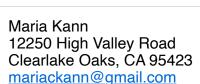
From: Maria Kann mariackann@gmail.com

Subject: Final Demand for Compliance Re: Public Records Act Request - Poverty Flats Ranch, UP 23-09

Date: September 23, 2025 at 6:50 PM

To: Jackson Berumen Jackson.Berumen@lakecountyca.gov

Cc: Eddie Crandell Eddie Crandell@lakecountyca.gov, planningcounter@lakecountyca.gov, ClerkoftheBoard@lakecountyca.gov



Via Email and Certified Mail

September 22, 2025

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;
- 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