



Statement From Tejon Ranch Co. Regarding Lawsuit Filed Against Kern County Over Re-Approval of Grapevine at Tejon Ranch Master Planned Community

Jan 10, 2020

TEJON RANCH, Calif.--(BUSINESS WIRE)--Jan. 10, 2020-- The Center for Biological Diversity (CBD), an extremist environmental organization headquartered in Tucson, Arizona, has announced it has filed a new legal challenge over Kern County's December 2019 re-approval of Grapevine at Tejon Ranch, a master planned mixed use residential community. This challenge was entirely expected given the long history of CBD challenging projects statewide that would provide much needed housing and economic development, including projects at Tejon Ranch.

Grapevine was first unanimously approved by the Kern County Board of Supervisors in December 2016. CBD subsequently sued and lost on six of the seven issues it raised regarding the sufficiency of the project's environmental impact report. On the seventh issue—the court ruled that there was a deficiency regarding the internal capture rate used in the traffic study—the court ordered the County do additional work and submit a revised environmental impact report reflecting the court-ordered changes to the traffic study. It's important to note that the court said no additional work needed to be done on the rest of the environmental impact report as the issues raised in the original lawsuit had already been litigated and decided.

The supplemental re-circulated environmental impact report showing the changes to the internal capture rate analysis was subject to full public review and comment process and was ultimately certified by the Kern County Planning Commission and Board of Supervisors, the later coming on December 10, 2019. Both decisions of the Kern County Planning Commission and Board of Supervisors were unanimous.

In this new lawsuit, CBD attempts to re-litigate many of the issues on which it already sued and previously lost. It's important to note that while the lawsuit purports to challenge the supplemental analysis of the internal capture rate that was ordered by the court, CBD did not comment on the internal capture rate, either in writing or at the hearings held by Kern County, prior to raising these issues in its lawsuit. To sue again over issues that previously the court ruled in favor of Tejon Ranch on, and on an issue it did not even raise for consideration by Kern County, is unconscionable and a huge waste of taxpayer dollars.

It's clear that this latest lawsuit by CBD is simply another blatant attempt to delay the development of the Grapevine project, which will provide much needed housing and economic development to Kern County and the region. CBD's concerted efforts to likewise delay Tejon Ranch's Centennial and Mountain Village master-planned communities, which together with Grapevine will provide 35,000 new homes for Californians, serve to worsen our housing shortage and drive home costs ever higher. To stand in the way of these locally approved developments that will bring thousands of much-needed price-attainable homes to California families is yet another stark example of CBD's "my-way-or-the-highway" mentality.

CBD's intransigence is not surprising. It participated in the negotiations that led to the historic Tejon Ranch Conservation & Land Use Agreement that permanently conserves 240,000 acres of Tejon Ranch—equaling 90% of the Ranch's property, only to, after participating in the negotiations for more than a year, walk away from the table just before the agreement was reached.

It's worth noting that the participants in the negotiations which included, in addition to CBD, Audubon California, Endangered Habitats League, Natural Resources Defense Council, Planning and Conservation League, and the Sierra Club, all indicated in advance that the outcome of negotiations would result in some real estate development on Tejon Ranch. In fact, it was actually representatives from CBD who proposed the 90% conservation--10% development ratio – only to later walk away from the negotiations. Now, CBD says it's opposed to conservation agreements. Clearly, CBD would rather retain the opportunity to sue (and presumably collect attorney's fees as their business model to survive on the chance it was to prevail) rather than compromising to achieve a guaranteed positive conservation outcome.

The tactics employed by the extremists at CBD and associated organizations to litigate, delay and obstruct, are a significant contributing factor to the housing crisis in California. After all, the co-founder of CBD, Kieran Suckling, has stated that a primary goal of the organization is to inflict severe economic pain. As CBD pursues its agenda, that economic pain is ultimately being felt by countless numbers of Californians who find adequate housing increasingly unavailable and unaffordable.

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