

From: Lake County Community Development - Planning Counter mbx.CDD_PlanningCounter@lakecountyca.gov
Subject: RE: [EXTERNAL] Final Demand for Compliance Re: Public Records Act Request – Poverty Flats Ranch, UP 23-09
Date: October 6, 2025 at 9:30 AM
To: Maria Kann mariackann@gmail.com



Hello,

Do you have the PL number from the Public Records Request as reference for me to further assist?

Thank you,



Shelby Summers

Planning Technician

Department of Community Development
255 N. Forbes St.
Lakeport, CA 95453

Phone: (707) 263-2221 x 37112

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Email: shelby.summers@lakecountyca.gov

STAY CONNECTED:



From: Maria Kann <mariackann@gmail.com>
Sent: Tuesday, September 23, 2025 6:50 PM
To: Jackson Berumen <Jackson.Berumen@lakecountyca.gov>
Cc: Eddie Crandell <Eddie.Crandell@lakecountyca.gov>; Lake County Community Development - Planning Counter <mbx.CDD_PlanningCounter@lakecountyca.gov>; Lake County Clerk of the Board <LakeCounty.ClerkoftheBoard@lakecountyca.gov>
Subject: [EXTERNAL] Final Demand for Compliance Re: Public Records Act Request – Poverty Flats Ranch, UP 23-09

Maria Kann
12250 High Valley Road
Clearlake Oaks, CA 95423
mariackann@gmail.com
September 22, 2025

Via Email and Certified Mail

Jackson Berumen, Deputy County Council
Lake County Council's Office
255 N. Forbes Street, Suite 505
Lakeport, CA 95453
jackson.berumen@lakecountyca.gov

Re: Public Records Act Request – Poverty Flats Ranch, UP 23-09

Dear Deputy County Counsel Berumen:

This letter is a final demand for compliance with the California Public Records Act (“PRA,” Gov. Code § 7920.000 et seq.) regarding my pending requests for records associated with the Poverty Flats Ranch cannabis project (UP 23-09).

Despite repeated requests and the statutory deadlines under Gov. Code § 7922.535, the County has failed to produce critical categories of records and instead cited broad exemptions without identifying which records they are withholding.

Categories of Records Withheld or Missing

- Official **grading inspection reports** for GR 22-12;
- **Agricultural reports or records** verifying claims of prior farm use;
- **Records of violations, fines, or enforcement actions** for the project site;
- A **complete collection of agency and public comments**;
- **Complete email threads** of communications regarding the project.

Claimed Exemptions and Rebuttals

1. Gov. Code § 7927.705 – Attorney-Client Privilege

- This protects confidential legal advice. It does **not** extend to factual reports, grading inspections, or communications with applicants/consultants unless they are necessary agents for legal advice.
- Any email threads that include the applicant or non-legal staff waive privilege.

2. Code Civ. Proc. § 2018.010 et seq – Attorney Work Product

- Protects attorney impressions and legal theories but **does not cover factual documents** such as inspection reports, notices of violation, or correspondence relied upon in CEQA proceedings.

3. Gov. Code § 7927.500 – Preliminary Drafts

- This exemption is narrow. Drafts “not retained in the ordinary course of business” may be withheld, but **final versions or drafts relied upon in decision-making must be disclosed**. CEQA documents, agency comments, and grading plans are by definition relied upon and must be part of the administrative record.

Failure to Segregate

Even where exemptions apply, Gov. Code § 7922.525 requires the County to segregate exempt portions and release the remainder. A blanket withholding without explanation violates this duty.

Pattern of Noncompliance

Letters from attorneys in unrelated projects show similar failures by the County to comply with PRA requests. This establishes a **pattern of noncompliance and obstruction**.

Demand for Compliance

I hereby demand immediate production of the withheld categories of records within **ten (10) days**. If the County continues to withhold responsive records, I will:

1. Enter this correspondence into the **appeal record** of UP 23-09;
2. Refer this matter to the **District Attorney of Lake County** for potential obstruction of public access; and
3. Pursue judicial enforcement under Gov. Code § 7923.000 et seq., including recovery of attorney's fees and costs (Gov. Code § 7923.115).

The County's refusal to produce responsive records undermines CEQA transparency and due process. I request immediate confirmation that the County will comply.

Sincerely,

Maria Kann