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January 23, 2009

Via Facsimile and U.S. Mail

Pete Parkinson, Director  
Permit & Resource Management Department  
County of Sonoma  
2550 Ventura Avenue  
Santa Rosa, California 95403

Re: Canyon Rock Quarry Use Permit (PLP 97-0046)  
Stay of Permit Deadlines  
Our File No. 3027-002

Dear Mr. Parkinson:

On August 28, 2007, the Sonoma County Superior Court entered Judgment granting in part and denying in part the Petition in *Forestville Citizens for Sensible Growth v. County of Sonoma, et al* (Sonoma Sup. Court No. 238992). The Court upheld all of the Sonoma County Board of Supervisor's actions as set forth in Ordinance No. 5667 (granting the Canyon Rock MR Zone Change), Resolution 06-0595 (certifying the Canyon Rock Quarry EIR) and Resolution 06-0596 (adopting findings, mitigation measures, a monitoring program, a statement of overriding considerations, and approving the use permit and reclamation plan), except for the approval of the Canyon Rock Quarry Use Permit (PLP 97-0046).

On October 24, 2007, in accordance with the Court's Peremptory Writ of Mandate, the Board of Supervisors adopted Resolution No. 07-0894, rescinding the original Canyon Rock Quarry Use Permit (PLP 97-0046).

On January 29, 2008, the Board of Supervisors adopted Resolution No. 08-0089, approving the new Canyon Rock Quarry Use Permit (PLP 97-0046). The new Use Permit resolved the sole issue on which the Court ruled in favor of the *Forestville Citizens for Sensible Growth* Petitioner.

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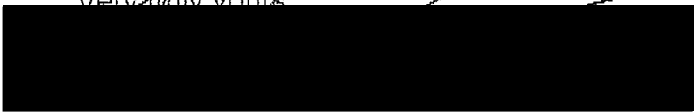
The Petitioner has appealed portions of the Judgment to the First District Court of Appeal (Court of Appeal Case No. A119543). In particular, the Petitioner challenges the Court's approval of the MR Zone Change, the EIR certification, and certain findings made in Resolution 06-0596. The appeal is currently in the briefing stage, and it may be several months or more before the Court of Appeal hears the matter and issues a decision. If the Court rules in the County's favor, the Petitioner may seek review by the California Supreme Court. The Petitioner, Canyon Rock, and the County have stipulated that any ruling issued by the Court of Appeal or the California Supreme Court will apply to the new Use Permit approved on January 29, 2008.

Given the ongoing appeal and the stipulation between the parties, the new Use Permit is the subject of litigation brought by opponents of the project to attack or overturn the project approval or its accompanying environmental document. Therefore, the Use Permit deadlines and time periods may be tolled under Sonoma County Code Section 26-92-270.

Please consider this letter to be Canyon Rock's official request for an automatic one-year stay of the Use Permit pursuant to Sonoma County Code section 26-92-270(e). The stay should be effective January 29, 2009. Please confirm that the automatic stay is in effect.

Thank you for your prompt attention to this matter.

Very truly yours,



Nicholas R Tibbetts, Consultant

cc: Jeff Brax, Deputy County Counsel  
Greg Dion, Deputy County Counsel  
Wendel Trappe