in the Counties of San Joaquin, Sacramento, Yolo, Contra Costa and Solano by a regional government superceding the authority of Boards of Supervisors in land use management policies. Conspiring against local government?

ACTION request: VETO SB-1866, "Delta Protection Act"

Sir:

I request you to VETO flawed SB 1866 (Johnston) The Delta Protection Act. This act would establish mandatory controls over the actions of locally elected governments of the counties of SAN JOAQUIN, SACRAMENTO, YOLO, CONTRA COSTA AND SOLANO. In it, these counties would be mandated to conform to the regional land use plan of a new commission (Sec 29709, a & c).

- 1). This act is unconstitutional. It would usurp the constitutional powers of the constitutionally elected county representatives. It would mandate controls on the actions of County Boards of Supervisors in the specified region. This would subvert their policy making decisions on matters within their jurisdictions. SB 1866 would violate Constitutions of both State and U S A in a) the method of creation of the governing body, b) the delegation of responsibilities and c) equal representation requirements. 2). The 19 member commission called for by this act would subvert the elected local government authority. The commission would contain only 8 members elected by voters within the defined area in general elections, against 5 special interest reclamation district members, and 6 state agency appointees. 3). While clearly affecting the powers of local governments, it was not heard by a local government committee of either legislative house. This could be a conspiracy to prevent appropriate public notice. It indirectly affects the sovereignty of ten incorporated municipalities and it directly affects the sovereignty of the five counties plus six unincorporated communities (p 10,11). 4.) Public notice of act seriously flawed. Solano County Board of Supervisors, I am told, was inadequately noticed in order to take an informed position. Therefore, proper notification of the other counties is questioned. Also veracity of legislative staff of bill's author questioned.

One elected local government representative who testified against bill later called about "opposition?" An emphatic, unqualified "There was none!"

I respectfully urge you to VETO SB 1866 F H Ernst Jr, CC: CSAC, Five counties, California Attorney General, Others

VETO THE FLAWED SENATE BILL SB-1866 (JOHNSTON) "THE DELTA PROTECTION ACT" THIS ACT IS UNCONSTITUTIONAL. IT WOULD USURP THE CONSTITUTIONAL POWERS OF THE CONSTITUTIONALLY ELECTED COUNTY REPRESENTATIVES. IT WOULD MANDATE CONTROLS ON THE ACTIONS OF COUNTY BOARDS OF SUPERVISORS IN THE SPECIFIED REGION. THIS WOULD SUBVERT THEIR POLICY MAKING DECISIONS ON MATTERS WITHIN THEIR JURISDICTIONS.

Schiller's Reporting Service

345 Twin Peaks Blvd.
San Francisco, CA 94114
(415) 759-1477

September 16, 1992

Mr. F. H. Ernst, Jr.
P. O. Box 3009
Vallejo, Ca. 94590

Dear Mr. Ernst:

After discussing the matter with Ms. Brockbank, who spoke with the San Francisco Estuary Project attorneys, I am returning your deposit check, in the amount of \$250.00 for a verbatim transcript of the SFEP San Jose and Fresno Meetings.

The attorneys informed Ms. Brockbank that since I was hired by SFEP to do minutes of the meetings, not verbatim, it was not necessary for me to furnish verbatim minutes to anyone, even at their cost.

As I explained to you, verbatim minutes would contain a lot of material (about 45 pages per hour), be extremely expensive, and still would not be an official record, since it is my job to reduce all remarks to comprehensive minutes, and I sometimes do not record every word, in order to facilitate the writing of clear minutes.

I am sure you will be furnished a complete set of meeting minutes, and after reading them realize that I really did record all the important comments.

Thank you for your understanding.

Sincerely yours,



Paul Schiller

PS:s

San Francisco Estuary Project

Diplomate, American Board of
Psychiatry and Neurology, Inc.
Psychiatry

Franklin H. Ernst, Jr., M.D.

Fellow: American Psychiatric Association

P.O. Box 3009
Vallejo, California 94590
707/643-6611

Amended request: September 25, 1992
(Date of Request: September 23, 1992)

To: Disclosure Officer
San Francisco Estuary Project
Metro Center, 101 Eighth St
Oakland, CA 94604

FREEDOM OF INFORMATION ACT REQUEST

Dear Sir:

This is a request under the Freedom of Information Act, 5 U S C, 552 for copy of the complete **verbatim** transcript of proceedings at the public hearings on the San Francisco Estuary Project. The hearings took place between September 12 and September 24, 1992. The hearing records are in the possession of the Certified Court Reporter hired by the San Francisco Estuary Project and witnessed and acknowledging making a verbatim record of the hearings. This is a firm agreement to pay the costs of searching for and reproducing all documents requested herein. If, however, such costs exceed **\$5,000**, I wish to be notified before the expense is incurred. I am informed these proceedings records include the names, addresses and telephone numbers of panel members, those making public input presentations and of those attending who signed the sign-in sheets.

If some of the requested documents are exempt, please furnish me with those portions reasonably segregatable, and provide me with an indexing, itemization and detailed justification concerning information which you are not releasing.

This request pertains to the San Francisco Estuary Project, which is funded directly and indirectly under various Federal grants and established in 1986 as part of the U S Environmental Protection Agency's National Estuary Program. I am informed and therefore believe it is under the authority of the Federal Clean Water Act, 1987, amended 1990.

REQUESTED RECORDS

Please send complete set of verbatim transcripts of public hearings on San Francisco Estuary Project and names, addresses and telephone numbers of public input presenters, persons attending who signed sign-in sheets and panel members. As the Project has a definite time table for sequence of actions and therefore, since time is of the essence, your prompt attention to this matter is appreciated.

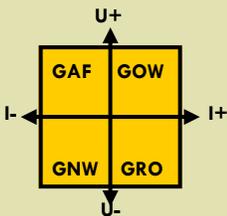
I may be notified at the above address and telephone number of the disposition of this request, and this request may be honored by mailing the said documents to that address.

Franklin H Ernst Jr

See Attachment for one other identifier bearing requester's signature.

FOIA

**FREEDOM OF
INFORMATION
ACT
REQUEST**



 **San Francisco Estuary Project**

September 29, 1992

Dr. Franklin H. Ernst, Jr.
P. O. Box 3009
Vallejo, CA 94590

Dear Dr. Ernst:

Re: your Amended Freedom of Information Act Request dated September 25, 1992.

Per your request for a "complete set of verbatim transcripts of public hearings on the San Francisco Estuary Project and names, addresses and telephone numbers of public input presenters, persons attending who signed sign-in sheets and panel members.":

- The San Francisco Estuary Project recorded nine public comment meetings on the Project's Comprehensive Conservation and Management Plan. The meetings took place between September 12 and September 24, 1992. The Estuary Project retained the recorder to provide detailed meeting summaries not verbatim transcripts of each of the nine meetings. The recorder is in the process of summarizing these meetings. As I told you on September 16 at the Vallejo meeting, the recorder could provide you with a verbatim transcript if he wanted to have a separate agreement with you to provide that document. The Estuary Project cannot provide you with a document that it does not have, such as a verbatim transcript of the public comment meetings. The Estuary Project will provide you with exact copies of all public comment meeting summaries that we receive from the recorder.

- As I wrote in my previous letter to you dated September 28, 1992, the meeting summaries will be available on or about October 20 - 25, 1992. At that time, the Estuary Project will send you the nine detailed meeting summaries and copies of the sign-in sheets for each meeting. Panel members' addresses and phone numbers can be found in the Estuary Project directory, which I sent to you in a previous mailing.

- We do not expect duplication costs for your requested information to exceed \$35.00.

Sincerely,



Marcia Brockbank
Public Involvement Program

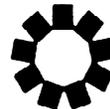
cc: Harry Seraydarian, Chair, Management Committee
James Haussener, Chair, Public Advisory Committee
Tom Wakeman, Chair, Technical Advisory Committee
Tom Mumley, Chair, Technical Advisory Committee
Amy Zimpfer, Project Director
Gail Louis, Program Manager

An Environmental Management Program of:

U.S. Environmental Protection Agency - Region IX

State of California

Association of Bay Area Governments



San Francisco Estuary Project



Project Update

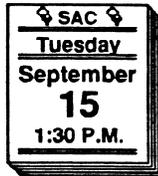
Volume 5, Number 5

September 1992

U.S. Environmental Protection Agency, Region IX • State of California • Association of Bay Area Governments

For Information: San Francisco Estuary Project • P.O. Box 2050 • Oakland, CA 94604-2050 • (510) 464-7990

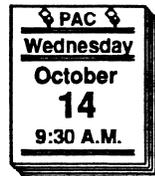
Next Meetings:



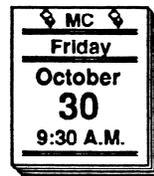
SWRCB, 1st Floor
901 P Street
Sacramento, CA



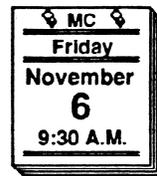
Comm. Conv. Ctr.
1400 K Street
Sacramento, CA



MetroCenter
101 8th Street
Oakland, CA



JFK Public Library
505 Santa Clara St.
Vallejo, CA



JFK Public Library
505 Santa Clara St.
Vallejo, CA

SAMPLE
CALENDAR

Volume 1, Issue 5

re: **SAN FRANCISCO ESTUARY PROJECT**

(c/o ABAG 101 8th St, Oakland, CA 94604)

AN EPA MASTER PLAN to:

- 1) Put Californians on permanent water rationing to put more fresh water into the salty San Francisco Bay.
- 2) Break ALL water rights & contracts in Central Valley watershed.
- 3) Place the Delta levees at major risk.
- 4) Return the Delta to swamp status.
- 5) Subvert County Supervisors' authority.
- 6) Further cripple California agriculture.
- 7) Send out more police vs law-abiding.

AN EPA PROJECT MARRED by:

Flawed procedure and public process.

Concealment of Public Notification.

"Consensus" produced by coercion and non-elected authority!

VIOLATION US Freedom Of Information Act?

COLLUSION with public officials?

AUTHORITY for Governor? for EPA?

LAWFUL (Constitution) vs LEGAL (Hired Guns)?

A SCHEME - to take over 50% of Calif area. PUSHED BY BIG BANKERS,
eg. **Federal Reserve Bank of SF** via Bay Area Council.

ANSWER: Oath of Office! Constitutionality?

NO GOVERNOR SIGNATURE, NO WATER CUTOFF!

by F H Ernst Jr., Box 3009, Vallejo, CA 94590
10/20/92

SINGLE SHEET
HANDOUTS

HIGH LEVEL CONSPIRACY*

CENTRAL VALLEY FRESH WATER IS LIFE BLOOD OF CALIFORNIA ! DELTA FRESH WATER CHANNELS ARE THE AORTA !

DELTA LEVEES NOW UNDER COORDINATED ATTACK BY FEDERAL, STATE, COUNTY (?)
GOVERNMENTS AND BIG BANKS, CORPORATIONS.

UNDER ORDERS: GOVERNOR'S FISH & GAME PROHIBITS VITAL LEVEE STABILIZATION.
ALL rock and fill, ALL repair and maintenance stopped.

UNDER ORDERS: LEGISLATORS REFUSE FUNDING for LEVEE MAINTENANCE. LEVEES WILL
NOT LAST TWO YEARS, NOW.

Drive Highway 12, Rio Vista to Lodi. See for yourself. In places, only 24 to 30 INCHES
from water level to the top of the levee, on calm days. Any high winds, choppy water, the
levee goes! Once breached, area becomes "Wetlands." No repair allowed. Gun and badge
patrols then. Have you seen north Vallejo, Highway 37? Broken levee —> "Wetlands !"
Once California water is gone, then a "**CALIFORNIA DISASTER**" is declared. **FEMA TAKES**
OVER CALIFORNIA ! What citizen rights remain ?

*Conspiracy as defined in the California Penal Code.

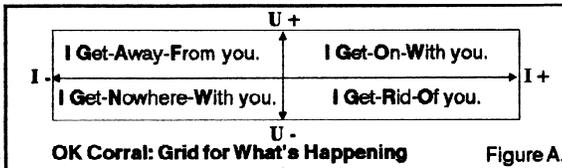
FH Ernst, Jr., MD 10/29/92

San Francisco Estuary Project

**G U I D E T O T H E U S E R F R I E N D L Y
O K C O R R A L : G R I D F O R W H A T ' S H A P P E N I N G**

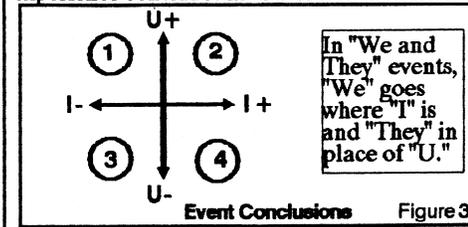
The **OUTCOME** of an event between two people, "You & I", can be diagrammed.

You can't say anything the other person won't take as either an OK or a NOT-OK. Events between people conclude with each experiencing a sense of personal OK or NOT-OK and also about the other party being OK or NOT-OK. These experiences and the results on the person, what happens to him next, are what the OK Corral shows how to figure out and sort.



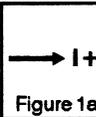
3. THE COORDINATES OF EXPERIENCE:

When these arrows are overlaid we see each experience concludes in one of the four corners.



CONSTRUCTION OF THIS DIAGRAM:

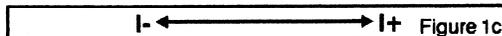
1a. I am OK is an "I+" arrow pointing right. For example: "I am good, going ahead. I feel good, confident. I have (more) power, control. I know what I'm doing. I know what I'm talking about. I'm on time. I'm courteous. I'm boss.", or other.



1b. I am NOT-OK is an "I-" arrow to the left. "I going backward, losing ground, going bald. I'm sick. I feel bad, low, fearful. I feel helpless, hopeless. I'm late. There I go again!", or other.



1c. COMBINING THESE:



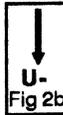
For example: .."I did bad"....."I did good."

2. The other half of the event is "You", "U" for short.

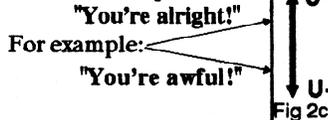
2a. You are OK is a "U+" arrow pointing up. For example: "I look up to you. I value you. You are right. You have (more) power, control. You have (more) money, status. You are courageous. You are loyal", etc.



2b. You are NOT-OK is a "U-" arrow pointing down. "I look down on, disapprove of U. U hurt my feelings. U made me cry. U are contemptible. There U go again! U're a coward. U're stupid! Damn U!" "Putdowns" are You-are-Not-OKs.

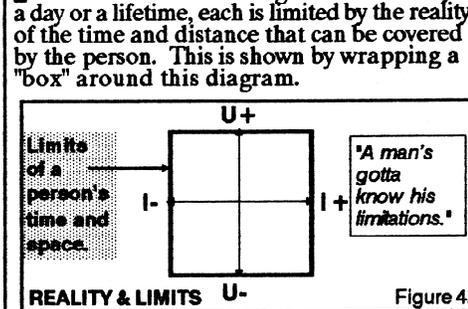


2c. COMBINING THESE two arrow points:

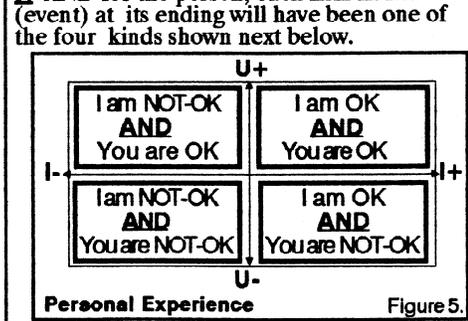


The OK Corral measures and sorts behaviors. It may have psychological uses but here it's about what you can see.

4. LIMITS: Whether looking at one event only or a day or a lifetime, each is limited by the reality of the time and distance that can be covered by the person. This is shown by wrapping a "box" around this diagram.



5. AND for the person, each **EXPERIENCE** (event) at its ending will have been one of the four kinds shown next below.



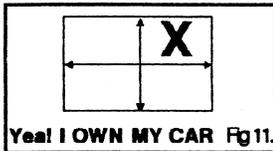
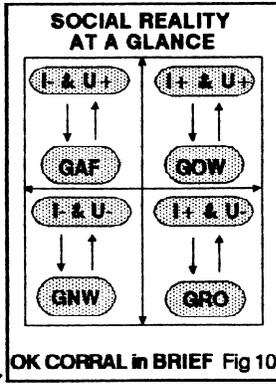
The "AND" in each corner is the KEY. "AND" is the key which determines the **SOCIAL OUTCOME** of the particular experience which "I AND you" had. Outcomes? Turn the page.

Figure 5 **IS NOT** The OK Corral. It is the personal experiences diagram. The OK Corral is the diagram showing how event **experience AND the result, the outcome action, are related.** It is the diagram at the top left here (Fig. A). Turn the page to see how these are related.

THESE ARE THE CARTESIAN COORDINATES of SOCIAL BEHAVIOR.

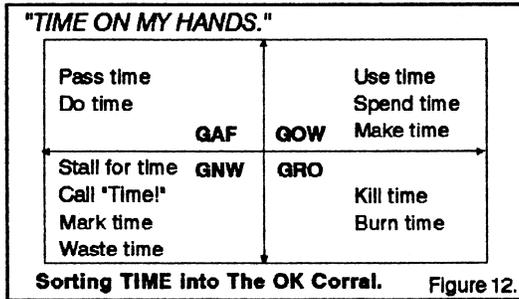
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10. BREVITY: A major value of symbols is their ability to succinctly represent large segments of -- reality at a glance. Symbol, diagram to left encapsulates diagrams 6 and 7. It shows at a glance how the OKs/NOT-OKs exchanged between two parties in an event are directly, reciprocally and mutually tied to the outcome of the person's event AND how his outcome is tied to his exchanges of OKs/NOT-OKs.

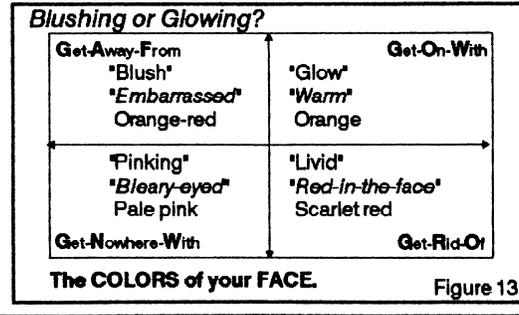


11. SYMBOLIZED REALITY: Writing an "X" to define a Get-On-With, a fulfilled contract, such as making the last car payment and getting the pink slip.

12. The TIME of your life in The OK Corral:

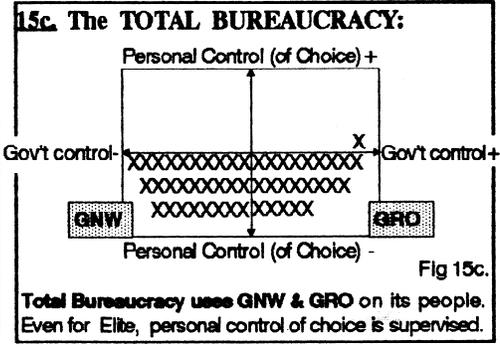
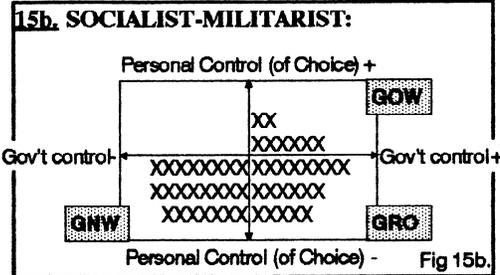
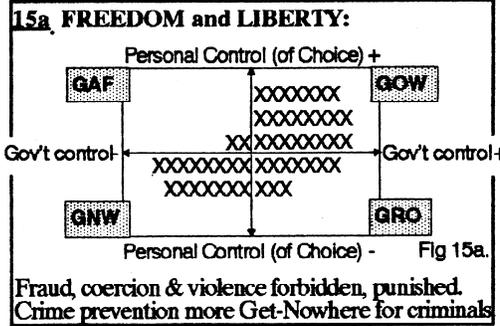


13. RED FACES in The OK Corral:

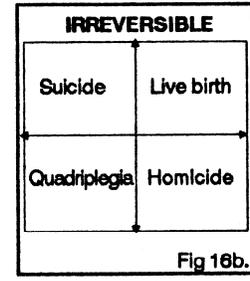
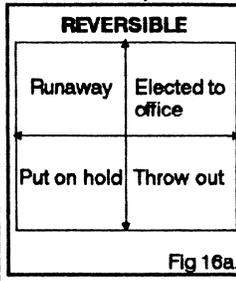


14. Multiparty events are ultimately settled by choosing sides, until there are only two. An "I" & "U" becomes a "we" vs a "they." A "they" then joins "we"; some join the final "they." "Non-aligned" align themselves with one or the other OR are "evicted" (GRO). In court cases, prosecutor vs defendant, one by one, ie a series of two party events. Three (3) party groups are designed to prevent dissent, keep it a "we"; dissent leads to ganging up on dissenter.

15. THE THREE STYLES OF GOVERNMENT as seen in the Grid for What's Happening.

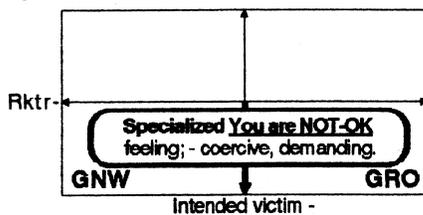


16. REVERSIBLE-IRREVERSIBLE: The results of some events are permanent, others are not, are temporary. With most events you can have "overs", eg get mad and runaway then come back with "I'm sorry." For some there are "no overs."

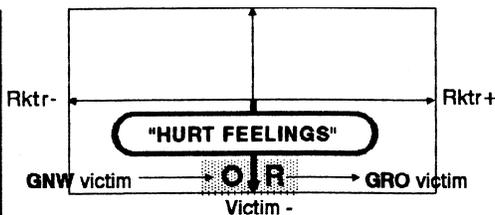


17. OK CORRAL and Rackets, Racketeering Behaviors: One advantage of the OK Corral is being able to see "emotional blackmail" for what it is. When you see the intent of these maneuvers for what they are, they become easier to handle. A behavioral racket is a specialized show of feeling saying to the intended victim (without words) "You are NOT-OK." Dramatic displays, these include: "You hurt my feelings." "You're confusing me." "You're scaring me." "You make me feel guilty." "You made me cry(burst into tears)." "You're making me angry (mad, nervous, desperate, tired).", etc. These accusative maneuvers have as their objective, the coercive enforcement of some demand. Implicit or explicit, the accusation is that the other person has "done wrong" to the accuser. Used to excess, the anger racketeer is called "a spoiled child." Emotional blackmail, racket behavior --- the goal is the control of and enforcement of demands on the party at whom the "feeling" is aimed. Racket behaviors result in either a Get-Nowhere-With or a Get-Rid-Of of the one who stands accused. Figures 17a, 17b.

Diagnostic: No GOW with racketeer before demand is met, then next demand, etc. **A solution:** Cut losses, get out.



The general diagram of Racket Behaviors. Fig 17 a.



"HURT FEELINGS" Racket Diagram. Fig 17 b.

18. Next: A sampling of activities, expressions, attitudes, & events sorted into The OK CORRAL.

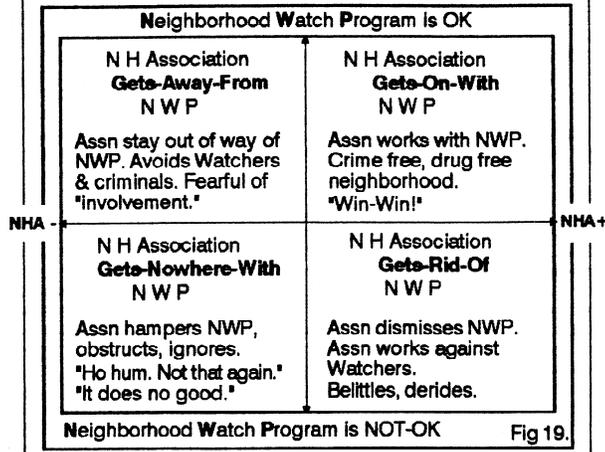
<p>Get-Away-From</p> <p>FREE FROM</p> <p>Embarrassed Shy</p> <p>Back off Back down</p> <p>Take off Take cover</p> <p>"I dunno" Escape</p> <p>"Ya Know" Resign</p> <p>"I Guess" Get out</p> <p>"I quit" Be fired</p> <p>"Inferiority complex"</p> <p>"Get away with it"</p> <p>Take a vacation</p>	<p>Get-On-With</p> <p>FREE TO BE WITH & FREE TO DO WITH</p> <p>Mutual accomodation</p> <p>Award ceremony</p> <p>"Good attitude"</p> <p>"Thank you"</p> <p>"Win-Win" Fix</p> <p>Create Cure</p> <p>Build Save</p> <p>Get well of Redeem</p> <p>"Get on top of it"</p>
<p>Get-Nowhere-With</p> <p>FREE (K)NOT</p> <p>"Take-a-raincheck"</p> <p>Moratorium</p> <p>Filibuster Stall</p> <p>"I forget" Defer</p> <p>Obstruct Ignore</p> <p>"Hell with it" Delay</p> <p>Postpone "Who cares"</p> <p>CYA, "cover-your-assets"</p> <p>A "bad habit"</p>	<p>Get-Rid-Of</p> <p>FREE OF</p> <p>"Get away from me"</p> <p>"Leave me alone"</p> <p>"I don't care"</p> <p>Ridicule Jeer, Leer</p> <p>Destroy Banish</p> <p>Defeat Betray</p> <p>Over-rule Belittle</p> <p>Abolish Push away</p> <p>Dismiss Fire a person</p>

What's Happening sorted into The OK Corral. Fig 18.

19. OK CORRAL in non-personal situations:

These arrows can be used for events other than the "I" & "U." The horizontal is used for the main party, the one in the driver's seat.

Work with Neighborhood Watch(anti-drug) Programs (NWP) within "Neighborhood Homeowner Association" areas (NHA) has shown a diversity of responses to NWP. These responses are sortable into the OK Corral, eg hampering, working against NWP. Some Associations work with Watches; others avoid, stay out of the way.



Neighborhood Watch Program is NOT-OK Fig 19.

20. Information on how to handle yourself **AND** how to sort and organize your dealings with others are **SOCIAL TOOLS**; just as are also names, strokes, skills and money.

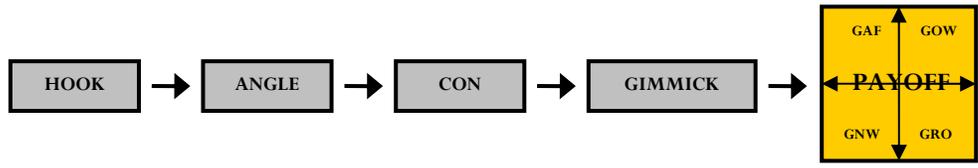
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A game is defined as a recurring set of transactions with ulterior transactions, concealed motivation, a gimmick, and a payoff. Eric Berne, M.D. used a particular variation of the duplex transactional diagram to represent the ulterior aspects of a game. Berne added the concept of switch in 1966 and introduced "The Game Formula." Con + Gimmick = Response > Switch > Payoff. The "Ernst Game Diagram" as described by Franklin H. Ernst Jr., M.D. in his paper "The Game Diagram" shows the phenomena of the variability of a game and number of variations without contradicting "Berne's Game Formula." The Game Diagram" has five moves: Move #1-Hook, Move #2-Angle, Move #3-Con, Move #4-Gimmick, Move #5-Payoff. Diagrammatically it looks like this:



"Mastery of the universe is proportional to the symbols man has by which to represent his universe."

We're on the Web!
<http://www.ListeningActivity.com>
<http://www.ErnstOKCorral.com>

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TRANSACTIONAL ANALYSIS in the OK CORRAL: Grid for What's Happening

