



October 14, 2020

Surf Cup Sports' response with respect to San Dieguito River Park Joint Powers Authority Board Meeting Agenda Item Two brought by the Friends of the San Dieguito River Valley ("FSDRV"):

Surf Cup Sports has never denied its responsibility to fix the portion of the Coast to Crest trail damaged by years of misuse from the prior tenant, the San Diego Polo Club. We've acknowledged this responsibility time and again to community members and to the City of San Diego. In fact, we have taken several significant steps towards the repair work which includes: 1) securing a grading permit, 2) bringing a water pipeline to support required plantings, 3) removal of invasive plant species from key trail areas, 4) soliciting bids from general contractors to complete the work, and 5) removing the dilapidated fence built by the Polo Club which restricted some trail access. The FSDRV seeks to co-opt this body to force the work to be completed on their preferred timetable. Let me be clear: the lease does not specify a deadline for the completion of the work on the trail, yet we've completed all of the above items and done so despite the disruptive actions of Ms. Brown and the FSDRV.

There are several factors that prevent us from funding the immediate completion of the project, which are assumptions that underpin the commitment made when the lease was signed. First and foremost, twenty days after we took possession of the facility, Ms. Brown's FSDRV filed a lawsuit seeking a temporary restraining order to enjoin all activity on the site. The court ruled against them. The FSDRV then sought an injunction seeking to prevent all activity on the site. The court ruled against them. The FSDRV then filed a CEQA challenge to the lease, seeking to overturn the lease and cancel our rights as a lessee. This challenge was defeated twice, and a final verdict was issued February 19, 2019 in our favor. The FSDRV filed an appeal, and we currently await yet another legal decision with respect to the lawsuit. Even though the FSDRV have been defeated at every turn, it was not without legal costs - money that absolutely would have been spent restoring the trail. Had the lawsuit not been filed, it's highly likely the trail would be completed today. Since the FSDRV seek to invalidate the lease, it would be foolhardy in our opinion to divert important resources dedicated to our youth programs to restore a trail adjacent to a property that we may lose rights to given an adverse court decision.

Secondly, when we signed the lease, we assumed that we would be able to operate the facility in conformance with our proposal to the City and according to the terms of the lease. Since March, due to COVID-19, we have had to cancel numerous events which pay our staff's salaries, pay maintenance costs, and fund other projects like the Coast to Crest trail. As is common with many corporations in the United States, we have halted all non-essential expenses until the pandemic passes.

Ms. Brown and the FSDRV on one hand seek to remove us from the property yet on the other demand that we spend hundreds of thousands, to perhaps a million dollars, on the project they prefer on their timetable.

As we've stated many times, publicly and privately, we believe in the mission of the San Dieguito River Park Joint Powers Authority and we're looking forward to repairing the damage to the coast to crest trail to create a great walking and riding trail for the entire community. The part that Ms. Brown and the FSDRV don't want to allow for is this community includes our families, our kids and all the people who enjoy our facility.

Sincerely,

A handwritten signature in black ink, appearing to read "Rob Haskell", written over a horizontal line.

Rob Haskell, COO
Surf Cup Sports, LLC