

PART I. TECHNICAL MEMORANDUM

Review of Wildfire Evacuation, Emergency Access, and Public Safety

Seigler Springs North Commercial Cannabis Project

Major Use Permit UP 21-17

Initial Study / Mitigated Negative Declaration IS 21-18

Prepared for

Lake County Board of Supervisors

Prepared by

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Chair, Seigler Springs Firewise Community

Regional Firewise Community Coordinator

July 31, 2026

Attached to this Memorandum is the 'Technical Exhibit Packet,' which provides the visual evidence and geometric analysis supporting the safety deficiencies cited below.

Executive Summary

This memorandum presents evidence that the environmental review for **Use Permit UP 21-17 / Initial Study IS 21-18** does not adequately evaluate significant public safety and environmental impacts associated with the proposed commercial cannabis project at Seigler Springs.

The record identifies three primary deficiencies:

- **Wildfire evacuation risks** have not been analyzed using a site-specific evacuation model despite documented roadway bottlenecks, limited emergency access, and the project's location within a Very High Fire Hazard Severity Zone.
- **Conflicts with the Lake County General Plan and Timber Preserve Zone (TPZ-B3)** have not been adequately addressed, including the permanent removal of native vegetation and conversion of protected timberland to intensive commercial use.
- **The Mitigated Negative Declaration relies on incomplete analysis**, leaving substantial questions regarding wildfire safety, transportation impacts, and long-term environmental effects.

Because substantial evidence supports a fair argument that the project may result in significant environmental impacts, the current environmental document is insufficient for approval.

Requested Action:

- **Uphold the Planning Commission's denial,**
- **Reject the Mitigated Negative Declaration,**
- **Require preparation of a comprehensive Environmental Impact Report (EIR) before any further consideration of the project.**

I. SUMMARY OF PRINCIPAL SUBMISSION AND REQUESTED ACTION

This Technical Memorandum is formally submitted to the Lake County Board of Supervisors by Magdalena Valderrama Hurwitz in an official capacity as Chair of the Seigler Springs Firewise Community and a regional Firewise Community coordinator. As a local resident residing within a short walking distance from the subdivision directly across the street from the project's southern access intersection, this testimony provides fact-supported public safety infrastructure evidence and direct, localized observations.

Under the California Environmental Quality Act (CEQA) "Fair Argument" standard, **this record establishes that the Mitigated Negative Declaration (MND) for Major Use Permit UP 21-17 and Initial Study IS 21-18 contains profound structural data gaps and policy omissions.** Because independent expert evidence has anchored these failures into the administrative record, the legal onus of proof shifts entirely onto the applicant to disprove these environmental and public safety threats through a comprehensive Environmental Impact Report (EIR) before any permit can be legally approved.

The Board of Supervisors faces a binding, non-discretionary legal obligation to uphold the Planning Commission's tie-vote denial, reject the deficient MND, and order a full EIR to protect regional resources and human life.

II. UNMITIGATED PUBLIC SAFETY AND EVACUATION ROADWAY CONSTRAINTS

The applicant's central defense—that operations occur exclusively during daylight hours, thereby eliminating the need for a worst-case evacuation flow model—is fundamentally invalidated by the mandatory terms of the project's own environmental record:

1. **The Mitigation Measure WDF-2 Scheduling Conflict:** Mitigation Measure WDF-2 explicitly mandates that all vegetation removal and manipulation occur exclusively in the early morning hours before relative humidity drops below 30 percent. This legal constraint forces the project's heavy industrial workforce transit window into a compressed morning bottleneck, clashing directly with peak civilian commute patterns.
2. **Fixed Geometric Infrastructure Bottlenecks:** Paving an internal private access driveway does nothing to widen the public right-of-way or alter three severe, fixed physical chokepoints that make simultaneous emergency vehicle ingress and civilian evacuation a mathematical impossibility:
 - *The Northern Opening of Seigler Road:* A narrowing, winding road segment near the basin exit that culminates in a dead-stop T-intersection at Red Hills Road, moving steeply down to the right immediately after a severe curve. **(See Exhibit A-1 in attached Technical Exhibit Packet)**
 - *The Southern Pinch Point of Seigler Road:* A sharp, 90-degree bend directly at the main Sanctuary gate area, further constricted by two narrow parking lot entrances directly adjacent to an established residential subdivision. **(See Exhibit A-2 in attached Technical Exhibit Packet)**
 - *The Blind Crest Connection of Diener Road and Highway 29:* Diener Road

terminates at a blind crest T-intersection on California Highway 29, creating an immediate high-speed collision hazard for fleeing traffic. **(See Exhibit B-1 in attached Technical Exhibit Packet)**

- *The Blind Crest Connection of Diener Road and Highway 29*: Diener Road terminates at a blind crest T-intersection on California Highway 29, creating an **(See Exhibit B-1 in attached Technical Exhibit Packet)**

The presence of a high percentage of elderly residents and extensive localized livestock ownership mathematically compounds these egress restrictions. Under the appellate precedent of *Bonta v. Lake County*, a lead agency cannot approve a project within a Very High Fire Hazard Severity Zone without a realistic, site-specific evacuation analysis.

III. INCONSISTENCY WITH THE LAKE COUNTY GENERAL PLAN AND TIMBERLAND PRODUCTIVITY ACT

The Board of Supervisors possesses a binding, non-discretionary legal obligation to ensure total consistency with the Lake County General Plan. The project parcel sits entirely inside a protected "TPZ-B3" Timber Preserve Zone under a Resource Conservation General Plan designation.

1. **The Forestry Basis Deficit:** The developer attempts to claim a zoning exemption simply because commercial cannabis is listed as an allowable use upon securing a Conditional Use Permit under local zoning code (Article 27). However, local zoning permissions do not override the mandatory forestry basis of the state Timberland Productivity Act. Under the General Plan, the highest legal priority for TPZ lands is forest resource management, watershed protection, and timber production—not wholesale land conversion to high-density industrial agriculture.
2. **Physical Resource Destruction:** The applicant's project description requires clear-cutting 128,000 square feet of native vegetation and removing 76 Black oak trees over 6" DBH. Stripping this canopy directly disrupts the natural water filtration and groundwater recharge infrastructure explicitly protected by Chapter 3 of the General Plan.
3. **The Legal Consequence:** An applicant cannot unilaterally redefine a commercial land conversion as a public safety "firebreak" when it directly violates the mandatory resource retention standards of the General Plan. Because the project directly conflicts with these explicit land-use mandates, the Board cannot make the mandatory consistency finding required for project approval.

IV. CONCLUSION AND FORMAL REQUISITION FOR DENIAL

Once fact-supported, site-specific technical risks are anchored into the administrative record by an established regional disaster-preparedness coordinator, the Board cannot legally assume these impacts are minor. The permanent introduction of twenty-two 40'x100' hoophouses, commercial electrical distribution networks, and industrial vehicle traffic introduces long-term wildfire ignition risks and permanent evacuation chokepoint conflicts into a high-hazard Wildland-Urban Interface (WUI).

We formally request that the Board of Supervisors:

1. **Uphold** the Planning Commission's tie-vote denial of Use Permit UP 21-17.
2. **Reject** the legally deficient Mitigated Negative Declaration IS 21-18.

3. **Mandate** a comprehensive Environmental Impact Report (EIR) to model the simultaneous community egress capacity and basin-wide environmental impacts.

PART II. ROADWAY CONSTRAINTS FACT SHEET: *Systemic Egress Analysis*

Roadway Location Point	Operational Egress Hazard Description	Physical Data Summary	Geometric & Topographic Constraints
Point 1: Southern Bottleneck (Sanctuary Gate)	Pinch Point Failure: 18' average width is mathematically insufficient (requires 22') for two-way passage. Physically incapable of simultaneous emergency/civilian egress.	<18' ft width; >10% grade	90-degree turn; constricted by two narrow parking lot access points; "off-tracking" risk.
Point 2: Northern Opening (Basin Exit at Red Hills Rd)	Dual Point Failure: Visibility obscured by vegetation. 18' average width is mathematically insufficient (requires 22') for two-way passage. Sloped Y-intersection geometry; lack of acceleration/deceleration lanes;	<18' ft width; Median 22.5° grade	Skewed/Y-intersection geometry; lack of acceleration/deceleration lanes; steep grade impedes emergency maneuverability.
Point 3: Hwy 29 Blind Crest (Diener Approach)	Sightline Failure: Blind vertical crest prevents assessment of oncoming high-speed traffic, forcing drivers to commit to the entry blindly.	N/A (Sightline constraint)	Blind vertical crest; road geometry prevents visual verification of high-speed Highway 29 traffic.
Point 4: Hwy 29 Intersection (Diener T-Junction)	Terminal Intersection Risk: Skewed T-intersection onto state highway creates an immediate high-speed collision hazard during low-visibility evacuation.	N/A (Geometry constraint)	Skewed/Y-intersection geometry; lack of acceleration/deceleration lanes; high-speed termination.

PART III. Technical Exhibit Guide

The following technical exhibits are provided as supplemental visual evidence to support the geometric and safety constraints identified in this Memorandum. These visual exhibits are

contained in a separate "Technical Exhibit Packet" submitted concurrently as a companion document to this record.

1. Exhibit A-1 (Northern Opening):** Documentation of pinch-point failure (18' width) and obscured sightlines.
2. Exhibit A-2 (Southern Bottleneck):** Documentation of sub-standard (<12') exit geometry at the Sanctuary Gate.
3. Exhibit B-1 (Blind Crest):** Visualization of the blind vertical crest on Diener Road approach.
4. Exhibit B-2 (T-Junction):** Visualization of skewed intersection geometry at Highway 29.
5. Exhibit D (Fact Sheet):** Summary table of systemic evacuation constraints.

PART IV. Formal Written Public Comment for the Administrative Record

To: Clerk of the Board of Supervisors, County of Lake

From: Magdalena Valderrama Hurwitz

- Chair, Seigler Springs Firewise Community
- Regional Firewise Community Coordinator

Date: Jul 30, 2026

Subject: Formal Written Public Comment and Notice of Structural Evacuation Gaps: **Seigler Springs Investment LLC Appeal Hearing (UP 21-17 / IS 21-18)**

Submission Deadline: Written Comment for Administrative Record – 9:00 AM Friday, July 31, 2026

I. Standing, Localized Proximity, and Evidentiary Framework

As Chair of the Seigler Springs Firewise Community and a regional Firewise Community community coordinator, my formal testimony is anchored in localized, site-specific public safety infrastructure expertise. Furthermore, as a resident living within a short walking distance from the subdivision directly across the street from the project's southern intersection, I maintain daily, direct visual and physical familiarity with the immediate roadway geometry and traffic constraints of this corridor.

Under the California Environmental Quality Act (CEQA) "Fair Argument" standard, these comments constitute substantial, fact-supported evidence regarding unmitigated public safety risks.

This submission establishes that the Mitigated Negative Declaration (MND) relies on profound

structural data gaps. These omissions left County Planning Staff unequipped to uncover hidden public safety impacts, thereby shifting the legal onus onto the applicant to disprove these threats through a comprehensive Environmental Impact Report (EIR).

II. Technical Counter-Argument to the "Daylight Harvest" Assumption

The developer's representatives or supporters may assert that because timber harvesting and project operations occur exclusively during daylight hours, no nighttime "worst-case scenario" evacuation analysis is required. This defense is completely neutralized by the legally binding text of the County's own environmental record:

1. **The Mitigation Measure WDF-2 Conflict:** Mitigation Measure WDF-2 explicitly mandates that all vegetation removal or manipulation occur exclusively in the early morning hours before relative humidity drops below 30 percent.
 2. **The Resulting Traffic Pattern:** Far from possessing operational flexibility, the project is legally forced to concentrate its intensive workforce transit window into a highly compressed, high-density morning window. This legal constraint matches peak civilian commute times, creating an artificial peak-traffic bottleneck on a compromised rural road network.
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III. Geometric Infrastructure Failures and Evacuation Chokepoints

Because a modified engineering traffic model could not be finalized, the Board cannot legally rely on generalized building code compliance or water tank hookups (WDF-4) to substitute for a mathematically modeled egress analysis. The physical, geometric limitations of the evacuation routes are fixed, unmitigable, and verified through my own direct, localized neighborhood observation:

- **The Northern End Constraint:** The Seigler Springs North Road rapidly narrows and introduces consecutive blind curves near the basin exit at its northern end, culminating in a dead-stop T-intersection at Red Hills Road that moves steeply down to the right immediately after a severe curve. (See Exhibit A-1)
- **The Southern End Constraint:** The Seigler Springs North Road features a severe, fixed physical bottleneck defined by a sharp, 90-degree bend directly at the main gate area. This geometry is further constricted by two narrow parking lot entrances, restricting simultaneous two-way passage for emergency apparatus and fleeing civilians. My personal residence across the street from this intersection confirms that ordinary daily traffic already struggles with this configuration; adding an industrial vehicle mix makes two-way passage physically impossible. (See Exhibit A-2)
- **The Diener Highway Intersection Hazard:** The primary connection road, Diener Road, terminates at a completely blind crest T-intersection on California Highway 29, creating an immediate, high-speed collision hazard for an evacuating population. (See Exhibit B-1)
- **The Diener Highway Intersection Hazard:** The primary connection road, Diener Road, terminates at a completely blind crest T-intersection on California Highway 29, creating an immediate, high-speed collision hazard for an evacuating population. (See Exhibit B-2)

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The presence of a high percentage of elderly residents and localized livestock ownership mathematically compounds these egress delays. Under *Bonta v. Lake County*, a lead agency cannot legally approve a project in a Very High Fire Hazard Severity Zone without a realistic, site-specific evacuation analysis.

IV. Perpetual Operational Evacuation Hazards and WUI Ignition Risks

The developer's assertion that wildfire and evacuation risks are temporary and disappear after the initial timber removal and road-paving phase is fundamentally flawed. Paving an internal private access driveway does absolutely nothing to alter or mitigate the dangerous, fixed geometric chokepoints on the public egress network. Once this facility transitions from initial site clearing into its permanent operational phase, it introduces permanent, compounding hazards to the Seigler Springs basin that cannot be ignored.

A. Permanent Industrial Ignition Sources in a High-Hazard WUI

The project site does not remain an open, cleared firebreak; it actively converts a protected Timber Preserve Zone ("TPZ-B3") under a Resource Conservation General Plan designation into an active, high-density industrial agricultural facility. The site plans detail the permanent installation of twenty-two 40'x100' seasonal hoopouses, electrical distribution networks, automated ventilation systems, commercial security arrays, and permanent shipping containers for storage. Introducing this permanent mechanical and electrical ignition profile into a steep, heavily forested Wildland-Urban Interface (WUI) creates a permanent, year-round wildfire risk where none previously existed.

B. Unmitigated Geometric Chokepoints and Ongoing Vehicle Mix Hazards

The long-term operational phase relies on continuous, permanent vehicle trips from employees, transport vendors, and concentrated harvesting crews. In a wildfire emergency, this new commercial transit load is forced onto the exact same constrained public infrastructure utilized by the existing community:

- **The Southern Entrance Gridlock:** Fleeing commercial vehicles and incoming emergency apparatus must negotiate the sharp, 90-degree bend directly at the main gate area, which is further choked by two narrow parking lot entrances. My daily observation confirms that standard civilian traffic already struggles to navigate this geometry. The permanent introduction of industrial vehicle traffic makes simultaneous two-way emergency transit physically impossible.
- **The Northern Escape Constraints:** Exiting traffic moving north must traverse narrowing, winding segments of Seigler Springs North Road before encountering a dead-stop T-intersection at Red Hills Road that drops steeply down to the right immediately after a severe curve.
- **The Highway 29 Blind Crest:** Fleeing vehicles attempting to exit via Diener Road must clear a completely blind crest T-intersection on California Highway 29, creating an immediate high-speed collision hazard during low-visibility evacuation scenarios.

Critical Operational Gap: Paving the project's internal driveway does not widen the public right-of-way or alter these three listed fixed bottlenecks. The presence of a high percentage of

elderly residents and neighbors with localized livestock is a permanent community reality. Adding any permanent industrial workforce transit vectors—regardless of daylight scheduling claims—guarantees immediate access conflicts during a fast-moving fire event. Under the *Bonta v. Lake County* appellate precedent, a paved driveway cannot substitute for a safe, modeled community evacuation capacity.

V. Insurmountable General Plan and Timber Preserve Zone Inconsistency

The Board of Supervisors possesses a binding, non-discretionary legal obligation to ensure total consistency with the Lake County General Plan. The project parcel sits entirely inside a protected "TPZ-B3" Timber Preserve Zone under a Resource Conservation General Plan designation.

1. **The Policy Mandate:** The General Plan explicitly mandates that the highest legal priority for these specific lands is to function as natural infrastructure protecting the regional watershed and groundwater recharge capabilities.
 2. **The Physical Conflict:** The applicant's project description requires clear-cutting 128,000 square feet of native vegetation and removing 76 Black oak trees over 6" DBH. Stripping this canopy directly disrupts the natural water filtration and infiltration infrastructure explicitly protected by the General Plan.
 3. **The Legal Consequence:** Finally, the Board has a non-discretionary obligation to enforce General Plan consistency. The developer attempts to claim a zoning exemption simply because cannabis is an allowable use under Article 27, but this completely ignores the mandatory forestry basis of the Timberland Productivity Act. **Under your General Plan, the highest legal priority for a Timber Preserve Zone is forest resource management, watershed protection, and timber production—not wholesale land conversion to industrial agriculture.** Zoning permissions do not equate to environmental or policy compatibility. The applicant cannot use local zoning code to bypass the foundational state and local forestry mandates that protect these resources. Clear-cutting 128,000 square feet of native vegetation and removing 76 trees is a commercial conversion, not timberland conservation. The applicant cannot unilaterally redefine an industrial clearing as a safety firebreak when it directly violates the mandatory resource retention standards of your General Plan.
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VI. Formal Request for Action

Once fact-supported, site-specific technical risks are anchored into the administrative record by an established regional coordinator, the Board cannot legally guess that these impacts are minor. If the developer presents an updated or modified staff report at the deadline, the legal onus remains entirely on the applicant to disprove these infrastructure failures.

We urge the Board of Supervisors to protect human life, uphold the Planning Commission's tie-vote denial, reject the deficient Mitigated Negative Declaration, and order a full Environmental Impact Report to model the egress capacity of the basin.

Respectfully submitted,

Magdalena Valderrama

Chair, Seigler Springs Firewise Community
Regional Firewise Community Coordinator