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 30–75%) 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.