

Exhibit 3-A — Fire Safety and Evacuation Violations

Summary Box

Poverty Flats Ranch UP 23-09 / IS 23-20 (PL 25-198)
Chapter 3 — Fire Safety
(Sorted by jurisdictional severity — Federal → State → County/Local)

Federal / Cross-Jurisdictional Violations

Citation	Brief Description
14 U.S.C. § 1856 / PRC § 4290 (federal–state alignment)	Federal wildfire-coordination statutes rely on adoption and enforcement of State Minimum Fire Safe Regulations (SMFSR); non-enforcement by the County undermines national fire-response protocols.
18 U.S.C. § 371 (Conspiracy)	Knowingly approving a project that violates federal-state wildfire-access coordination standards may constitute conspiracy to defraud lawful enforcement functions.
Federal Interagency Wildfire Policy (2017 rev.)	Requires local jurisdictions to maintain ridge-top fuel-break corridors and access routes for mutual-aid response; Poverty Flats development compromises that objective.

State Law / CEQA / Fire-Safe Standards

Citation	Brief Description
Pub. Res. Code § 4290 / 14 CCR §§ 1270.00 et seq.	Establishes mandatory statewide minimum fire-safe standards for roads (20 ft width, ≤ 16% grade, ≥ 50 ft curve, 40,000 lb load capacity); High Valley Road and on-site access fail each requirement.
14 CCR § 1270.01(i),(y)	“Driveway” limited to ≤ 4 residential units; any commercial/industrial access =

	“Road.” The IS/MND’s “commercial driveway” category is unlawful.
14 CCR § 1273.03 – 1273.06	Defines grade, turning radius, surface and turnout criteria; project exceeds maximum grade and fails width and curve radius requirements.
14 CCR § 1273.07	Prohibits roads on undeveloped strategic ridgelines without findings of necessity; none were made for Poverty Flats (High Valley Ridge).
14 CCR § 1273.08(a)	Dead-end roads serving commercial uses must not exceed 1 mile; High Valley Road functions as a 6-mile dead end during USFS closures.
CEQA Guidelines §§ 15126.2(a), 15064(f), 15130(a)	Requires evaluation of wildfire, evacuation, and cumulative hazards; IS/MND omitted all route-specific analysis.
CEQA Guidelines Appendix G (Wildfire)	Triggers analysis of exacerbation of wildfire risk, impairment of evacuation plans, and inadequate emergency access; none conducted.
CEQA Guidelines § 15126.4(a)(2)	Prohibits deferral of fire-safety mitigation to future study; County relied on later compliance assurances via Mitigation Measure WDF-1.
Golden Door Properties v. County of San Diego (2020)	Mitigation must be enforceable and verified before approval; fire-safety deferral via WDF-1 is invalid.
League to Save Lake Tahoe v. County of Placer (2022)	CEQA requires route-specific evacuation modeling for wildfire impacts; none was performed.
Friends of B Street v. City of Hayward (1980)	Misstatements or omissions in CEQA documents are prejudicial; invalidates MND findings.

County / Local Violations

Citation	Brief Description
Lake County Code Ch. 13 (Fire and Construction Safety)	Project approved without verifying § 4290 compliance for either on-site or off-site segments of High Valley Road.
Lake County Code Ch. 21 (Zoning – Use Permits)	Major Use Permit issued on the basis of an inaccurate “commercial driveway” classification and without fire-safety findings.
County Administrative Practice	Pattern of limiting § 4290 review to project parcels only, ignoring whole-route hazards, contrary to state law and fire agency practice.
CDD / IS-MND Record Misstatement	Declared “no impact” for wildfire evacuation without route-specific analysis and substituted VMT screen for fire-safety study.
Gov. Code § 6200 / Pen. Code § 118	Concealment or falsification of public records (material omission of 4290 deficiencies) constitutes felony offense.

Summary Note: This exhibit summarizes the fire-safety and evacuation deficiencies documented in Chapter 3. The record shows High Valley Road and the Poverty Flats access fail state fire-safe requirements for width, grade, curve, and surface; function as a prohibited dead-end during closures; and lie on a strategic fuel-break ridgeline vital to community defense. The County’s reliance on a “commercial driveway” fiction and a VMT screen in place of a § 4290-aligned evacuation analysis constitutes a prejudicial abuse of discretion under CEQA. An EIR is required to evaluate and mitigate these hazards before project approval.