***Via Email***

November 23, 2026

Rob Bonta, Attorney General
Office of the Attorney General
Attn: Environmental/CEQA Filing
1300 I Street
Sacramento, CA 95814-2919
CEQA@doj.ca.gov

**Re: Notice of Commencement of Legal Action Alleging Environmental Harm**

Dear Attorney General Bonta:

The attached Petition for Writ of Mandate in *Center for Biodiversity v. County of Ventura et al.* (Ventura County Superior Court), is submitted to your office pursuant to Code of Civil Procedure section 388 and Public Resources Code 21167.7.

Petitioner in this case challenges the County of Ventura and the Board Of Supervisors of the County of Ventura's approval of the Pacific Rock Quarry Expansion Project, Case No. LU10-0003 ("Project"), and adoption of the Final Environmental Impact Report and associated project approvals for the Project. Petitioner alleges environmental harms that could affect the public generally and the natural resources of the state. Petitioner is specifically concerned about the Project's significant negative environmental impacts to special-status animals and plants, including mountain lions (*Puma concolor*) and Conejo buckwheat (*Eriogonum crocatum*), wildlife connectivity, and sensitive habitats.

Please acknowledge receipt. Thank you for your attention to this matter.

Sincerely,

Evan Levy
Associate Attorney
Center for Biological Diversity
Elevy@biologicaldiversity.org
Attachment: Verified Petition for Writ of Mandate

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF VENTURA**

CENTER FOR BIOLOGICAL DIVERSITY

Petitioner,

v.

COUNTY OF VENTURA; BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA; and DOES 1 through 20, inclusive,

Respondents.

PACIFIC ROCK, INC.; THOMAS A. STABEN SR., an individual; and DOES 21 through 40, inclusive,

Real Parties in Interest.

Case No.

**CEQA CASE**

**VERIFIED PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

[Pub. Res. Code § 21000, et seq. (California Environmental Quality Act); Code Civ. Proc. § 1094.5 (§ 1085)]

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## INTRODUCTION

1. This action challenges the decision of the County of Ventura and the Board of Supervisors of the County of Ventura (collectively, "Respondents") to approve and certify the Final Environmental Impact Report (FEIR) and associated project approvals for the Pacific Rock Mine expansion (Project), including adopting Findings of Fact, a Statement of Overriding Considerations, a Mitigation Monitoring and Reporting Program, a modification to Conditional Use Permit CUP 3817-3 (Case No. LU10-0003), a Discretionary Tree Permit, and the amended Reclamation Plan for the Pacific Rock Quarry.

2. The Project would destroy and damage populations of plants that exist nowhere else on Earth. The expansion would also severely degrade one of two remaining wildlife corridors for mountain lions and other animals to move into and out of the Santa Monica Mountains. Other than County staff and the project applicant, no individual or entity has expressed support for the project, whose operations provide only six jobs and have no positive fiscal impact on the County.

3. The Project would expand Pacific Rock Mine's footprint into 143 previously-undisturbed acres of the Santa Monica-Sierra Madre Connection, which connects habitat in the Santa Monica Mountains to the Santa Susana Mountains and larger swaths of mountainous habitat to the north. This linkage is critical to the survival of local mountain lion populations, which are listed as threatened under the California Endangered Species Act (CESA) and face an extinction crisis due to loss of genetic diversity and habitat fragmentation. The quarry expansion would reduce the width of this pathway from 1500 to 800 feet, severely constraining mountain lion movement. The noise, lights, and human presence of mining operations will also discourage continued mountain lion use of this critical corridor.

4. The Project site contains, and the Project would destroy, some of the largest remaining population of the Conejo buckwheat—a species that grows only in southeastern Ventura County and nowhere else on Earth. The Project would also impact multiple populations of other special-status plant species, including additional species whose entire ranges are restricted

to the immediate area around the Project site. Even so, the Project implements only a small fraction of the mitigation requested by the Department of Fish and Wildlife (CDFW).

5. The County approved a permit that would authorize operations for an additional 60 years, until 2086. This protracted timeframe prevents the reclamation and use of the site by imperiled wildlife and rare, native plant species for another sixty years.

6. The Project site is not zoned for industrial operations; it is zoned for Open Space and Agriculture. Nevertheless, the industrial Project relies on explosives to blast apart Conejo Mountain's rock for export. Blasts would cut 350 feet up-slope from existing mining operations, permanently altering the topography of Conejo Pass. Project permits allow the export of 468,000 tons of rock per year (1,500 tons per day), the import and export of up to 100,000 cubic yards of soil per year, and the import and recycling of up to 30,000 cubic yards per year of concrete and asphalt, requiring 120 one-way truck trips per day.

7. Heavy truck trips would pass through the area from 7:00 a.m. to 4:00 p.m., six days per week, generating diesel pollution and greenhouse gases. When requested by a public agency, the mine can extend trucking hours from 4:30 a.m. to 10:00 p.m. for up to two weeks. There is no limit on how many times agencies can request extended operations.

8. The blasting and trucking operations will also create significant noise pollution. This noise pollution would extend to the adjacent Conejo Mountain Funeral Home, where county residents go to grieve and remember their lost ones.

9. Throughout the administrative process, County staff and the Real Parties were the only people or entities to support the Project. All administrative engagement from other organizations, business, the City of Camarillo, and members of the community were opposed to or critical of the Project. During the Planning Commission and Board of Supervisors hearing, no person or organization testified in support of the Project. Of the approximately 65 comment letters submitted to the Board of Supervisors, all were against Project approval. The Planning Commission letter to the Board of Supervisors stated that the Project has no fiscal impact on the County, and the Project's operations create just six jobs.

10. Beyond this, the mine has a history of permit violations for grading outside of permitted areas. The mine has operated without a valid conditional use permit (CUP) for sixteen years.

11. Expert agencies, conservation organizations, and community members repeatedly warned the Respondents that the DEIR, Recirculated Partial Draft EIR (RDPEIR), and FEIR (together, EIRs) are legally deficient. The Center submitted extensive comment letters on January 15, 2021, December 9, 2022, August 12, 2025, June 17, 2026, October 13, 2026, and October 16, 2026, identifying failures in the EIRs including, but not limited to, failure to address significant new information regarding doubling the permit term; deficient analyses and mitigation for impacts to mountain lions, wildlife connectivity, rare plants, other special status species, and greenhouse gas emissions; failure to examine feasible project alternatives; and inconsistency with applicable land use plans. Other agencies and organizations, including the Mountains Recreation and Conservation Authority, California Native Plant Society, California Oak Coalition, City of Camarillo, California Wildlife Foundation, and the Dos Vientos Home Owners Association, submitted their own detailed comments. CDFW also identified serious shortcomings in the Project's environmental review. Instead of responding to these well-founded concerns, Respondents rubber stamped the Project.

## THE PARTIES

12. Petitioner CENTER FOR BIOLOGICAL DIVERSITY ("the Center") is a non-profit conservation organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has members across the country and has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and the overall quality of life for people in Ventura County. Members of the Center will be directly and adversely affected by the approval and construction of the Project. The Center submitted extensive comment letters on January 15, 2021, December 9, 2022, August 12, 2025, June 17, 2026, October 13, 2026, and October 16, 2026. The Center presented oral testimony at the June 18, 2026, Planning Commission meeting. After filing an administrative appeal

challenging the Planning Commission's approval, the Center presented at the October 20, 2026, Board of Supervisors meeting.

13. Respondent COUNTY OF VENTURA ("County") is a local governmental agency and political subdivision of the State of California charged with the authority to regulate and administer land use activities within its boundaries, subject at all times to the obligations and limitations of all applicable state, federal, and other laws, including CEQA and the CEQA Guidelines. The County acted as the CEQA lead agency for the Project.

14. Respondent BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA ("Board") is the legislative body and the highest administrative body of the County. The Board approved the Project, certified the FEIR, and denied The Center's administrative appeal on October 20, 2026.

15. The Center is informed and believes Real Party in Interest PACIFIC ROCK, INC. is incorporated in the State of California and does business in the State of California and is identified as the applicant for approval of the Project and landowner of the parcels subject to the Project.

16. The Center is informed and believes that PACIFIC ROCK, INC., is owned and managed by THOMAS A. STABEN SR. (together, Real Parties), an individual residing in Ventura County.

17. The Center does not know the true names and capacities, whether individual, corporate, associate, or otherwise, of respondents DOES 1 through 20, inclusive, and therefore sue said respondents under fictitious names. The Center will amend this Petition to show their true names and capacities when the same have been ascertained. Each of the respondents is the agent and/or employee of Respondents, and each performed acts on which this action is based within the course and scope of such Respondents' agency and/or employment.

18. The Center does not know the true names and capacities, whether individual, corporate, associate, or otherwise, of real parties in interest DOES 21 through 40, inclusive, and

therefore sue said real parties in interest under fictitious names. The Center will amend this Petition to show their true names and capacities when the same have been ascertained.

## JURISDICTION AND VENUE

19. This Court has jurisdiction to issue a writ of mandate to set aside Respondents' decision to approve the Project under California Code of Civil Procedure section 1094.5 (or alternatively, section 1085) and Public Resources Code section 21168.5 (or alternatively, section 21168), and section 21168.9.

20. Venue for this action properly lies in the Ventura County Superior Court because Respondents and the proposed site of the Project are located in the County. Many of the significant environmental impacts of the Project that are the subject of this lawsuit would occur in Ventura County, and the Project would impact the interests of Ventura County residents.

21. The Center has complied with the requirements of Public Resources Code section 21167.5 by serving written notices of the Center's intention to commence this action on Respondents on November 20, 2026. A copy of the written notice and proof of service are attached hereto as Exhibit A.

22. The Center has complied with the requirements of Public Resources Code section 21167.6 by concurrently notifying Respondents of the Center's election to prepare the record of administrative proceedings relating to this action. A copy of the Center's election to prepare the record of administrative proceedings is attached hereto as Exhibit B.

23. The Center will comply with Public Resources Code, section 21167.7 and Code of Civil Procedure, section 388 by furnishing the Attorney General of the State of California with a copy of the Petition. Attached hereto as Exhibit C is the true and correct copy of the letter transmitting the Petition to the Attorney General.

24. The Center has performed any and all conditions precedent to filing this action and has exhausted any and all administrative remedies to the extent required by law. The Center submitted detailed written comments objecting to the Project and identifying deficiencies in the environmental review on January 15, 2021 (comments to the Planning Commission on the Draft

EIR [DEIR]), December 9, 2022 (comments to the Planning Commission on the Partial Recirculated DEIR), August 12, 2025 (comments to the Planning Commission on the FEIR), June 17, 2026 (comments to the Planning Commission on the FEIR), October 13, 2026 (comments to the Board of Supervisors on the FEIR), and October 16, 2026 (comments to the Board of Supervisors on the FEIR). On July 26, 2026, the Center timely filed an administrative appeal of the Planning Commission's June 18, 2026, approval of the Project and certification of the FEIR. The Board of Supervisors heard the Center's appeal on October 20, 2026, where the Center presented and testified and the Board approved the Project. The Center has no further administrative remedies available, and this action is the only means by which to seek judicial review of Respondents' actions.

25. The Center has no plain, speedy, or adequate remedy in the course of ordinary law unless this Court grants the requested writ of mandate to require Respondents to set aside certification of the EIR and approval of the Project. In the absence of such remedies, Respondents' approval will remain in effect in violation of state law.

26. This petition is timely filed in accordance with Public Resources Code section 21167 and CEQA Guidelines section 15112.

## GENERAL ALLEGATIONS

### The Project Site

27. The Project site is located on 204 acres of land in unincorporated Ventura County east of Camarillo, west of Thousand Oaks, south of Highway 101, and north of Potrero Road. The Project site consists of two parcels, one of which is zoned as Open Space and the other of which is zoned Agricultural. The Project site is surrounded on three sides by wildlands covered in high-quality, native vegetation. Of the Project site's 204 acres, approximately 63 acres are currently excavated, 110 acres will be newly excavated under the CUP, and 31 acres are outside of the excavation area but inside the CUP boundary. Real Parties own more than 1200 acres around the Project site.

28. Myriad rare and culturally important species use the Project site for breeding, foraging, and migration. Special status animal species that have been documented on site include, but are not limited to: mountain lion (state-threatened), coastal whiptail (state species of special concern), loggerhead shrike (state species of special concern), sharp-shinned hawk (state watch list), and San Diego desert woodrat (state species of special concern). Additional special status species that the EIR recognizes have a high potential to occur include Least Bell's vireo (federally- and state-endangered); yellow warbler (state species of special concern); western pond turtle (state species of special concern); Santa Monica grasshopper (CDFW/NatureServe critically imperiled);

29. More than 70 acres of the mine expansion area consists of high quality, native vegetation. Special status plant communities on site include red willow thicket and giant wild rye grassland. The project site hosts 8 vegetation types considered "locally important communities" by the County, including giant wild rye grasslands, deerweed scrub, California sagebrush scrub, laurel sumac scrub, red willow thicket, mountain mahogany scrub, disturbed chamise/ceanothus chaparral, and coast live oak woodland.

30. Surveys have documented more than 165 native species of plants on the Project site. Special status plant species documented on site include, but are not limited to: Catalina mariposa lily (*Calochortus catalinae*, CNPS rank 4.2), club haired mariposa lily (*Calochortus clavatus var. gracilis*[1], CNPS rank 4.3); Blochman's dudleya (*Dudleya blochmaniae ssp. blochmaniae*, CNPS rank 1.B1); Conejo dudleya (*Dudleya parva*, federally-threatened, locally important species); Verity's dudleya (*Dudleya verityi*, federally-threatened, locally important species); Conejo buckwheat (*Eriogonum crocatum*, state rare, locally important species); and southern California black walnut (*Juglans californica*, CNPS rank 4.2). The EIR also recognizes the Plummer's mariposa lily (*Calochortus plummerae*, 4.2, locally important species) has a high potential to occur on the Project site. Lyon's pentachaeta (*Pentachaeta lyonii*, federally- and state-endangered) may also occur on the Project site. The County designates plant species as "locally

[1] The EIR identifies the subspecies as var. *clavatus*, but the correct subspecies is var. *gracilis*. Var. *clavatus* does not occur in the area and grows on serpentine soils, which are not present on the Project site, whereas var. *gracilis* grows in the area on volcanic soils.

important species" if there are five or fewer occurrences in the county and those populations are in decline. The Conejo dudleya, Verity's dudleya, and Conejo buckwheat exist solely within the Conejo volcanic formation, which occurs only in southeast Ventura County and the immediately neighboring parts of Los Angeles County.

31. The Project would irreversibly and negatively impact CESA-listed local mountain lion populations. As determined by radio collar data from the National Park Service, local mountain lions regularly and extensively use the habitat on all sides of the mine, including in the mine expansion areas.

32. Two principal threats to this species are loss of genetic diversity and habitat fragmentation. These threats are intertwined, with habitat fragmentation preventing mountain lions from finding new mates, resulting in inbreeding depression and loss of genetic diversity. Preservation and enhancement of existing movement opportunities is crucial to ensuring long term success of the region's mountain lions.

33. The Project area is within the Santa Monica-Sierra Madre Connection, connecting the isolated Santa Monica Mountains to the Santa Susana Mountains and larger swaths of mountainous habitat to the north. This is one of the only coastal to inland connections remaining in southern California.

34. The mine's expansion would encroach deeply into this already-restricted wildlife movement corridor, cutting its narrowest point from 1500 feet to 800 feet wide. This encroachment, along with the increased noise and light pollution from the mine, would deter mountain lions from moving through the wildlife corridor into and out of the Santa Monica Mountains.

**The Project**

35. The CUP allows the mine to operate until 2086 and covers approximately 204.4 acres. The current mine disturbance area is approximately 63 acres. The CUP authorizes excavation on an additional 110 acres and ancillary mining activities on the remaining 33 acres. In addition to mining, processing, and storing aggregate, the Project would import concrete,

asphalt, and soil to the site to be processed and recycled in an onsite asphalt and concrete recycling facility. The Project would authorize the excavation and export of approximately 29.7 million tons (19.8 million cubic yards) of mined material. The EIR caps annual production at 468,000 tons, with a maximum of 1,500 tons exported per day. The mine's products are used for rip-rap, road base, and landscaping.

36. Pacific Rock will use explosives to blast rock out of the side of Conejo Mountain. Then, heavy machinery will push blasted rock down the mountain's steep slopes to the bottom of the mine. Once at the bottom, the rock will be processed through crushing and sorting.

37. The Project would also authorize the import and export of up to 100,000 cubic yards of soil per year, and the import and recycling of up to 30,000 cubic yards per year of concrete and asphalt. Mining excavation and processing, water truck use, equipment fueling, and the arrival and departure of aggregate, recycled material, and soil haul trucks would occur Monday through Saturday, 7:00 a.m. to 4:00 p.m. Upon special request by a public agency, hours could be extended for up to two weeks at a time. The EIR permits up to 120 one-way trips (60 truckloads) per operating day.

38. The Project would permanently alter the site's topography by cutting up to 350 vertical feet up the slope from the existing disturbance area. The mine's top reclamation contour would be more than 600 feet above the mine's lowest point. The EIR and CUP anticipate reclamation occurring once the mine has reached the end of its 60-year permit. The County anticipates that the end-use of the reclaimed land would be cattle grazing and native vegetation.

**History of Permit Violations**

39. Pacific Rock's prior CUP spanned from March 2000 to July 2010.

40. Pacific Rock filed an application to modify its prior CUP on January 15, 2010. The EIR at issue in this Petition stems from that application. The County determined the application was complete on March 16, 2017.

41. The mine has operated without a valid CUP for sixteen years. In 2015, instead of taking enforcement action against the mine for operating unlawfully for five years without a CUP,

the County and Pacific Rock entered into a Compliance Agreement to allow the mine to continue operations until the County reached a final decision on CUP LU10-0003. Pacific Rock continued to operate until the Compliance Agreement until the Project was approved on October 22, 2026.

42. The mine has received multiple grading violations since the 2010 CUP expired. The operator mined 1.12 acres outside of the approved mining boundary, which resulted in Zoning Violation Case No. ZV07-0213. Again, instead of taking enforcement action against Pacific Rock, the County amended the Reclamation Plan boundaries to allow mining to continue.

43. The County issued Grading Permit GP12-0056 to Pacific Rock on November 7, 2012. On October 22, 2014, the County warned Pacific Rock that it was in non-compliance with GP12-0056.

44. On September 28, 2020, the County determined that Pacific Rock was in violation of Grading Permit GP15-0004. Pacific Rock continued the approval hearing for the Project before the Planning Commission multiple times because of this outstanding violation. It took Pacific Rock more than five and a half years to abate the violation, which it did on April 23, 2026.

**The EIR Process and County Approval of the Project**

45. The County published a Notice of Preparation of the EIR on August 25, 2017. The Notice of Preparation requested authorization for continued operation for an additional 25-year period.

46. The County published a Notice of Availability for the DEIR on December 1, 2020. The Center, agencies, cities, conservation organizations, and community members timely submitted extensive comments on the DEIR identifying both continuing and new deficiencies. The Notice of Availability and DEIR requested authorization for continued operation for an additional 30-year period.

47. The County prepared the PRDEIR for biological resources. The County published a Notice of Availability for the PRDEIR on October 26, 2022. The Center and CDFW timely submitted extensive comments on the PRDEIR identifying both continuing and new deficiencies.

48. The County prepared and published the FEIR on or around January 2025. The Center, a local agency, conservation organizations, and community members timely submitted extensive comments on the FEIR identifying both continuing and new deficiencies. For the first time in the review process, the FEIR requested authorization for continued operation for an additional 60-year period, doubling the permit length from the length analyzed in the DEIR and PRDEIR.

49. The Project was set to be heard at the Planning Commission's August 14, 2025, meeting. Pacific Rock withdrew the agenda item due to an unaddressed grading violation of Grading Permit GP15-0004. The hearing was then set for October 16, 2025. Pacific Rock again withdrew the agenda item due to the continuing violation. The hearing was next set for February 19, 2026. Pacific Rock again withdrew the agenda item due to the continuing violation. Pacific Rock allegedly fixed the violation in April, 2026.

50. On June 18, 2026, the Planning Commission held a public hearing on the Project. The Center, other conservation organizations, a representative from the adjacent Conejo Mountain Funeral Home, and community members testified against the Project. Aside from the applicant, no person or organization testified in support of the Project. After hearing this testimony, the Planning Commission voted to certify the FEIR and approve the Project. In addition to certifying the FEIR, the Planning Commission adopted the following entitlements and approvals for the Project: Findings of Fact prepared pursuant to Public Resources Code sections 21081 and 21081.5 and CEQA Guidelines section 15091; Mitigation Monitoring and Reporting Program for the Project; Statement of Overriding Considerations pursuant to Public Resources Code section 21081(b) and CEQA Guidelines section 15093; a modification to Conditional Use Permit CUP 3817-3 (Case No. LU10-0003); a Discretionary Tree Permit; and the amended Reclamation Plan for the Pacific Rock Quarry. The Planning Commission modified the Project to (1) limit operating hours to the current hours of operation unless a public agency requested extended hours, and (2) require the applicant to give notice to the Conejo Mountain Funeral Home before rock blasting.

51. On June 26, 2026, the Center timely filed an administrative appeal of the Planning Commission's approval of the Project and certification of the FEIR based on violations of CEQA.

52. On October 20, 2026, the Board of Supervisors held a public hearing on the Center's appeal. Members of the public and public agencies submitted more than 65 written comments before this hearing. Other than the applicant, all comments were opposed to the Project. At the hearing, the Center presented to the Board, describing the biological importance of the Project site and legal deficiencies in the environmental review. Other conservation organizations, neighbors, and professionals with relevant industry experience testified against the Project. Aside from the applicant, no person or organization testified in support of the Project. The Board denied the appeal 4-1, certified the FEIR, and approved the Project. In doing so, the Board adopted the same entitlements and approvals as the Planning Commission.

53. On October 22, 2026, the County filed a Notice of Determination for the Project.

**The Center's Comment Letters and Exhaustion of Administrative Remedies**

54. During each stage of the environmental review and approval process, the Center submitted extensive written and oral comments to Respondents identifying deficiencies and opposing the Project. These comments, along with the other conservation organizations' comments, placed Respondents on notice of each of the legal deficiencies challenged in this Petition. Respondents failed to adequately address the issues raised by the Center and proceeded to approve the Project over the Center's objections.

55. On January 15, 2021, the Center submitted a detailed, 28-page letter commenting on the DEIR to the Planning Commission, citing numerous scientific papers. This letter raised the following issues, among others:

a) The DEIR's mountain lion analysis and mitigation was deficient for its failure to recognize mountain lion use of the Project site and its surroundings, for its failure to recognize the location of the Project within an important wildlife corridor that has been the subject of significant County and cross-agency efforts, for its failure to recognize the significance of even marginal reductions in corridor function, for

its failure to analyze the impacts of human presence (noise, lighting, vehicles) on mountain lion use of the site, and its failure to fully or effectively mitigate any of these impacts;

b) The DEIR fails to adequately disclose, analyze, and mitigate the impacts of wildfire ignitions, including on mountain lions and other wildlife;

c) The biological resources analysis fails to adequately disclose and analyze the Project's potential to affect other wildlife species likely to be present, to analyze impacts on movement of those species, to analyze impacts to the function of the wildlife corridor and the need for corridor redundancy, and to effectively mitigate those impacts;

d) The biological resources analysis fails to analyze and mitigate impacts of the Project's noise and lighting on migrating and resident birds, mammals, reptiles, and other wildlife, including on sensitive and listed species;

e) Impacts to oaks and oak woodlands are not analyzed or fully mitigated;

f) The Project's full GHG emissions are not disclosed, evaluated, or mitigated, including impacts of vegetation removal;

g) The DEIR fails to properly disclose, analyze, and mitigate impacts to federally and state-listed plant species, including the Conejo buckwheat and Conejo dudleya, and to disclose the number of impacted individuals for other rare species;

h) Mitigation for rare species and rare vegetation communities is inadequate and ineffective, in contravention of CDFW guidance and best practices;

i) Air pollution mitigation is inadequate to address Project and cumulative emissions of dust particulate matter and diesel particulates on air quality; and

j) The DEIR fails to consider alternatives designed to avoid impacts to rare plants, rare plant communities, and the wildlife corridor.

56. On December 9, 2022, the Center submitted another comment letter, with cited studies, on the Partially Recirculated DEIR to the Planning Commission, raising the PRDEIR's

continued failure to adequately analyze and mitigate impacts to mountain lions, the Project's presence within and impacts on the wildlife corridor, and the Project's impacts on oak woodlands.

57. On August 12, 2025, the Center submitted detailed comments on the FEIR to the Planning Commission, raising concerns the FEIR did not remedy the deficiencies of the DEIR, including, but not limited to:

a) The FEIR doubles the requested permit length to 60 years from 30, based on an alleged math error. As the increased permit term is significant new information demonstrating new and increased environmental impacts and the inadequacy of the previously-disclosed project description, the Center requested that the EIR be recirculated;

b) The 60-year permit term will harm wildlife and plant species by extending the time in which the project site is unavailable for wildlife passage and migration in the face of climate change;

c) The Project will serve as another source of human-caused mortality, already a leading cause of mountain lion deaths;

d) The Project will present significant barriers to mountain lion movement, thereby contributing to the extinction vortex already underway;

e) The FEIR denies the Project's location in a wildlife corridor used by mountain lions, or the importance of corridor redundancy in attaining functional connectivity and climate resilience;

f) The Project would diminish County efforts to increase and maintain wildlife connectivity in the area;

g) Wildlife corridors should be at least 2 kilometers wide to adequately serve wildlife movement, not the mere 800 feet proposed by the Project;

h) Proposed mountain lion and wildlife mitigation is woefully insufficient;

i) The FEIR fails to adequately assess and mitigate the Project's impacts to rare plants, including the Conejo buckwheat found nowhere else on earth, in part, by

proposing only 1:1 mitigation for lost habitat and by relying on future interventions for mitigation, when CDFW recommends establishing mitigation ratios of up to 10:1 for impacts to California Rare Plant Rank (CRPR) 1 plants, prior to Project approval;

j) The FEIR defers analysis of future mitigation sites and development of specific mitigation measures for rare plant conservation until the future, even though analysis is required now to ensure mitigation lands contain required soil and habitat conditions and can host target species;

k) The Project fails to contain sufficient financial assurances for future maintenance and monitoring of rare plant and habitat mitigation measures;

l) Mitigation measures for rare plants are impermissibly vague and fail to implement all feasible mitigation required by CEQA. For example, timing and repeat surveys are not specified, and a number of species with the potential to occur on the Project site were not considered;

m) The FEIR defers creation of a Tree Protection Plan and fails to include a weed abatement plan to prevent further destruction of native vegetation;

n) The FEIR fails to account for all Project-related GHG emissions, including the emissions of doubling Project length, resulting in the failure to recognize the Project's impacts as significant and the failure to mitigate its emissions;

o) The FEIR does not account for the lost carbon storage of belowground biomass on the acreage to be cleared and mined; and

p) The FEIR fails to support the Project's chosen GHG threshold of significance.

58. On June 17, 2026, the Center submitted an additional detailed comment letter on the FEIR to the Planning Commission, raising the following issues, among others:

a) The DEIR's mountain lion analysis and mitigation continued to deny the Project's impacts on mountain lions, denying that the Project is located in the Santa Monica – Sierra Madre Connection, which serves as the target area for linkage

conservation opportunities, and ignoring the Project's location within the County's Habitat Connectivity and Wildlife Corridors and the importance of habitat connectivity to species survival;

b) In February 2026, the California Department of Fish and Game voted unanimously to formalize the listing of the Central Coast and Southern California distinct population segment as threatened under CESA, finding that listing was warranted due to habitat loss, habitat fragmentation, and isolation of small populations;

c) Future reclamation of the site will not prevent or offset harm to the species. The mountain lion extinction vortex has begun, with demonstrable evidence of inbreeding, and by the time Project lands are reclaimed more than 60 years from now mountain lions may be extinct;

d) The FEIR fails to analyze and mitigate the impacts of increased traffic, night lighting, noise, and rodenticide exposure;

e) The FEIR's responses to comments impermissibly buried critical analysis and information about methodology in appendices;

f) The stationary source threshold of significance for greenhouse gas emissions is inappropriate for a Project that will generate two-thirds of its non-electricity emissions from mobile sources;

g) Doubling the permit duration to 60 years increases the duration and magnitude of these impacts; and

h) The FEIR failed to remedy the DEIR's alternatives analysis deficiencies, including: (a) failure to reconsider the reduced mine expansion alternative after doubling the permit length; (b) failure to consider an alternative that delays mining impacts to the habitat corridor until later in the permit term; and (c) the failure to analyze the adopted alternative of a 60-year Project.

59. On October 13, 2026, the Center submitted a detailed comment letter on the FEIR to the Board of Supervisors in support of its appeal, raising the following issues, among others:

a) The Project threatens to undermine the County's landmark Habitat Connectivity and Wildlife Corridor Ordinance by slicing into the County's last remaining habitat connectivity area between the Santa Monica mountains and mountain lion habitat further north, with insufficient mitigation in the form of a 6.7-acre parcel;

b) The FEIR misleads the public in claiming the project site is not located within a major movement corridor for mountain lions, when National Park Service data indicate that US 101 crossings occur in the Conejo Grade area. The denial of the site's importance results in inadequately analyzed and mitigated impacts to a CESA-listed species;

c) The Project and its entitlements fail to mitigate the edge effects of nighttime lighting, which affects foraging and survival of numerous bats, birds, insects, and mammals;

d) The Project and its entitlements fail to mitigate the edge effects of noise pollution from traffic and human activities, which degrades habitat and causes behavioral changes that harm wildlife, including special-status species. The Project would exceed the 55-decibel noise threshold for sensitive receptors adopted by the County, but does not commit to monitoring noise levels in wildlife connectivity areas. Mountain lions are especially sensitive to human activities and noise and are known to abandon habitat and prey when disturbed;

e) The Project would destroy some of the last remaining populations of the Conejo buckwheat, which occurs only in southeast Ventura County, while providing only 10 percent of the mitigation requested by CDFW. The Project's dust production, habitat fragmentation, and edge effects will affect buckwheat populations outside of the mine;

f) The Project requires a Statement of Overriding Considerations since the Project will have significant and unavoidable impacts to visual resources; and

g) The EIR fails to analyze a 50-foot buffer from the highest reclamation line around the Project, or an alternative limiting the Project to the 30 years originally sought;

h) Project environmental review still has not properly analyzed the impacts of doubling the permit term from 30 to 60 years;

60. On October 16, 2026 the Center submitted additional comments on the FEIR to the Board of Supervisors, highlighting the Wildlife Collaring Study prepared by the Ventura County Transportation Commission (VCTC) and Caltrans in connection with the US 101 Improvement Project, which would widen the Conejo Grade just north of the Project site. The study will use GPS collaring to radio track multiple species to identify wildlife crossing patterns and locations for that project to improve wildlife connectivity, and may inform the location of any additional wildlife crossings near the Project. Since the Project's activities will negatively impact the existing wildlife corridor, they will reduce the effectiveness of VCTC/Caltrans improvements in the area, with adverse cumulative impacts on wildlife connectivity. The EIR further fails to analyze the Project's cumulative impacts with those of the US 101 Improvement project.

61. A representative of the Center provided oral testimony at the June 18, 2026, Planning Commission hearing. Representatives of the Center also presented at the appeal hearing before the Board of Supervisors' October 20, 2026, meeting. In these oral comments, the representatives further elaborated on the deficiencies described in the Center's written comments.

**Comments by Other Conservation Organizations and Expert Agencies**

62. In addition to the Center's comments, numerous environmental conservation organizations and expert agencies submitted written and oral comments to the County identifying deficiencies in the FEIR and opposing the Project. These comments further put Respondents on notice of the legal deficiencies brought in this Petition.

63. **California Department of Fish and Wildlife.** CDFW submitted detailed comment letters to the County on the DEIR on January 22, 2021 and on the PRDEIR on December 15, 2022. These comments raised: the potential loss of 54 to 89 individuals of the Conejo buckwheat population, which could result in local extirpation of a species that exists only in southern Ventura

County, and requested the adoption of a Project alternative that would avoid impacts to Conejo buckwheat individuals by relocating the mining boundary. The comments further noted the Project would narrow an important wildlife movement corridor to an ineffective 800 feet, beyond the 2 kilometers width needed, which would harm wildlife and wildlife dispersal, including of mountain lions. CDFW noted the absence of EIR analysis and mitigation of noise, which repels wildlife and would prevent use of the wildlife corridor, with harm to species and to Ventura County's efforts to maintain wildlife corridors. CDFW twice-recommended Project redesign to avoid the wildlife corridor, preservation of surrounding lands with conservation easements, and additional studies and mitigation of noise and lighting impacts and hours of operation. CDFW's comments stressed the Project's likely impacts to mountain lions by narrowing the wildlife corridor, increasing the likelihood of human interactions, and by introducing new sources of noise, light, and human presence. CDFW recommended preservation of over 100 acres of mountain lion habitat, if the Project could not be redesigned to avoid narrowing the wildlife corridor. CDFW raised additional concerns about the Project's impacts on streambeds, wetlands, and Conejo Creek water quality, as well as on habitat loss, additional wildlife species, sensitive natural vegetation communities, rare plant species, and insufficient proposed mitigation ratios for impacts to rare plants and vegetation communities.

64. **Mountains Recreation and Conservation Authority ("MRCA").** MRCA submitted detailed comments to the County on the DEIR on February 2, 2021 and on the FEIR on October 16, 2026, raising numerous issues about the EIR's failure to adequately disclose and analyze the Project's impacts on wildlife movement, on the function of the wildlife corridor, on sensitive mountain lion populations, and also raising the Project applicant's history of noncompliance with existing permitting requirements.

65. The **United States Fish and Wildlife Service** submitted a letter on January 12, 2021, noting the County's failure to give proper notice of the DEIR to the agency.

66. The **California Native Plant Society (CNPS)** joined the Center's January 15, 2021 letter and submitted another letter on October 4, 2026. CNPS concurred in concerns about the

Project's potential to destroy rare plant species, including the Conejo buckwheat, without sufficient analysis or mitigation.

67. The **California Oaks Coalition** joined the Center's January 15, 2021 letter, concurring in the Center's concerns about the Project's wide-ranging adverse environmental impacts and the EIR's failure to fully and properly mitigate them.

68. The **California Wildlife Foundation** joined the Center's January 15, 2021 letter, concurring in the Center's concerns about the Project's wide-ranging adverse environmental impacts and the EIR's failure to fully and properly mitigate them.

69. **Conejo Oak Tree Advocates** submitted a comment letter to the County on January 12, 2021, documenting additional concerns.

70. **Los Padres Forest Watch** submitted a comment letter to the County on October 16, 2026, raising concerns about the Project's adverse impacts on habitat and the environment.

71. The **City of Camarillo** raised concerns about the Project's operational noise, truck trips, and other adverse impacts on residents and the surrounding environment in January 15, 2021 comments provided to the County.

72. The **City of Thousand Oaks** documented its concerns about the Project in January 15, 2021 comments.

73. The **Dos Vientos Home Owners Association** raised a number of concerns about how the Project's operations will affect the health and safety of those living nearby, including concerns about dust and air quality, wildfire risk, noise, and truck trips**.** These comments were submitted on October 8, 2026.

## FIRST CAUSE OF ACTION

### Violation of CEQA – Inadequate EIR

### (Public Resources Code § 21000, *et seq*.)

74. The Center hereby incorporates by reference each and every allegation set forth above.

75. CEQA is designed to ensure that long-term protection of the environment be the guiding criterion in public decisions. CEQA requires the lead agency for a project with the potential to cause significant environmental impacts to prepare an EIR that complies with the requirements of the statute, including, but not limited to, the requirement to analyze the project's potentially significant environmental impacts. The EIR must provide sufficient environmental analysis such that the decisionmakers can intelligently consider environmental consequences when acting on the proposed project.

76. CEQA requires the lead agency to establish a clear and stable project description. A "curtailed, enigmatic or unstable project description draws a red herring across the path of public support." (*County of Inyo v. City of Los Angeles* (1981) 71 Cal.App.3d 185, 197-98.) The EIR's "bona fide subject" must be "[t]he defined project and not some different project." (*Concerned Citizens of Costa Mesa v. 32nd Dist. Agric. Assn.* (1986) 42 Cal.3d 929, 938.)

77. An EIR's baseline is key, for it is the reference point for determining which impacts are attributable to the project being studied. "An EIR must focus on impacts to the existing environment, not hypothetical situations." (*County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 955.)

78. The alternatives analysis is the "core of the EIR." (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal 3d 553, 564.) "Under CEQA, the public agency bears the burden of affirmatively demonstrating that…the agency's approval of the proposed project followed meaningful consideration of alternatives and mitigation measures." (*Mountain Lion Foundation v. Fish and Game Commission* (1997) 16 Cal.4th 105, 134.)

79. CEQA imposes a high standard when a lead agency is proposing to reject an alternative considered in an EIR. "One of [an EIR's] major functions . . . is to ensure that all reasonable alternatives to proposed projects are thoroughly assessed by the responsible official." (*Laurel Heights Improvement Ass'n. v. Regents of the University of California* (1988) 47 Cal. 3d 376, 400.)

80. The adoption of a less damaging feasible alternative is the equivalent of the adoption of feasible mitigation measure. (*Laurel Heights, supra*, 47 Cal. 3d at 403.) Such an alternative or mitigation measure must be adopted by the lead agency unless the lead agency can demonstrate that the mitigation is "truly infeasible." (*City of Marina v. Board of Trustees of the California State University* (2006) 39 Cal. 4th 341, 368; see also Pub. Res. Code § 21002 ["public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects"].)

81. Alternatives are not required to meet all project objectives, and in reality, it "is virtually a given that the alternatives to a project will not attain all of the project's objectives." (*Watsonville Pilots Ass'n v. City of Watsonville* (2010) 183 Cal.App.4th 1059, 1087.)

82. CEQA also mandates that the lead agency adopt feasible and enforceable mitigation measures that would reduce or avoid any of a project's significant environmental impacts. If any of the project's significant impacts cannot be mitigated to a less than significant level, then CEQA bars the lead agency from approving a project if a feasible alternative is available that would meet the project's objectives while avoiding or reducing its significant environmental impacts.

83. Mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures." (Pub. Resources Code § 21081.6(b).) "The purpose of these requirements is to ensure that feasible mitigation measures will actually be implemented as a condition of development, and not merely adopted and then neglected or disregarded." (*Federation of Hillside & Canyon v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1261; *Katzeff v. California Dept. of Forestry and Fire Protection* (2010) 181 Cal.App.4th 601, 612; *Lincoln Place Tenants Assn v. City of Los Angeles* (2005) 130 Cal.App.4th 1491.)

84. When funding for a mitigation measure is not assured, the measure is not enforceable. (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1189-90.) Mitigation measures that "are not guaranteed to occur at any particular time or in any

particular manner" are inadequate. (*Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260, 281; *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1119.)

85. CEQA requires that a subsequent or supplemental EIR be prepared when (1) new information, which was not known and could not have been known at the time the EIR was certified, becomes available, (2) substantial changes occur with respect to the circumstances under which the project is being undertaken, or (3) the project is changed, and the changes or new information present substantial evidence indicating that a new impact not previously identified or studied in the prior EIR, or a substantial increase in the severity of a previously-studied impact will occur. (Pub. Res. Code, § 21166; CEQA Guidelines, § 15162.) In such cases, environmental review must be revised to address the new or significantly increased impact. (CEQA Guidelines, § 15162.) A lead agency must provide the same notice and public review for a supplemental EIR as an initial EIR. (CEQA Guidelines § 15163(c).)

86. CEQA prohibits approval of projects with significant adverse environmental impacts if there are feasible alternatives or mitigation measures that would reduce or eliminate those impacts. (Pub. Resources Code § 21002; Guidelines § 15021(a)(2).) When an agency seeks to approve a project despite its significant unmitigated impacts on the environment, the agency must adopt a statement of overriding considerations. (Pub. Resources Code § 21081.)

87. A statement of overriding considerations must include two specific findings, supported by substantial evidence. The first finding that must be made is that "There is no feasible way to lessen or avoid the significant effect..." of the project. (Guidelines §§ 15043, 15093(b).) The second finding is that the project's benefits outweigh its significant adverse environmental impacts. (Guidelines § 15093(a).) These findings must both be supported by substantial evidence. (Guidelines § 15093(a)-(b).)

88. Respondents committed a prejudicial abuse of discretion and failed to proceed in a manner required by law by relying on a FEIR that fails to meet the requirements of CEQA for disclosure, analysis, and/or mitigation of significant project impacts, including but not limited to impacts on the following:

89. **Biological Resources.** The FEIR fails to adequately disclose, analyze, and/or mitigate the Project's significant direct, indirect, and cumulative impacts to biological resources, including numerous special status and listed animal and plant species and habitats affected by the Project, including, but not limited to:

a) **Wildlife Connectivity.** The FEIR fails to adequately disclose, analyze, and/or mitigate the Project's significant impacts to wildlife connectivity.

b) **Mountain Lions.** The FEIR fails to adequately disclose, analyze, and/or mitigate the Project's significant impacts to mountain lions.

c) **Wildlife.** The FEIR fails to adequately analyze the impacts of the Project on mammals, birds, reptiles, amphibians, and pollinators, including sensitive species.

d) **Rare Plants.** The FEIR fails to adequately disclose, analyze, and/or mitigate the Project's significant impacts to rare plants, including, but not limited to, Conejo buckwheat, Verity's dudleya, Conejo dudleya, Blochman's dudleya, Lyon's pentachaeta, Catalina mariposa lily, and Plummer's mariposa lily. Incorporated mitigation is speculative and deferred.

e) **Edge Effects and Human Presence.** The FEIR fails to adequately disclose, analyze, or mitigate the Project's edge effects on wildlife, sensitive plant species, and sensitive vegetation communities. The FEIR similarly fails to analyze or mitigate the Project's impacts due to the increased presence of humans on the site, including due to noise, lighting, and increased vehicles.

f) **Other Species and Habitats.** The FEIR fails to adequately analyze, disclose, and mitigate the Project's significant impacts to rare plant and vegetation communities, including, but not limited to, oaks and oak woodlands and wetlands. Incorporated mitigation is speculative and deferred. The FEIR fails to incorporate a weed abatement plan.

g) **Habitat Unavailability.** The extension of the permit to 60 years increases the length of time before reclamation during which Project habitat will be unavailable

to plants and wildlife, thereby increasing the severity of impacts to rare species such as mountain lions beyond what was disclosed, analyzed, and mitigated in the EIR.

90. **Greenhouse Gas Emissions (GHG).** The FEIR failed to fully disclose, analyze, and mitigate the Project's GHG impacts, for reasons including:

a) The EIR failed to support its claimed threshold of significance, and, as a result to deem the Project's GHG emissions significant, or to mitigate them.

b) The EIR failed to disclose all of the Project's GHG impacts, including impacts of vegetation removal and lost carbon sequestration of underground biomass.

c) The EIR failed to adequately disclose and analyze emissions from the reclamation plan, which would be substantial, owing to the heavy machinery required to achieve the plan's grading and contouring.

d) The EIR contains no mitigation for GHG impacts.

91. **Streambeds and Water Quality.** CDFW noted the Project would adversely impact approximately 18,686 linear feet of streambed and an undisclosed acreage of associated riparian habitat. Modification of these features may result in the loss of streams, associated watershed function, and biological diversity, which was not adequately disclosed, analyzed, or mitigated in the EIR.

a) At various points, CDFW commented that it lacked updated information on jurisdictional delineations of State waters needed to provide sufficient comments and mitigation guidance for the Project. The EIR's failure to provide requested and required information to a State agency has prevented the formulation of adequate mitigation for the Project's impacts to State waters and to compensate for the loss of several acres of natural drainage patterns, soils, and associated vegetation.

b) The EIR recognizes that Project water flows converge with Conejo Creek via an off-site swale during high flow events when runoff into the detention pond

overtops the pond's outflow elevation. The Project's alteration of these drainage features will alter natural hydrologic and geomorphic processes, with likely diminution to on-site and downstream water quality in Conejo Creek and emergent wetlands. If the detention pond cannot store a higher volume of water, Project modification of water features may cause more frequent overflow events into Conejo Creek, which have not been adequately analyzed or mitigated.

c) Doubling the Project's permits to 60 years will increase the duration of nitrate, ammonium, and other chemical pollution of area waterways and the aquifer, beyond what was disclosed, analyzed, and mitigated in the EIR.

92. **Wildfire.** CEQA requires an EIR to disclose, analyze, and mitigate the impacts of increased human activity in an area, including the risk of wildfire. The EIR fails to fully disclose and mitigate the potential for wildfire ignitions and to analyze the impacts of increased wildfire ignitions on wildlife, including imperiled mountain lion populations.

93. **Air Pollution.** The EIR failed to adequately disclose, analyze, or mitigate all of the Project's air pollutant emissions. While the EIR acknowledges the Project's NOx emissions, it fails to account for the significant, cumulative nature of fugitive and particulate matter (PM) emissions, or of diesel emissions attributable to the Project. The Project area often exceeds federal PM 10, PM 2.5, and ozone standards implemented to protect health. The Project also fails to incorporate all feasible mitigation to reduce air pollutant emissions.

94. **Alternatives.** The EIR fails to consider feasible alternatives to the Project designed to avoid the Project's impacts on the established wildlife corridor and wildlife, on populations of rare plants, or on rare plant communities, including oaks. The EIR fails to consider a feasible alternative that would implement a 50-foot buffer from the highest reclamation contour line around the entire Project, as requested by the Center. As proposed, the Project protrudes furthest from the mining boundary at the exact point where the wildlife corridor is narrowest. The EIR also fails to consider alternatives aimed at reducing the Project's GHG emissions, such as a moderately-sized reduction to mine expansion. The EIR further rejects, without substantial

evidence, feasible alternatives that would reduce or avoid the Project's significant environmental impacts.

95. **Project Description.** The DEIR described and analyzed a 30-year project that differed substantially in impact from the 60-year project that was approved. The DEIR misled a reviewer from accurately evaluating, reviewing, and meaningfully commenting on the scope and extent of the Project, in violation of CEQA. The FEIR further estimates total rock removal, concrete, and asphalt production would exceed what is possible using the amount of truck trips analyzed.

96. **Environmental Setting and Baseline.** The EIR failed to establish and justify its description of the environmental setting and baselines for analysis. For example, the EIR denies the Project site sits within a documented wildlife corridor.

97. **Responses to Comments.** The responses to comments in the FEIR fail to meet CEQA's requirements to adequately dispose of all the issues raised and provide specific rationale for rejecting suggested project changes, mitigation measures, or alternatives.

98. **Recirculation.** The FEIR should have been recirculated to address substantial increases in the severity of various impacts compared to those analyzed in the DEIR regarding doubling the permit term from 30 to 60 years.

99. **Subsequent EIR.** The County failed to recirculate the EIR for public comment and responses to comments, as required after the Project was revised and significant new information about Project impacts became available. For example, even though the Project's term was doubled to 60 years, the EIR was not recirculated to permit meaningful public comment on the extended duration of emissions, truck trips, noise, lighting, human presence, and habitat unavailability. The significant new information prevented lawful reliance on an Addendum, as opposed to a subsequent or supplemental EIR.

100. **Inconsistency With Applicable Land Use Plans**. The FEIR fails to discuss all inconsistencies with various applicable land use plans, including the County General Plan's GHG

policies, Ventura County Climate Action Plan, and Ventura County's landmark Habitat Connectivity and Wildlife Corridor Ordinance.

101. **Statement of Overriding Considerations**. The Project fails to incorporate all feasible mitigation or alternatives for the Project's significant and undisclosed environmental impacts. The Project will have no fiscal impact on the County, and will employ few people. Accordingly, the County lacks the requisite substantial evidence needed to override the Project's significant and unavoidable impacts. The County's adoption of a Statement of Overriding Considerations violates CEQA.

WHEREFORE, Petitioner prays for relief as follows:

**PRAYER FOR RELIEF**

1. For a temporary stay, temporary restraining order, and preliminary and permanent injunctions restraining Respondents and Real Parties in Interest and their agents, servants, and employees, and all others acting in concert with them or on their behalf, from taking any action to implement, fund or construct any portion or aspect of the Project, pending full compliance with the requirements of CEQA and the CEQA Guidelines;

2. For alternative and peremptory writs of mandate directing Respondents to vacate and set aside certification of the FEIR and approval documents for the Project;

3. For alternative and peremptory writs of mandate directing Respondents to comply with CEQA and the CEQA Guidelines, and take any other action as required by Public Resources Code section 21168.9;

4. For a declaration that Respondents' actions in certifying the FEIR and approving the Project violated CEQA and the CEQA Guidelines, and that the certification and all project approvals are invalid and of no force or effect;

5. For costs of the suit;

6. For attorney's fees as authorized by Code of Civil Procedure section 1021.5 and other provisions of law; and,

7. For such other and future relief as the Court deems just and proper.

DATED: November 23, 2026

CENTER FOR BIOLOGICAL DIVERSITY

By: _____

Evan Levy
Aruna Prabhala

Attorneys for Petitioner CENTER FOR BIOLOGICAL DIVERSITY

CARSTENS, BLACK, & MINTEER LLP

By: _____

Michelle Black
Douglas Carstens

Attorneys for Petitioner CENTER FOR BIOLOGICAL DIVERSITY

**VERIFICATION**

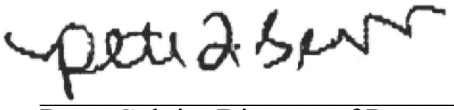
STATE OF CALIFORNIA, COUNTY OF VENTURA

I have read the foregoing Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief and know its contents.

I am the Director of Programs for the Center for Biological Diversity, which is a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. I have read the foregoing document and know its contents. The matters stated in it are true of my own knowledge except as to those matters that are stated on information and belief, and as to those matters, I believe them to be true.

Executed on November 23, 2026, at Shelter Cove, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



Peter Galvin, Director of Programs
Center for Biological Diversity

# EXHIBIT A

CENTER for BIOLOGICAL DIVERSITY Because life is good.

***Via FedEx and email***

November 20, 2026

County of Ventura and
Board of Supervisors of the County of Ventura
c/o Mia Martinez, Clerk of the Board of Supervisors
800 S. Victoria Avenue
Ventura, CA 93009
clerkoftheboard@venturacounty.gov

**Re: Notice of Commencement of Legal Action Pursuant to the California Environmental Quality Act**

Dear Ms. Martinez,

The Center for Biological Diversity ("Petitioner") intends to commence an action for writ of mandate to vacate and set aside the decision of the County of Ventura and the Board of Supervisors of the County of Ventura ("Respondents") approving the Pacific Rock Quarry Expansion Project, Case No. LU10-0003 (the "Project") and certifying a Final Environmental Impact Report and associated Project approvals. Petitioner submits this notice pursuant to Public Resources Code section 21167.5.

The action will commence on November 23, 2026 and will be based upon Respondents' failure to comply with the California Environmental Quality Act (Public Resources Code § 21000 *et seq*.) in adopting the Final Environmental Impact Report and approving the Project.

Sincerely,

Evan Levy
Associate Attorney
Center for Biological Diversity
Elevy@biologicaldiversity.org

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ALAMEDA

I am employed in Oakland, California. I am over the age of 18 and not a party to the foregoing action. My business address is Center for Biological Diversity, 2100 Franklin Street, Suite 375, Oakland, California 94612. My email address is trettinghouse@biologicaldiversity.org.

On November 20, 2026, I served a true and correct copy of the following document(s):

**NOTICE OF COMMENCEMENT OF LEGAL ACTION PURSUANT TO CEQA**

[X] BY FEDERAL EXPRESS: By placing a true and correct copy thereof in sealed envelope(s). Such envelope(s) were addressed as shown below. Such envelope(s) were deposited for collection and mailing following ordinary business practices with which I am readily familiar.

[X] BY ELECTRONIC SERVICE: By electronically mailing a true and correct copy through Center for Biological Diversity's electronic mail system to the email address(s) shown below.

County of Ventura and
Board of Supervisors of the County of Ventura
c/o Mia Martinez, Clerk of the Board of Supervisors
800 S. Victoria Avenue
Ventura, CA 93009

[x] STATE: I declare under penalty of perjury under the law of California that the foregoing is true and correct.

Executed on November 20, 2026, at Alameda, California.

Theresa Rettinghouse

# EXHIBIT B

Aruna Prabhala (SBN 278865)
Evan S. Levy (SBN 359556)
CENTER FOR BIOLOGICAL DIVERSITY
2100 Franklin St, Suite 375
Oakland, California 94612
Telephone: (510) 844-7100
Facsimile: (510) 844-7150
aprabhala@biologicaldiversity.org
elevy@biologicaldiversity.org

Attorneys for Center for Biological Diversity
*(additional counsel listed on next page)*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF VENTURA**

| | |
|---|---|
| CENTER FOR BIOLOGICAL DIVERSITY<br><br>Petitioner,<br><br>v.<br><br>COUNTY OF VENTURA; BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA; and DOES 1 through 20, inclusive,<br><br>Respondents. | Case No.<br><br>**PETITIONER'S NOTICE OF ELECTION TO PREPARE THE ADMINISTRATIVE RECORD**<br><br>[Pub. Res. Code § 21000, et seq. (California Environmental Quality Act); Code Civ. Proc. § 1094.5 (§ 1085)] |
| PACIFIC ROCK, INC.; THOMAS A. STABEN SR., an individual; and DOES 21 through 40, inclusive,<br><br>Real Parties in Interest. | |

Douglas Carstens (SBN: 193439)
Michelle N. Black (SBN: 261962)
Sunjana Supekar (SBN: 328663)
CARSTENS, BLACK & MINTEER, LLP
700 N. Pacific Coast Highway, Suite 200
Redondo Beach, CA 90277
Telephone: (310) 798-2400
Facsimile: (310) 798-2402
dpc@cbcearthlaw.com
mnb@cbcearthlaw.com
sss@cbcearthlaw.com

**TO RESPONDENTS COUNTY OF VENTURA; BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA:**

In the above-captioned action, Center for Biological Diversity ("Petitioner") petitions this Court for a Writ of Mandate, directed to the County of Ventura and the Board of Supervisors of the County of Ventura (collectively, "Respondents"). Petitioner challenges Respondent's October 20, 2026 certification of the Final Environmental Impact Report ("FEIR,") and associated project approvals for the Pacific Rock Quarry Expansion Project, Case No. LU10-0003 ("Project"), including adopting findings, a Statement of Overriding Considerations, a Mitigation Monitoring and Reporting Program, a Discretionary Tree Permit, amended reclamation plan, and a modification to the conditional use permit. A Notice of Determination was filed on October 23, 2026. Petitioner seeks a determination that Respondents' approvals were inconsistent with, among other things, the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code, section 21000 *et seq*., and the CEQA Guidelines, Title 14, California Code of Regulations, section 15000 *et seq*.

Pursuant to Public Resources Code, section, 21167.6(b)(2), Petitioner hereby elects to prepare the record of proceedings for this action. The record will be organized chronologically, paginated consecutively, and indexed so that each document may be clearly identified as to its contents and source, in form and format consistent with California Rules of Court, Rule 3.2205.

Petitioner will include in the record of proceedings all documents, including transcripts, minutes of meetings, notices, correspondences, reports, studies, proposed decisions, final drafts, and any other documents or records relating to respondents' approval of the Project and certification of the Environmental Impact Report.

DATED: November 23, 2026

CENTER FOR BIOLOGICAL DIVERSITY

By: _____

Evan Levy
Aruna Prabhala

Attorneys for Petitioner CENTER FOR BIOLOGICAL DIVERSITY

CARSTENS, BLACK, & MINTEER LLP

By: _____

Michelle Black
Douglas Carstens

Attorneys for Petitioner CENTER FOR BIOLOGICAL DIVERSITY

# Exhibit C

***Via Email***

November 23, 2026

Rob Bonta, Attorney General
Office of the Attorney General
Attn: Environmental/CEQA Filing
1300 I Street
Sacramento, CA 95814-2919
CEQA@doj.ca.gov

**Re: Notice of Commencement of Legal Action Alleging Environmental Harm**

Dear Attorney General Bonta:

The attached Petition for Writ of Mandate in *Center for Biodiversity v. County of Ventura et al.* (Ventura County Superior Court), is submitted to your office pursuant to Code of Civil Procedure section 388 and Public Resources Code 21167.7.

Petitioner in this case challenges the County of Ventura and the Board Of Supervisors of the County of Ventura's approval of the Pacific Rock Quarry Expansion Project, Case No. LU10-0003 ("Project"), and adoption of the Final Environmental Impact Report and associated project approvals for the Project. Petitioner alleges environmental harms that could affect the public generally and the natural resources of the state. Petitioner is specifically concerned about the Project's significant negative environmental impacts to special-status animals and plants, including mountain lions (*Puma concolor*) and Conejo buckwheat (*Eriogonum crocatum*), wildlife connectivity, and sensitive habitats.

Please acknowledge receipt. Thank you for your attention to this matter.

Sincerely,

Evan Levy
Associate Attorney
Center for Biological Diversity
Elevy@biologicaldiversity.org
Attachment: Verified Petition for Writ of Mandate