Exhibit 11-A — Septic System and Wastewater Violations Summary Box

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

Chapter 11 — Septic System and Wastewater Management
(Sorted by jurisdictional severity — Federal → State → County/Local)

Federal / Cross-Jurisdictional Violations

Citation	Brief Description
Clean Water Act § 301 / 33 U.S.C. § 1311; § 402 (NPDES)	Discharge of pollutants from point or non- point sources (damaged septic system leakage) without permit violates federal clean-water standards.
Clean Water Act § 303 / 40 CFR § 131.10	Requires water-quality standards to protect beneficial uses; unassessed septic effluent within watershed could impair Schindler Creek tributaries.
Safe Drinking Water Act § 1431	Uncontrolled wastewater percolation into groundwater aquifers triggers imminent-and-substantial-endangerment authority.
National Pollutant Discharge Elimination System (NPDES)	No analysis of septic replacement impact on watercourses; potential unpermitted discharge.

State Law / CEQA / Public Health Compliance

Citation	Brief Description
Pub. Res. Code § 21080(c); CEQA Guidelines §§ 15070 et seq.	Incomplete environmental setting — MND omits septic location and fails to analyze impacts; violates baseline disclosure.
CEQA Guidelines § 15063(d)	Requires full project description; missing septic/leach field renders IS/MND invalid.
CEQA Guidelines § 15125(a)	Environmental setting incomplete; current

damaged septic field omitted.

CEQA Guidelines § 15126.2(a) Failure to identify potential wastewater

contamination as significant impact.

CEQA Guidelines § 15073.5(a) Material change (binary septic/no-septic

scenario) required recirculation of IS/MND

prior to approval.

State Water Board OWTS Policy (2012, rev.

2023)

Requires siting, design, and maintenance of onsite wastewater systems through Local Agency Management Program

(LAMP); no documentation of compliance.

California Health & Safety Code § 5411;

Water Code § 13050 (m)

Discharge of waste causing pollution

constitutes a public nuisance and statutory

violation.

California Plumbing Code (2022) § 713 /

Table 422.1

Every building with plumbing fixtures must connect to a public sewer or approved

OWTS; proposed processing building lacks

septic connection.

California Building Code (2022) Ch. 29 / §

2902.1

Occupied structures require permanent

sanitary facilities; portable toilets

insufficient.

Cal/OSHA Title 8 §§ 3364–3366, § 3457 Field-sanitation standards apply only to

outdoor crews; indoor workrooms must

have CPC/CBC-compliant septic

connection.

CEQA Case Law: Sundstrom v. Mendocino

(1988)

Deferral of septic feasibility study until

post-approval invalidates MND.

CEQA Case Law: Communities for a Better

Environment v. SCAQMD (2010)

Mitigation cannot be deferred; septic feasibility constitutes missing analysis.

County / Local Violations

Citation Brief Description

Lake County Code Ch. 9 (Health &

Sanitation); Art. I–III

Discharge of waste causing pollution constitutes a nuisance; requires septic

	repair/removal under County authority.
Lake County Code Ch. 30 (Grading & Erosion Control)	Ground-disturbing septic replacement requires grading permit; not identified or conditioned.
Lake County Code Ch. 21 (Zoning – Use Permits)	Major Use Permit approved without complete septic design and location data.
Environmental Health Dept. Memo (Mar 4 2024)	Required repair or replacement of damaged system with permits and site evaluation ignored in final MND.
Planning Commission Approval May 22 2025	Approved project lacking verified septic feasibility; violates agency consultation requirement.
Gov. Code § 6200 / Pen. Code § 118	Concealment or falsification of septic documentation constitutes felony offense.

Summary Note: This exhibit consolidates septic-system and wastewater-management violations documented in Chapter 11 – Septic. The record demonstrates that the Initial Study/Mitigated Negative Declaration omitted critical septic-system data, failed to locate the existing or proposed leach field, and ignored Environmental Health and State Water Board requirements for OWTS feasibility and permitting. The project's "binary contingency" (build or abandon processing facility depending on septic approval) constitutes a material change in project scope requiring CEQA recirculation under § 15073.5(a). As approved, the MND violates CEQA disclosure, California Plumbing Code, Water Code, and Lake County Health & Sanitation ordinances. A full Environmental Impact Report is required to address wastewater feasibility, groundwater protection, and worker-safety compliance.