Exhibit 8-B — Cultural and Tribal Chapter Footnote Index

Poverty Flats Ranch UP 23-09 / IS 23-20 (PL 25-198)

(Derived from Chapter 8 — Cultural Resources and Tribal Consultation)

ID / Reference	Citation / Description
[A1]	Public Resources Code §§ 21080.3.1(b), 21080.3.1(d), 21080.3.2(a), and 21082.3(d)(1); CEQA Guidelines § 15064.5. (Establishes mandatory procedures for early tribal notification, initiation of consultation, and completion of government-to-government dialogue in good faith before any Mitigated Negative Declaration may be adopted.) <i>Exhibit:</i> AB52_Consultation_Failure_Handout.pdf.
[A2]	Cliff Mota Contract with Poverty Flats IMG_5783.jpeg. On-site visit photo documenting Elem Indian Colony THPO participation initiating AB 52 consultation process.
[A3]	Some light ready for you all.pdf (Email from Elem THPO Cliff Mota, July 24 2025) confirming no notification of grading after site visit and non-agreement — evidence of failure to maintain consultation; cites PRC §§ 21080.3.1–21080.3.2.
[A4]	PRC § 21082.3(d)(1) — Prohibits adoption of an MND until consultation is completed in good faith.
[A5]	2025-05-22 Max PC Slide AB 52 No Agreement Reached. JPG (Screenshot of Planning Commission Meeting Presentation, May 22 2025 slide titled "AB 52 Tribal Notification.") Demonstrates misleading representation of "completed consultation."
[A6]	Pit River Tribe v. County of Fresno (2006) 140 Cal.App.4th 1420 — Failure to consult constitutes prejudicial abuse of discretion.
[A7]	Madera Oversight Coalition v. County of Madera (2011) 199 Cal.App.4th 48 — Agencies must conduct full cultural review; shortcuts invalidate approvals.
[A8]	California Clean Energy Comm'n v. County of San Diego (2014) 220 Cal.App.4th 1063 — Substituting informal processes renders CEQA approval invalid.

ID / Reference Citation / Description

[A10]

[A9] Golden Door Properties, LLC v. County of San Diego (2020) 50 Cal.App.5th 467
— Failure to act in good faith under AB 52 triggers EIR requirement.

Cultural Resources Report Redacted ETHNOGRAPHIC OVERVIEW.pdf (p. 10 "Cultural Resources Assessment for the Cannabis Cultivation Operation at 10535 High Valley Road, Clearlake, Lake County, California," Natural Investigations Company, Dec 2023; confidential archaeological data omitted per Gov. Code § 6254.10 and ARPA § 9(a)). Supplemental reference: Cultural Misidentification and Omitted Sites – Poverty Flats Appeal Evidence (docx).