



March 4, 2024

Sent via email

Chris R.Y. Apallas
Deputy County Counsel
Office of County Counsel
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(707) 259-8248

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Re: Center for Biological Diversity's Appeal of Hyperion Vineyard Holdings LLC., (A.K.A. KJS Investment Properties and Sorrento Inc.) Erosion Control Plan Approval (State Clearinghouse No. 2018092042)

Dear Mr. Apallas, Mr. Bordona, and Members of the Board of Supervisors:

I am writing to request a continuance of the hearing on the Center for Biological Diversity's ("Center") appeal of the County's approval of the Hyperion Vineyard Holdings LLC., (A.K.A. KJS Investment Properties and Sorrento Inc.) Erosion Control Plan ("Project"), and of the associated deadlines. The Center filed its appeal on December 5, 2023, and the appeal is currently scheduled to be heard before the Board of Supervisors on May 7, 2024.

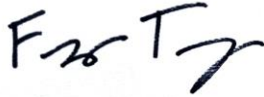
Since filing its appeal, the Center has been actively engaged in productive settlement discussions with Project applicant KJS Investment Properties ("KJS") regarding the Project. As a result of these discussions, the Center and KJS are hopeful that the two parties can reach a final agreement that will obviate the need for the Center to pursue its appeal.

To that end, in order to give both parties time to prepare and finalize a settlement agreement, the Center requests that the Board continue the hearing on the appeal by six weeks and adjust all associated deadlines accordingly. The hearing would be moved to June 18, 2024, or as soon thereafter as the Board is available to hear it. The deadline for the submission of additional written information would be moved to April 26 (or slightly later, depending on if and when the hearing is calendared). All other deadlines for the applicant, appellant, and the County that were decided at the Pre-Hearing Conference would be adjusted in the same way.

Counsel for KJS (CC'd here) supports this request.

Please let me know the County's decision regarding this request. Feel free to contact me with any questions or concerns. Counsel for the parties will reach out to you in the next few weeks to apprise you of the status of our efforts to reach a settlement and next steps.

Sincerely,

A handwritten signature in black ink, appearing to read "Frances Tinney". The signature is stylized with a large "F" and a long, sweeping "T".

Frances Tinney
Attorney
Center for Biological Diversity
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CC: Alicia Guerra, Counsel for KJS Investment Properties and Sorrento Inc. aguerra@buchalter.com