

From: Maria Kann mariackann@gmail.com
Subject: Re: [EXTERNAL] Final Demand for Compliance Re: Public Records Act Request – Poverty Flats Ranch, UP 23-09
Date: October 6, 2025 at 7:04 PM
To: Lake County Community Development Planning Counter mbx.CDD_PlanningCounter@lakecountyca.gov



Thanks for the offer but the county has really screwed up with this one and I doubt your efforts are going to make a difference at this point.

Respectfully,
Maria Kann

Sent from my iPhone

On Oct 6, 2025, at 4:47 PM, Maria Kann <mariackann@gmail.com> wrote:

PL 25-198, PRA 25-134

On Mon, Oct 6, 2025 at 9:30 AM Lake County Community Development - Planning Counter <mbx.CDD_PlanningCounter@lakecountyca.gov> wrote:

Hello,

Do you have the PL number from the Public Records Request as reference for me to further assist?

Thank you,

<image001.png> **Shelby Summers**

Planning Technician

Department of Community Development

255 N. Forbes St.

Lakeport, CA 95453

Phone: (707) 263-2221 x 37112

Fax: (707) 263-2225

Email: shelby.summers@lakecountyca.gov

STAY CONNECTED:

[<image002.png>](#)

[<IMAGE003.PNG>](#)

[<image004.gif>](#)

[<IMAGE005.PNG>](#)

From: Maria Kann <mariackann@gmail.com>
Sent: Tuesday, September 23, 2025 6:50 PM
To: Jackson Berumen <Jackson.Berumen@lakecountyca.gov>
Cc: Eddie Crandell <Eddie.Crandell@lakecountyca.gov>; Lake County Community Development - Planning Counter <mbx.CDD_PlanningCounter@lakecountyca.gov>; Lake County Clerk of the Board <LakeCounty.ClerkoftheBoard@lakecountyca.gov>
Subject: [EXTERNAL] Final Demand for Compliance Re: Public Records Act Request – Poverty Flats Ranch, UP 23-09

Maria Kann
12250 High Valley Road Clearlake
Oaks, CA 95423
mariackann@gmail.com
September 22, 2025

Via Email and Certified Mail

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;

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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;
2. 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,

Sincerely,

