

Exhibit 2-A — Road Safety and Access Violations

Summary Box

Poverty Flats Ranch UP 23-09 / IS 23-20 (PL 25-198)
Chapter 2 — Road Safety
(Sorted by jurisdictional severity — Federal → State → County/Local)

Federal / Cross-Jurisdictional Violations

Citation	Brief Description
23 U.S.C. § 109; AASHTO Green Book (7th ed. 2018)	Establishes national roadway safety and geometric design standards adopted by Caltrans; High Valley Road fails required width, grade, and curvature.
23 C.F.R. § 625.4; FHWA Design Standards	Federal design criteria for highways—minimum lane widths and curve radii violated along High Valley Road.
14 U.S.C. § 1856 / PRC § 4290 (federal-state alignment)	Federal wildfire coordination relies on state-adopted minimum fire-safe standards; noncompliance jeopardizes emergency-response reliability.

State Law / CEQA / Fire-Safe Standards

Citation	Brief Description
CEQA Guidelines §§ 15126.2(a), 15130(a), Appendix G (Transp.)	Requires analysis of roadway hazards, cumulative impacts, and emergency access; none performed.
CEQA Guidelines § 15064.3(b)	VMT metric applies to GHG impacts only; County misused 110-trip/day threshold to avoid safety analysis.
Pub. Res. Code § 4290 / 14 CCR §§ 1273.01–1273.04	Mandates 20-ft road width, ≤16% grade, ≥50-ft curve radius; High Valley Road segments noncompliant.
Highway Design Manual §§ 200–300	Requires 11-ft lanes, safe grades ≤10%,

(Caltrans)	adequate sight distance (SSD/DSD); road fails each.
CEQA Guidelines § 15384(a)	Substantial evidence includes expert and agency input (CHP, Public Works, resident documentation) ignored by County.
CEQA Guidelines §§ 15064(f), 15074(b)	IS/MND invalid where substantial evidence shows potential hazards requiring EIR.
CEQA Guidelines § 15125(a)	Omission of road geometry and safety baseline violates requirement to describe environmental setting accurately.
CEQA Guidelines § 15126.4(a)(2)	Deferral of road mitigation until after approval violates CEQA's prohibition on future study.
CEQA Guidelines § 15130(a)(3)	Failure to evaluate cumulative impacts from multiple cannabis projects on High Valley Road is "illusory" analysis (Kings County Farm Bureau v. Hanford).
Georgetown Preservation Society v. El Dorado (2018) 30 Cal.App.5th 358	Added traffic on substandard roads = significant impact requiring EIR.
Keep Our Mountains Quiet v. Santa Clara (2015) 236 Cal.App.4th 714	CEQA baseline must account for existing hazards; added traffic intensifies risk.
City of Marina v. CSU (2006)	Agencies must mitigate infrastructure hazards or deny project; cannot shift responsibility.

County / Local Violations

Citation	Brief Description
Lake County Code Ch. 13 (Fire & Construction Safety)	Approval without verifying compliance with § 4290 road standards.
Lake County Code Ch. 21 (Zoning – Use Permits)	Major Use Permit issued without adequate road safety evaluation or mitigation conditions.

County Administrative Practice	Systemic misuse of 110-trip VMT screen to avoid road safety analysis across cannabis projects.
Public Works and CDD Contradictory Record	Public Works acknowledged High Valley Road unsafe; CDD approved project anyway.
Gov. Code § 6200 / Pen. Code § 118	False or omitted records regarding road mitigation constitute felony offense.

Summary Note: This exhibit consolidates the road safety and CEQA violations documented in Chapter 2. The record shows that High Valley Road fails state and federal design standards and that Lake County improperly used a greenhouse-gas (VMT) metric to avoid analyzing life-safety hazards. Substantial evidence from CHP, engineers, commissioners, and residents proves the road is noncompliant with PRC § 4290, Caltrans HDM, and AASHTO criteria. Under CEQA Guidelines §§ 15126.2(a) and 15064(f), the failure to evaluate or mitigate these risks constitutes a prejudicial abuse of discretion. The IS/MND must be set aside and an EIR prepared to address road safety, evacuation, and cumulative impact risks.