

Thank you for your past interest in Meadow Vista Protection, Inc.

This e-mail is being sent as an update to the members of MVP and those interested in preserving the Meadow Vista community's quality of life and environment.

First, thank you to those that showed up and represented the interests of Meadow Vista and the surrounding communities at the Board of Supervisors meeting regarding the lapse of Cheveraux's asphalt plant permit. Unfortunately, the Board of Supervisors voted to uphold the permit, and did not agree that the permit had lapsed - ignoring all evidence presented to the contrary. The complete transcript of the hearing is attached to this e-mail.

MVP has engaged another attorney to replace the Zumbrun Law Firm. His name is Michael Graf and practices in the area of environmental law. He also holds a master degree in environmental science and policy. While he resides in the bay area, he has family that lives in the foothills and is personally connected to protecting our community. He has been successful with previous suits against governmental agencies that have not enforced and adhered to local and state environmental laws and zoning codes.

The lawsuit originally filed by the Zumbrun Law Firm against Chevreux has been put on hold. Both parties have agreed to a "stay" to allow us to exhaust administrative avenues within our local government. Our current stance in opposition to Placer County is:

- 1) The asphalt plant was abandoned due to non-use. To continue to use the asphalt plant would require a new permit with the application of all the current environmental laws.
- 2) The original asphalt plant installation has been expanded which is not allowed for a permit that is non-conforming to current law (grandfathered in), without filing for a new permit. Additionally, night-time truck traffic would be an expansion in it of itself.
- 3) The proposed location of the asphalt plant has moved which would require a new permit.
- 4) The asphalt plant was not considered as a part of the current Chevreux surface mining permits, and should have been.

Michael Graf sent a letter to Placer County outlining the county's departures from and violations of their own laws and how Chevreux's current asphalt plant is not in compliance with the County's zoning code. (See letter dated 11/29/07 attached.)

Placer County did not respond to this letter. Accordingly, Michael Graf filed suit against the County on MVP's behalf. The complaint dated 01/09/08 is also attached.

We encourage you to read the attached documents as they include pertinent and critical information relative to the approval of the asphalt plant in Meadow Vista. Please share

our legal response to the county with your neighbors. They need to understand that the county is not following its own laws enforcing the lapse and violation of this asphalt plant permit. Also, it is important that the community is not lulled into complacency since there has not been significant asphalt traffic to date. This is primarily due to the slow down in the housing/construction market and the cloud this lawsuit has over any large highway project.

MVP is ready to go to trial.

WE NEED FINANCIAL SUPPORT TO CONTINUE OUR LEGAL BATTLE AGAINST THE COUNTY. For those of you who made pledges in October 2007, we need you to honor these pledges now. Please send your tax deductible donation to P.O. Box 1165, Meadow Vista, CA 95722. Please urge your neighbors to get involved and help with this important struggle.

Best regards,
The MVP 2007-2008 Board of Directors

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