

Exhibit 9-A — Slope, Survey, and Boundary Violations

Summary Box

Poverty Flats Ranch UP 23-09 / IS 23-20 (PL 25-198)
Chapter 9 — Slope and Survey Noncompliance
(Sorted by jurisdictional severity — Federal → State → County/Local)

Federal / Cross-Jurisdictional Violations

Citation	Brief Description
43 U.S.C. § 1761 et seq. (FLPMA)	Unauthorized encroachment or grading on or near BLM lands requires a Right-of-Way grant; lack of a survey risks trespass and federal resource damage.
BLM Right-of-Way Policy (IM-2008-175)	Prohibits earth-disturbance or fencing within uncertain boundary areas adjacent to federal lands until survey is completed.
18 U.S.C. § 371 (Conspiracy)	Knowingly approving projects with unverified boundaries that may encroach on federal lands constitutes aiding and abetting federal trespass.

State Law / CEQA / Water Board Compliance

Citation	Brief Description
CEQA Guidelines § 15124 (Project Description)	Requires accurate mapping of precise project boundaries on detailed surveyed maps; IS/MND relies on viewer-derived parcel lines.
CEQA Guidelines § 15064(a)	Findings based on assumed rather than verified boundaries are speculative and invalidate significance determinations.
State Water Board Cannabis Policy (WQ 2023-0102-DWQ)	Classifies >30% slopes as ≥ Moderate Risk and ≥50% as ineligible for Tier-2 enrollment; record shows ≥50% slopes

	within disturbed areas.
State Water Board BPTC Framework	Requires hydrology/sediment modeling and numeric performance standards for slopes >30%; none provided in IS/MND.
CEQA Guidelines § 15126.2(a)	Failure to analyze landslide, erosion, and runoff risks from steep south-facing slopes constitutes omission of significant impact analysis.
CEQA Guidelines § 15125(a)	Environmental setting misstated ('flat ridgetops') despite ~39.5% average slope; violates accurate baseline requirement.
Clear Lake Nutrient TMDL (EPA & SWRCB)	Identifies site soils (Maymen–Etsel–Snook 30–75%) as 'severe erosion hazard'; IS/MND omits corresponding sediment controls.
CEQA Guidelines § 15130(a)	No cumulative analysis for slope-related erosion and runoff impacts within watershed.

County / Local Violations

Citation	Brief Description
Lake County Code Ch. 30 (Grading & Erosion Control)	Requires Complex Grading Permit and slope-stability analysis for >20% slopes; none completed for this site.
Lake County Code Ch. 21 (Zoning – Use Permits)	Permit issued without survey-verified maps or evidence that disturbance lies entirely within the parcel.
County Surveyor Guidance (Vance Ricks)	Explicitly states GIS Parcel Viewer lines are not survey-grade and cannot support legal setbacks or buffers.
CDD Administrative Practice	Accepted application plans marked 'NOT A BOUNDARY SURVEY,' leaving buffer and ownership compliance unverified.

Gov. Code § 6200 / Pen. Code § 118

Omission or falsification of public records regarding boundary accuracy and slope data constitutes felony offense.

Summary Note: This exhibit summarizes the slope, survey, and boundary deficiencies documented in Chapter 9. The record shows that the project occupies steep, erosion-prone slopes ($\approx 30\text{--}75\%$) and relies on GIS parcel lines rather than a stamped boundary survey. Without survey-verified geometry, the County cannot confirm that grading or cultivation occurs within the parcel or outside required buffers. These defects render the CEQA findings speculative and invalidate the IS/MND. Under CEQA Guidelines §§ 15124 and 15064(a), recirculation with a survey-controlled EIR is required.