



Interoffice Memo

DATE: July 9, 2026

PHONE: 909-387-4110

FROM: **DAN WALSH**, CHIEF ENGINEERING GEOLOGIST
LAND USE SERVICES DEPARTMENT

TO: **HONORABLE PLANNING COMMISSION**

SUBJECT: AGENDA ITEM #3 - PMISC-2026-00029 /SAN BERNARDINO COUNTY LAND USE
SERVICES DEPARTMENT

Since the distribution of the staff report, Staff has received additional comments for the above-referenced Project. These additional comments are attached for your consideration.

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From: [Matthew Martin-Hall](#)
To: [Planning Commission Comments](#); [COB - Internet E-Mail](#)
Cc: [Walsh, Dan](#); [DeNinno, Amy](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#); [Board Meeting Comments](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029, Proposed Surface Mining Ordinance
Date: Friday, July 3, 2026 10:03:06 AM

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Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.

To the San Bernardino County Board of Supervisors, Planning Commission, Land Use Services Department, and County Staff:

I am writing regarding Agenda Item 3, PMISC-2026-00029, the proposed repeal and reenactment of Chapter 88.03 of the San Bernardino County Development Code related to surface mining and land reclamation.

I understand that the County is presenting this ordinance as an administrative update intended to bring local mining regulations into alignment with SMARA. I also understand that this item does not directly approve the Lone Pine Canyon quarry project by name.

That said, in light of the ongoing Lone Pine Canyon quarry controversy, the timing, framing, and substance of this ordinance raise serious public trust concerns.

This does not read like a simple housekeeping item. The County's own staff report describes the ordinance as a comprehensive repeal and reenactment affecting vested rights, reclamation plans, financial assurances, inspections, enforcement, idle mines, amendments, and post-approval procedures. Those are not minor administrative details. They are the exact procedural categories at issue in controversial mining operations like Lone Pine Canyon.

The concern is not simply that the County is updating its mining ordinance. The concern is that the County is asking the public to accept a major rewrite of the mining rulebook as though it were neutral paperwork, while communities affected by mining are being asked to trust that none of this will affect them later.

That is not a reasonable position to place the public in.

The staff report states that County staff coordinated with local mining operators and CalCIMA, the mining industry association, while preparing this update. It does not describe comparable outreach to affected communities, residents living near mines, fire safety agencies, watershed groups, tribal representatives, environmental organizations, or local groups currently dealing with the impacts of proposed or revived mining operations.

For a countywide ordinance governing surface mining, that imbalance is deeply troubling.

Even if no improper intent existed, the process appears tilted toward the regulated industry rather than the people who will live with the consequences of these rules. That appearance alone should be enough to slow this process down.

The ordinance also raises serious concerns around vested rights. It states that vested mining operations may not need a regular County permit if vested rights have been recognized, though they still require a reclamation plan and financial assurance. It also states that the County will recognize prior administrative vested-rights determinations or confirmations, as long as they are consistent with applicable law.

In the context of Lone Pine Canyon, that language matters.

The public deserves to know whether this ordinance will be used to preserve, reinforce, validate, or rely upon the County's prior handling of the Lone Pine Canyon vested-rights issue. If the answer is no, the County should say so clearly and on the record. If the answer is yes, then the public deserves a full explanation before this ordinance moves forward.

The County should not treat "vested rights" as a blanket authorization. Any claimed vested right must be defined with precision. The County should identify the exact property boundaries, depth, material, extraction method, processing activity, haul routes, operational intensity, and scope of activity covered by any vested-rights determination. Anything less risks turning a narrow legal doctrine into a broad procedural shortcut.

The public hearing issue is also significant. The proposed ordinance allows the Director to determine whether certain reclamation plan changes are "substantial" or "non-substantial." If deemed non-substantial, some changes may be approved through Staff Review without Notice. The examples include changes to final contours, roads, revegetation plans, reclamation methods, safety measures, phasing, and other modifications.

For a project like Lone Pine Canyon, those details are not minor.

A change to a road, slope, drainage feature, revegetation plan, phase boundary, access point, or safety measure can affect traffic, erosion, water quality, fire risk, visual impacts, and public safety. Calling something "non-substantial" inside an office does not make it harmless on the ground.

The same concern applies to idle mine management plans. The ordinance allows certain Interim Management Plan decisions and renewals to proceed without a public hearing. Again, this may be allowed under SMARA, but the question is whether San Bernardino County should accept the lowest level of public process for mining sites that may directly affect nearby communities.

The staff report also states that the County is not proposing rules more stringent than SMARA. That is a policy choice. San Bernardino County includes mountain communities, canyon roads, wildfire-prone areas, sensitive watersheds, rural neighborhoods, evacuation routes, and environmentally significant landscapes. The County could choose stronger local safeguards. Instead, this ordinance appears to align with the minimum state framework while preserving substantial administrative discretion.

That may be efficient for operators. It is not reassuring for residents.

At minimum, before this ordinance is recommended for adoption, the County should answer the following questions clearly and publicly:

1. Does this ordinance affect pending or controversial mining operations, including Lone Pine Canyon?
2. Does this ordinance preserve, validate, reinforce, or otherwise affect the County's prior vested-rights handling of the Lone Pine Canyon quarry?
3. Which decisions under this ordinance can be made without public notice or a public hearing?
4. Who decides whether a reclamation plan change is "substantial" or "non-substantial"?
5. Will the public be notified when staff approves a mining-related change through Staff Review without Notice?
6. Will changes involving roads, grading, drainage, slopes, revegetation, phasing, traffic, blasting, crushing, water quality, fire risk, visual impacts, or public safety require public notice and public review?
7. Which mining operators participated in the development of this ordinance?
8. What specific role did CalCIMA play in shaping the ordinance?
9. Were any operators with pending, vested, idle, reclamation-only, or controversial projects involved in the drafting or review process?
10. Why was there not comparable outreach to affected communities before this item came forward?
11. What documents, redlines, comments, meeting notes, and communications shaped the final ordinance language?
12. What safeguards will the County add to ensure that administrative review is not used to bypass public participation on meaningful mining decisions?

The appropriate action is not to move this forward as-is.

The Planning Commission should continue this item and direct staff to conduct broader public outreach, disclose the stakeholder process, publish a complete response-to-comments matrix, and return with amendments that guarantee public notice and public review for mining-related decisions that could affect surrounding communities.

This is especially important for projects like Lone Pine Canyon, where the community is already being asked to accept a process built around vested rights and reclamation planning rather than a full modern mining permit review.

The County may view this ordinance as an internal update. The public does not experience it that way. To residents, this looks like the County rewriting the mining rulebook in the middle of a live and highly controversial mining fight, after consulting the mining industry, while asking affected communities to trust that the changes are merely administrative.

That is exactly the kind of process that undermines confidence in local government.

If the County wants public trust, it should not ask the public to discover the consequences later. It should explain them now.

Please continue this item, broaden the outreach, disclose the industry and stakeholder input, and revise the ordinance to ensure meaningful public notice and public review before mining-related decisions are made administratively.

Respectfully,
Matthew Martin-Hall
Wrightwood, California

From: [Monique Stevens](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Saturday, July 4, 2026 7:55:03 AM

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Good morning,

Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.

I am asking the Planning Commission to continue Agenda Item 3 and not recommend adoption as-is. This ordinance does not directly approve the Lone Pine Canyon quarry, but it rewrites the County's mining procedures while Lone Pine Canyon is an active and controversial issue. The County should explain how this ordinance affects pending or vested-rights mining operations, disclose all mining operator and CalCIMA input, conduct broader outreach to affected communities, and require public notice and public review for any mining-related decision that could affect roads, grading, drainage, slopes, traffic, blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety.

This type of back-door process as is pertains to the proposed Lone-Pine Quarry near Wrightwood, shuts out the impacted public's right to comment, voice their objections and concerns, and eliminates transparency. Please open the door to let the light in.

Thanks,
Monique Stevens
661-992-3815
Littlerock CA

From: [Walsh, Dan](#)
To: [David Mack](#); [Amy DeNinno](#)
Cc: [Searles, Jason](#)
Subject: FW: Agenda Item 3, PMISC-2026-00029 please include my comment
Date: Wednesday, July 8, 2026 7:55:31 AM
Attachments: [image001.png](#)
[image002.png](#)

David/Amy,

Please add this public comment to the PMISC-2026-00029 record.

Thank you,



Dan Walsh PG, CEG
Chief Engineering Geologist
Land Use Services Department – Geology & Mining Division
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0187
Office: 909.387.4739 | Cell: 909.756.0057
www.SBCounty.gov
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From: Newland, Derek <Derek.Newland@lus.sbcounty.gov>
Sent: Wednesday, July 8, 2026 7:42 AM
To: Walsh, Dan <Dan.Walsh@lus.sbcounty.gov>
Cc: Gonzales, Paul <Paul.Gonzales@lus.sbcounty.gov>; Hagman, Jonathan <Jonathan.Hagman@lus.sbcounty.gov>; Bustamonte, Thomas <Thomas.Bustamonte@lus.sbcounty.gov>
Subject: FW: Agenda Item 3, PMISC-2026-00029 please include my comment

FYI

Thank you,

Derek Newland
Associate Planner
Land Use Services Department
Planning Division
909-387-8311
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0187



From: Caterina Zamora <caterinaneke@yahoo.es>
Sent: Tuesday, July 7, 2026 22:08
To: Planning Commission Comments <PlanningCommissionComments@lus.sbcounty.gov>
Cc: Supervisor Rowe <Supervisor.Rowe@bos.sbcounty.gov>; Supervisor Armendarez <Supervisor.Armendarez@bos.sbcounty.gov>; Supervisor Baca <Supervisor.Baca@bos.sbcounty.gov>; Supervisor Hagman <Supervisor.Hagman@bos.sbcounty.gov>; Newland, Derek <Derek.Newland@lus.sbcounty.gov>
Subject: Agenda Item 3, PMISC-2026-00029 please include my comment

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Good evening,

Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.

I am asking the Planning Commission to continue Agenda Item 3 and not recommend adoption as-is. This ordinance does not directly

approve the Lone Pine Canyon quarry, but it rewrites the County's mining procedures while Lone Pine Canyon is an active and controversial issue. The County should explain how this ordinance affects pending or vested-rights mining operations, disclose all mining operator and CalCIMA input, conduct broader outreach to affected communities, and require public notice and public review for any mining-related decision that could affect roads, grading, drainage, slopes, traffic, blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety.

Respectfully, Wrightwood resident, Caterina Zamora

Caterina Zamora Menino

From: [Carol Pettegrew](#)
To: [Planning Commission Comments](#)
Subject: Agenda item 3
Date: Friday, July 3, 2026 2:11:10 PM

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Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.

I am asking the Planning Commission to continue Agenda Item 3 and not recommend adoption as-is. This ordinance does not directly approve the Lone Pine Canyon quarry, but it rewrites the County's mining procedures while Lone Pine Canyon is an active and controversial issue. The County should explain how this ordinance affects pending or vested-rights mining operations, disclose all mining operator and CalCIMA input, conduct broader outreach to affected communities, and require public notice and public review for any mining-related decision that could affect roads, grading, drainage, slopes, traffic, blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety.

Respectfully,

Carol Pettegrew-Standel

Wrightwood

From: [Mia Diaz](#)
To: [Planning Commission Comments](#)
Cc: [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
Subject: Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.
Date: Friday, July 3, 2026 3:20:23 PM

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Members of the Board,

I am a concerned friend of the city of Wrightwood & the Lone Pine Canyon, and I would like you to Continue Agenda Item 3 and do not recommend adoption as-is.

Before moving this ordinance forward, the County should:

- >Explain how this ordinance affects pending, controversial, vested-rights, idle, and reclamation-only mining operations, including Lone Pine Canyon.
- >Disclose who helped shape the ordinance, including mining operators and CalCIMA, the mining industry association.
- >Conduct broader public outreach to affected communities before adoption.
- >Add public notice and public review protections for mining-related decisions that could affect roads, grading, drainage, slopes, phasing, revegetation, traffic, blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety.
- >Clearly identify which decisions under the ordinance can be made without public notice or a public hearing.

Thank you very much!

Mia J. Diaz

From: [kristal vasquez](#)
To: [Planning Commission Comments](#)
Subject: Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.
Date: Friday, July 3, 2026 6:06:07 PM

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Dear Planning Commissioners,

I am asking you to continue Agenda Item 3 and not recommend adoption of the proposed mining ordinance at this time.

This ordinance does not directly approve the Lone Pine Canyon quarry, but it rewrites the County's rules for mining, vested rights, reclamation plans, amendments, idle mines, financial assurances, inspections, and enforcement.

That matters to communities like ours.

I am concerned that the staff report says mining operators and CalCIMA helped shape the ordinance, but it does not show the same level of outreach to affected communities.

I am also concerned that some mining-related decisions could be approved by staff without public notice or a public hearing. In places like Lone Pine Canyon, changes to roads, slopes, drainage, grading, revegetation, phasing, access, or safety measures can affect traffic, fire risk, water quality, erosion, visual impacts, and public safety.

Please continue this item. Please require broader public outreach. Disclose the mining industry input. Explain how this affects Lone Pine Canyon. Add public notice and public review protections before adoption.

Respectfully,

Kristal vasquez
Wrightwood Resident

From: [Tom Stevens](#)
To: [Planning Commission Comments](#)
Subject: PUBLIC COMMENT on matter PMISC-2026-00029, agenda item #3
Date: Saturday, July 4, 2026 6:29:02 AM

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I ask you to include this comment in the official record of the 9 July 2026 hearing before the Planning Commission on agenda item #3, which is PMISC-026-00029.

I am very concerned that the County is rewriting the surface mining and land reclamation rules. The activities covered by these rules are some of the most destructive, invasive, and potentially ruinous things that can be done to land and communities. Their effect on the daily lives of ordinary people can be huge.

Changes to these rules must be made slowly, carefully, and deliberately. Everyone who is impacted must have a voice, and the Commission must thoroughly understand and consider how every aspect of each change can have a deleterious effect on the people that live in areas where mining activities are contemplated.

However, it appears instead that the Commission is considering a wholesale re-write of some of the most important subjects covered in the current laws and regulations. Things like how reclamation plans are made, approved, amended, and enforced should definitely not be made without the full support of the public that is impacted by these plans.

But most importantly, any change that reduces the requirement for public notice of an action, or that allows the County, the Commission, or the staff to make approvals on surface mining and land reclamation WITHOUT PUBLIC HEARINGS is UNFAIR. It directly contravenes the public participation principles that underlie the County's charter.

As a long-time resident of a mountain canyon community, I have become acutely aware of some issues common to these areas:

1. Run-off and erosion is powerful force and potentially hugely destructive.
2. Heavy equipment traffic utterly destroys the peace and serenity that these communities offer
3. Noise and dust can ruin your health.
4. Fire is a constant worry.
5. Water quality is a huge concern -- easy to damage and hard to fix.

Any rule change that makes it easier for commercial interests to obtain approval for projects that have a potential to affect any of these five things should be treated as suspicious and dangerous.

Thank you for your consideration.

Sincerely,
Tom Stevens

From: [Henry Josefsberg](#)
To: [Planning Commission Comments](#)
Subject: Project No.: PMISC-2026-00029 re Chapter 88.03 of the San Bernardino County Development Code related to local surface mining and land reclamation regulations.
Date: Monday, July 6, 2026 11:25:33 AM
Attachments: [Morongo Band of Mission Indians.pdf](#)
[JGR Solid Earth - 2026 - Burkhard - Cajon Pass and the Southern San Andreas Fault System Earthquake Cycle Stress.pdf](#)
[COMMENTS-Combined.pdf](#)
[Wrightwood residents push back against quarry mining project.pdf](#)
[COMMENTS-Combined.pdf](#)
[WCSD LPC Quarry Response Letter - Board Approved \(1\).pdf](#)
[2026030881_MND_CountyofSanBernardino_LonePineQuarry-1.pdf](#)

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I write in opposition to Project No.: PMISC-2026-00029 re Chapter 88.03 of the San Bernardino County Development Code related to local surface mining and land reclamation regulations.

This is Item #3 at the July 9, 2026, which is captioned:

Applicant:

San Bernardino County Land Use Services Department

Community:

All unincorporated communities

Location:

Countywide

Project No.:

PMISC-2026-00029

Staff:

Dan Walsh, Chief Engineering Geologist

Amy DeNinno, Contract Planner

Proposal:

An ordinance to repeal and reenact Chapter 88.03 of the San Bernardino County Development Code related to local surface mining and land reclamation regulations.

I am concerned about this for several reasons:

The proposed ordinance seeks improperly to exempt mining activities on unincorporated County lands from CEQA regulation. As I trust you have in your records that significant community, interested person, and experts in relevant fields have provided the County with material and significant commentary and evidence of large scale deleterious environmental, societal, and archeological effects of one mine in particular, the proposed Lone Pine Canyon quarry. (See submissions re MRP 2025-00002; SCH 2026030881; P201800609. See also, e.g., May 5, 2026 DEPARTMENT OF

FISH AND WILDLIFE letter to Derek Newland, Planner II, San Bernardino County Land Use Services Department.) I attach my prior communications on this issue, each of which deals with issues apparently not considered in Project No.: PMISC-2026-00029.

The proposed revisions to the current ordinance, are understated as an "administrative" change, but actually effect a profound change--deciding without any known evidence that mining will not create any adverse environmental changes.

This proposed action violates the very exception cited in the recommendation to approve this change. Title 14 Cal.Code. Regs § 15061 reads in relevant part:

(b) A project is exempt from CEQA if:

(3) The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

(14 Cal.Code. Regs § 15061(b)(3) (*italics added*).)

I am unaware of any "common sense" that mines present, "with certainty that there is no possibility that the activity in question may have a significant effect on the environment. . . ." While the Agenda report makes some mention of significant environmental effects, nowhere does the report detail how the change in ordinance arrived as the bare conclusion of lack of such effects. Please see attachments.

Similarly, the California Supreme Court outlines the purposes for close concern about exemptions from CEQA:

"In order to "[e]nsure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions" (Pub. Resources Code, § 21001, subd. (d)), CEQA and its implementing administrative regulations (CEQA Guidelines) 2 establish a three-tier process to ensure that public agencies inform their decisions with environmental considerations. (No Oil, Inc. v. City of Los Angeles (1974) 13 Cal.3d 68, 74.) The first tier is jurisdictional, requiring that an agency conduct a preliminary review to determine whether an activity is subject to CEQA. (CEQA Guidelines, § 15060; see Pub. Resources Code, § 21065.) An activity that is not a "project" as defined in the Public Resources Code (see § 21065) and the CEQA Guidelines (see § 15378) is not subject to CEQA. (CEQA Guidelines, § 15060, subd. (c)(3).)

"The second tier concerns exemptions from CEQA review. The Legislature has provided that certain projects, such as ministerial projects and repairs

to public service facilities of an emergency nature, are exempt. (Pub. Resources Code, § 21080, subd. (b)(1), (2); CEQA Guidelines, §§ 15061, subd. (b)(1), 15260.) In addition, pursuant to the Legislature's command (see Pub. Resources Code, § 21084, subd. (a)), the CEQA Guidelines list categorical exemptions or "classes of projects" that the resources agency has determined to be exempt per se because they do not have a significant effect on the environment. (CEQA Guidelines, § 15300 et seq.; see § 15061, subd. (b)(2).)" (Muzzy Ranch Co. v. Solano County Airport Land Use Com. (2007) 41 Cal. 4th 372, 379-380)

Central to the issue of whether the County's adoption of the Ordinance as set out in PMISC-2026-00029 constitutes a project subject to CEQA, both CEQA and the CEQA Guidelines contain express definitions of the term "project."

As set forth in CEQA:

"'Project' means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and which is any of the following:

"(a) An activity directly undertaken by any public agency.

"(b) An activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.

"(c) An activity that involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies." (§ 21065.)

The CEQA Guidelines provide in relevant part:

"(a) 'Project' means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following:

"(1) An activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100–65700.

"(2) An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.

"(3) An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies." (Cal. Code Regs., tit. 14, § 15378.)

Our Supreme Court has stressed that "[w]hether an activity constitutes a project subject to CEQA is a categorical question respecting whether the

activity is of a general kind with which CEQA is concerned, without regard to whether the activity will actually have environmental impact.” (Muzzy Ranch, *supra*, 41 Cal. 4th at p. 381.) The question is whether the public agency's activity is “the sort of activity that may cause a direct physical change or a reasonably foreseeable indirect physical change in the environment ... so as to constitute a project.” (Id. at p. 382, citation omitted.)

Indeed, “Ordinances passed by cities are clearly activities undertaken by a public agency and thus potential “projects” under CEQA” (Union of Medical Marijuana Patients, Inc. v. City of Upland (2016) 245 Cal.App.4th 1265, 1272) Based on this well-established principle, the proposed Ordinance meets part of the definition of project as set forth in CEQA in that it constitutes “[a]n activity directly undertaken by any public agency.” (Cal.Pub. Resources Code § 21065.)

Our Supreme Court has had occasion to emphasize that “If the lead agency concludes a project is exempt from review, it must issue a notice of exemption citing the evidence on which it relied in reaching that conclusion. (Union of Medical Marijuana Patients, Inc. v. City of San Diego (2019) 7 Cal. 5th 1171, 1186 (citing Muzzy Ranch, *supra*, 41 Cal. 4th at pp. 380, 386–387.) I see no evidence cited in the Agenda for Project No.: PMISC-2026-00029 upon which any decision to exempt the change in ordinance from CEQA. Rather, abundant evidence supports the likely adverse collateral effects of at least one proposed mining operation, but that is equally applicable to many mines in unincorporated San Bernardino County.

I also see no statutory notice to any Native American Tribe or Band. (See Cal.Pub.Resources Code § 21080.3.1(d).) Section 21080.1.1(d)'s notice requirement is triggered by grant of a "project." (See Cal.Pub.Resources Code § 21065.) Ordinances concerning exempting mining rights from CEQA is such a project. (See *ibid*; 14 Cal. Code Regs. § 15378(a) [CEQA Guidelines define a project as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment[.]"); *McQueen v. Board of Directors of the Mid-Peninsula Regional Open Space District* (1988) 202 Cal.App. 3rd 1136, 1143 [the term "project" is given a broad interpretation in order to maximize the protection of the environment].) Project No.: PMISC-2026-00029 is just the sort of project that triggers such notice.

Our Supreme Court has instructed that if “an agency fails to proceed [as CEQA requires], harmless error analysis is inapplicable. The failure to comply with the law subverts the purposes of CEQA if it omits material necessary to informed decisionmaking and informed public participation. Case law is clear that, in such cases, the error is prejudicial.” (*Sierra Club v. County of Fresno* (2018) 6 Cal. 5th 502, 515; see also § 21005(a)

[noncompliance with CEQA "may constitute a prejudicial abuse of discretion ... regardless of whether a different outcome would have resulted if the public agency had complied with those provisions"].) As the Court of Appeal recently summarized: "In other words, if failure to comply with the law results in an environmental document that omits information, and the omission 'precludes informed decisionmaking and informed public participation,' the goals of CEQA have been thwarted and there has been a prejudicial abuse of discretion." (Koi Nation of Northern California v. City of Clearlake 2025)109 Cal.App. 5th 815, 836 (citation omitted).)

In addition, I am greatly concerned that considering the changes to the County Ordinance has occurred while leaving out other important stakeholders interested in deleterious effects of mining—residents and homeowners within the predictable range of adverse effects. Page 2 of the Agenda admits such an omission:

"An initial stakeholder meeting occurred on November 13, 2023, where County staff provided a presentation informing stakeholders of proposed updates to Chapter 88.03. Stakeholders included local mining operators and the California Construction and Industrial Materials Association (CalCIMA). County staff received comments from the mining operators requesting that CalCIMA coordinate with the County throughout the process to ensure the updates are comprehensive and incorporate all applicable changes to SMARA. Stakeholders expressed support for the update during the stakeholder meeting. County staff then collaborated with CalCIMA to prepare an update to Chapter 88.03 and develop an initial draft of the ordinance. The initial draft of the proposed ordinance was then submitted to SMGB for comments during the board's November 20, 2025, regular business meeting. Following discussion, the SMGB had no comments for the County's consideration."

As with the closely allied procedures required by grants of vested mining rights, persons with concerns about adverse effects of mining, demand due process notice to all persons likely to be adversely affected. (See *Calvert v. County of Yuba* (2006) 145 Cal.App. 4th 613.)

The process--as described in the Agenda--is, therefore improperly one-sided, suffers from improper notice, and fails to comply with the CEQA exemption process or its substantive requirements for an exemption.

I urge a rejection of the proposed Ordinance.

Respectfully submitted,

Henry J. Josefsberg, Esq.

Post Office Box 546
Wrightwood, California 92397-0546
(562) 342-9401 (voice)

From: [Barry Bernhard](#)
To: [Planning Commission Comments](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Monday, July 6, 2026 12:25:57 PM

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Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.

Dear Planning Commissioners, Land Use Services Staff, and County Officials,

I am writing to ask that the Planning Commission continue Agenda Item 3 and not recommend adoption of the proposed surface mining ordinance as currently written.

I understand that the County is presenting this as an administrative update intended to bring Chapter 88.03 into alignment with SMARA, the State Surface Mining and Reclamation Act. I also understand that this ordinance does not directly approve the Lone Pine Canyon quarry by name.

However, in light of the ongoing Lone Pine Canyon quarry controversy, this ordinance raises serious public trust concerns.

The County's own agenda packet describes this as a comprehensive repeal and reenactment of the County's surface mining and land reclamation ordinance. It addresses vested rights, reclamation plans, amendments, financial assurances, inspections, enforcement, idle mines, annual reports, and post-approval procedures. Those are not minor administrative details. They are the exact procedural categories that matter in controversial mining operations like Lone Pine Canyon.

The concern is not simply that the County is updating its mining ordinance. The concern is that the County is asking the public to accept a major rewrite of the mining rulebook as though it were neutral housekeeping, while communities affected by mining are being asked to trust that none of this will matter later.

The process also raises concern. The staff report says County staff coordinated with mining operators and CalCIMA, the mining industry association, while preparing this update. It does not describe comparable outreach to affected communities, residents living near mines, fire safety agencies, watershed groups, tribal representatives, environmental organizations, or local groups currently dealing with the impacts of proposed or revived mining operations.

Even if no improper intent existed, the process appears tilted toward the regulated industry rather than the people who will live with the consequences of these rules. That appearance alone should be enough to slow this process down.

The vested-rights provisions are especially important. The ordinance says mining operations with recognized vested rights may not need a regular County mining permit, although they still require a reclamation plan and financial assurance. It also says the County will recognize prior

administrative vested-rights determinations or confirmations, if consistent with applicable law.

In the context of Lone Pine Canyon, that language matters.

The County should answer clearly and, on the record, whether this ordinance preserves, validates, reinforces, expands, or otherwise affects the County's prior handling of the Lone Pine Canyon vested-rights issue.

Any claimed vested right must be precisely proven and limited. It should not be treated as a blank check. The County should identify the exact property boundaries, depth, material, extraction method, processing activity, blasting or crushing activity, haul routes, and operational intensity covered by any claimed vested right.

The public hearing issue is also significant. The ordinance allows the Director to decide whether certain reclamation plan changes are substantial or non-substantial. If deemed non-substantial, some changes may be approved through Staff Review without Notice. The examples include changes to final contours, roads, revegetation plans, reclamation methods, safety measures, phasing, and other modifications.

For a project like Lone Pine Canyon, those details are not minor. A change to a road, slope, drainage feature, revegetation plan, phase boundary, access point, or safety measure can affect traffic, erosion, water quality, fire risk, visual impacts, and public safety. Calling something non-substantial in an office does not make it harmless on the ground.

The same concern applies to idle mine management plans. The ordinance allows certain Interim Management Plan decisions and renewals to proceed without a public hearing. It also states that those plans are not subject to CEQA. Again, that may be allowed under SMARA, but the question is whether San Bernardino County should accept the lowest level of public process for mining sites that may directly affect nearby communities.

The staff report also states that the County is not proposing rules more stringent than SMARA. That is a policy choice. San Bernardino County includes mountain communities, canyon roads, wildfire-prone areas, sensitive watersheds, rural neighborhoods, evacuation routes, and environmentally significant landscapes. The County could choose stronger local safeguards. This ordinance does not appear to do that.

At minimum, before this ordinance is recommended for adoption, the County should answer the following questions clearly and publicly:

1. Does this ordinance affect pending or controversial mining operations, including Lone Pine Canyon?
2. Does this ordinance preserve, validate, reinforce, expand, or otherwise affect the County's prior handling of the Lone Pine Canyon vested-rights issue?
3. Which decisions under this ordinance can be made without public notice or a public hearing?
4. Who decides whether a reclamation plan change is substantial or non-substantial?
5. Will the public be notified when staff approves a mining-related change through Staff Review without Notice?
6. Will changes involving roads, grading, drainage, slopes, revegetation, phasing, traffic,

blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety require public notice and public review?

7. Which mining operators participated in the development of this ordinance?
8. What specific role did CalCIMA play in shaping the ordinance?
9. Were any operators with pending, vested, idle, reclamation-only, or controversial projects involved in the drafting or review process?
10. Why was there not comparable outreach to affected communities before this item came forward?
11. What documents, redlines, comments, meeting notes, and communications shaped the final ordinance language?
12. What safeguards will the County add to ensure that administrative review is not used to bypass public participation on meaningful mining decisions?

The appropriate action is not to move this forward as-is.

Please continue this item. Please direct staff to conduct broader public outreach, disclose the stakeholder process, publish a complete response-to-comments matrix, and return with amendments that guarantee public notice and public review for mining-related decisions that could affect surrounding communities.

The County may view this ordinance as an internal update. The public does not experience it that way. To residents, this looks like the County rewriting the mining rulebook in the middle of a live and highly controversial mining fight, after consulting the mining industry, while asking affected communities to trust that the changes are merely administrative.

That is exactly the kind of process that undermines confidence in local government.

If the County wants public trust, it should not ask the public to discover the consequences later. It should explain them now.

Respectfully,

Barry Bernhard

Wrightwood, CA

From: [Emily Jacobson](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Tuesday, July 7, 2026 12:44:48 PM

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I am asking the Planning Commission to continue Agenda Item 3 and not recommend adoption as-is. This ordinance does not directly approve the Lone Pine Canyon quarry, but it rewrites the County's mining procedures while Lone Pine Canyon is an active and controversial issue. The County should explain how this ordinance affects pending or vested-rights mining operations, disclose all mining operator and CalCIMA input, conduct broader outreach to affected communities, and require public notice and public review for any mining-related decision that could affect roads, grading, drainage, slopes, traffic, blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety.

Respectfully,
Emily Jacobson

From: [Craig Kupka](#)
To: [Planning Commission Comments](#)
Subject: Proposal: Repeal and reenact Chapter 88.03 of the County Development Code (Surface Mining and Land Reclamation Ordinance).
Date: Tuesday, July 7, 2026 4:54:27 PM

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Agenda Item #3 – PMISC-2026-00029

- Why is the ordinance itself considered exempt from CEQA when it substantially restructures how mining is regulated?
- Which future permit amendments or reclamation plan changes will require public notice and hearings, and which can be handled administratively?
- How will nearby communities be notified of significant amendments to mining operations?
- Will inspection reports, enforcement actions, and financial assurance reviews be publicly available?
- How will the County ensure transparency while implementing this expanded administrative framework?

We respectfully ask the Planning Commission to:

- Slow this process down.
- Fully evaluate the environmental consequences of these proposed changes.
- **Reject the use of a CEQA "Common Sense Exemption"** for a comprehensive rewrite of the mining ordinance.
- **Require public notice and public hearings for any mining permit or reclamation plan amendment that could affect nearby communities.**

Specifically, NO amendment affecting:

- mining intensity,
- blasting,
- crushing,

- truck traffic,
- haul roads,
 - wildfire risk,
 - evacuation routes,
 - groundwater,
 - air quality,
 - mitigation measures,
 - or public safety

should ever be approved through Staff Review Without PUBLIC Notice.

From: [Debra Bernhard](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
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I respectfully request the to Planning Commission to please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.

Please Continue Agenda Item 3 and **do not recommend adoption as-is.**

Before moving this ordinance forward, I respectfully ask the county to:

- Explain how this ordinance affects pending, controversial, vested-rights, idle, and reclamation-only mining operations, including Lone Pine Canyon.
- Disclose who helped shape the ordinance, including mining operators and CalCIMA, the mining industry association.
- Conduct broader public outreach to affected communities before adoption.
- Add public notice and public review protections for mining-related decisions that could affect roads, grading, drainage, slopes, phasing, revegetation, traffic, blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety.
- Clearly identify which decisions under the ordinance can be made without public notice or a public hearing.

Please, I am begging you to do the right thing for the people you represent, for all of our health and safety!

Warm Regards,
Debra Bernhard
Lexi Interpretation, Inc
772-828-1436

From: [Deb Bernhard](#)
To: [Planning Commission Comments](#)
Cc: [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
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Respectfully,

D. Bernhard

Wrightwood Resident

From: [JENNIFER MIESCHER-VANDEVURGT](#)
To: [Planning Commission Comments](#)
Cc: [Supervisor Cook](#); [Supervisor Rowe](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Tuesday, July 7, 2026 5:36:19 PM

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Planning commission :

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Respectfully,

Jennifer Miescher-Vandevrugt
Wrightwood resident

From: [Corinne Corte](#)
To: [Planning Commission Comments](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Tuesday, July 7, 2026 9:19:57 PM

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Respectfully,

Dr. Corinne Corte

From: [Jennifer Unibe](#)
To: [Planning Commission Comments](#)
Cc: [Supervisor Baca](#); [Supervisor Hagman](#); [Supervisor Rowe](#); [Supervisor Armendarez](#); [Supervisor Cook](#); [LUS - Customer Service](#); [COB - Internet E-Mail](#); [Board Meeting Comments](#)
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Respectfully,

Jennifer Unibe

From: [Raechel Thacker](#)
To: [Planning Commission Comments](#)
Cc: [Supervisor Baca](#); [Supervisor Hagman](#); [Supervisor Rowe](#); [Supervisor Armendarez](#); [Supervisor Cook](#); [LUS - Customer Service](#); [Board Meeting Comments](#); [COB - Internet E-Mail](#)
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Respectfully,

Raechel Thacker
Wrightwood stakeholder

From: [Joseph Salcido](#)
To: [Planning Commission Comments](#)
Cc: [Supervisor Baca](#); [Supervisor Hagman](#); [Supervisor Rowe](#); [Supervisor Armendarez](#); [Supervisor Cook](#); [LUS - Customer Service](#); [Board Meeting Comments](#); [COB - Internet E-Mail](#)
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Respectfully,

Joseph Salcido
Operating Engineer, Wrightwood Resident

From: [Sydney Nelson](#)
To: [Planning Commission Comments](#)
Cc: [Board Meeting Comments](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Tuesday, July 7, 2026 9:49:46 PM

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Respectfully,
Sydney Nelson

From: [Gabriel Unibe](#)
To: [Planning Commission Comments](#)
Cc: [Supervisor Baca](#); [Supervisor Hagman](#); [Supervisor Rowe](#); [Supervisor Armendarez](#); [Supervisor Cook](#); [LUS - Customer Service](#); [COB - Internet E-Mail](#); [Board Meeting Comments](#)
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Respectfully,

Gabriel Unibe

From: [Laura](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
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Respectfully,

Laura Gallagher

From: [Adriana Martin](#)
To: [Planning Commission Comments](#)
Cc: COB@sbcounty.gov; [Board Meeting Comments](#); [LUS - Customer Service](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
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Respectfully,
Adriana Martin
Wrightwood Resident

From: [Brainheart Co.](#)
To: [Planning Commission Comments](#)
Cc: [Board Meeting Comments](#); COB@sbcounty.gov
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Tuesday, July 7, 2026 10:59:57 PM

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Respectfully,
Anthony Martin
Wrightwood resident

From: [Janet Chang](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
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Respectfully,

Janet Chang

From: [Julia Reineman](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
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I am requesting the Planning Commission to continue Agenda Item 3 and NOT recommend adoption as-is.

This ordinance unfairly rewrites the County's mining procedures while Lone Pine Canyon is an active and controversial issue.

I understand the challenging balance between increasing potential income for the county, while protecting the valuable natural resources the county has, as well as the residents therein.

However, the residents of the county have the right to public notice and public review for any and all major mining-related decisions.

As you consider your decision, please remember that you have a fiduciary responsibility to the voters in your district to make ethical decisions.

Respectfully,

Julia Reineman, Ph. D.

Concerned Wrightwood resident

From: [Paula Ames-Axt](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
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Respectfully,
Paula Ames-Axt
Wrightwood CA

From: [Dennis Nadalin](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
Subject: Re: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 12:07:49 AM

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Respectfully,

Dennis Nadalin
Wrightwood Homeowner

From: [Julie Whited](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
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Respectfully,

Julie Whited
Michael Yurina
5570 Juniper Dr.
Wrightwood CA 92397-2726

From: [Anna Cook](#)
To: [Planning Commission Comments](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
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Respectfully,

Anna Cook
546 Mountain View
Wrightwood, CA 92397
760 694-4068

From: [Betsy Bryant](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
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Please take the time and effort to continue Agenda Item 3, and do not rewrite this procedure as it will negatively impact our area, habitat, wildlife, health, infrastructure, property values, and income.

Respectfully,
Betsy Bryant

From: [Annette Bliudzius](#)
To: [Planning Commission Comments](#)
Subject: PMISC-2026-00029
Date: Wednesday, July 8, 2026 8:35:32 AM

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Respectfully,

Annette A. Bliudzius

5733 Acorn Dr.

Wrightwood, CA 92397

760-713-2458

From: [Candy Slaick](#)
To: [Planning Commission Comments](#); [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
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Respectfully,

Candice Slaick

From: [Bonnie Hanson](#)
To: [Planning Commission Comments](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 9:03:32 AM

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To Whom It May Concern:

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Respectfully,

Bonnie L Hanson
Wrightwood Resident

From: [Dr. Rhonda K. Rodgers](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
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Respectfully,

Dr. Rhonda Rodgers
Wrightwood Resident

From: [Lesliee](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
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Respectfully,

Dr. Lesliee Antonette

From: [jessica cerutti](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
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Respectfully,
Jessica Cerutti
323-973-0222

From: bob@fly-ul.com
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
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Respectfully,

Robert Comperini
PO Box 3484
Wrightwood, CA 92397

Jay Gammill
5509 Sheep Creek Drive / PO Box 355
Wrightwood, CA 92397
jay.gammill@gmail.com
(323) 337-4156

July 8, 2026

San Bernardino County Planning Commission
c/o PlanningCommissionComments@lus.sbcounty.gov
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415

cc: Derek Newland, Planner II, Land Use Services (Derek.Newland@lus.sbcounty.gov); Jonathan Hagman, Land Use Coordinator; Supervisor Paul Cook (First District); California Department of Conservation, Division of Mine Reclamation

Re: Public Comment in Opposition to Approval as Presented — Agenda Item #3, PMISC-2026-00029, Repeal and Reenactment of Chapter 88.03 (Surface Mining and Land Reclamation Ordinance), July 9, 2026 Planning Commission Meeting

Honorable Commissioners:

I am a Wrightwood resident whose community is currently the site of the Lone Pine Canyon Road Quarry proposal (Project No. MRP-2025-00002), which the Commission will hear on July 23, 2026. I submitted detailed comments on that project to Land Use Services on May 7, 2026 and a supplemental letter to the Board of Supervisors on May 15, 2026, both of which are in the administrative record. I write on the mining-ordinance item now before the Commission because the two matters are directly connected: this Commission is being asked to approve, on July 9, a new regulatory framework that would govern how the Lone Pine Reclamation Plan — which the Commission itself will vote on two weeks later — may be amended over its 150-year operational life. I respectfully urge the Commission to continue Agenda Item #3, evaluate the ordinance under standard CEQA review rather than the Common Sense Exemption, and narrow proposed Section 88.03.080 before approving the ordinance.

1. The Item Is Being Presented as an Administrative Update, but Staff's Own Description Says Otherwise

Staff is recommending approval under a CEQA “Common Sense Exemption” (CEQA Guidelines § 15061(b)(3)) on the basis that the ordinance will not result in significant environmental impacts. But the staff report itself describes the proposal as a “comprehensive repeal and reenactment” that “substantially expands, reorganizes, and clarifies” the County’s mining regulations. That description does

not match the exemption. A comprehensive rewrite of the regulatory framework governing surface mining across San Bernardino County — including new administrative-only procedures for amending permits and reclamation plans — is a regulatory action with foreseeable environmental consequences, and it should be evaluated as such.

2. Section 88.03.080 Would Allow Substantial Changes to the Lone Pine Reclamation Plan Without Public Notice

The most significant new provision in the proposed ordinance is Section 88.03.080, which creates a two-track process for modifying mining permits and reclamation plans. Changes designated as “substantial deviations” receive public notice and a hearing. Changes designated as “non-substantial deviations” are handled by the Planning Director through “Staff Review Without Notice” — which by definition means no public notice, no public hearing, and no opportunity for the affected community to comment before the change is approved.

Section 88.03.080(f) provides examples of changes that would be treated as non-substantial deviations. Among the examples relevant to the Lone Pine project:

- “Minor changes to existing on-site roads and encroachments directly from the surface mining operation to a public road” — which describes precisely the haul-truck access points between the quarry and Lone Pine Canyon Road, the only currently-passable evacuation route out of Wrightwood.
- “Modifications that allow compliance with requirements imposed by other public agencies” — which would allow the operator to make changes imposed by the state Department of Conservation, the air district, or CDFW without any local-government public process.

The Lone Pine Reclamation Plan, if approved on July 23, will govern a 150-year operation. Over that timespan there will be many amendments. Under the proposed ordinance, whether the community learns about any given amendment will depend entirely on the Director's substantial-versus-non-substantial determination. That is too much authority to place in a single administrative decision without stronger procedural safeguards.

3. Requested Action

I respectfully ask the Commission to:

- Continue Agenda Item #3 to allow additional stakeholder input from tribal nations, CDFW, NAHC, and affected communities;
- Direct staff to evaluate the ordinance under standard CEQA review rather than the Common Sense Exemption, given the substantial-restructure nature of the proposal by staff’s own description; and

- Narrow Section 88.03.080 to require public notice and hearing for any proposed amendment that could affect blasting operations, haul-truck routes or road encroachments, air quality, groundwater, wildfire risk, evacuation routes, or public safety — regardless of whether the Director classifies the change as substantial or non-substantial.

Wrightwood is currently living the consequences of a mining approval that moved too fast and too quietly. The March 7, 2019 vested-rights determination that authorized the Lone Pine Canyon Quarry was decided on a 3–2 split vote of this Commission, with the Chair and Vice Chair both dissenting, on a staff CEQA recommendation of “Not a project,” in roughly twenty minutes of hearing time. That determination was carried by the vote of a commissioner who has since pled guilty in federal court to bribery for selling land-use approvals. My community will be living with the results until the year 2175. Please do not adopt a new ordinance that makes it easier to approve mining-related changes without public notice. Continue this item and get it right.

Thank you for your service and for your consideration of this comment. Please confirm receipt and add this letter to the administrative record for Agenda Item #3, PMISC-2026-00029.

Respectfully,

A handwritten signature in black ink, appearing to read "Jay Gammill", with a stylized, flowing script.

Jay Gammill

Resident, Wrightwood, California (First District)

From: [Steven Coombs](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
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Respectfully,
Shannon Coombs

From: [Linda Shores](#)
To: [Planning Commission Comments](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
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Respectfully,

Linda Shores
(insert your name)

Linda Shores
909-214-8167



Via email PlanningCommissionComments@lus.sbcounty.gov

San Bernardino Planning Commission
c/o Land Use Services Department
Planning Commission Secretary
385 N. Arrowhead Ave, 1st Floor
San Bernardino, CA 92415

July 8, 2026

Re: July 9, 2026 Agenda, Item 3: An ordinance to repeal and reenact Chapter 88.03 of the San Bernardino County Development Code related to local surface mining and land reclamation regulations.

Planning Commissioners,

This letter is submitted on behalf of the Center for Biological Diversity, Earthworks, Sierra Club, and National Parks Conservation Association regarding Agenda Item 3 on the July 9, 2026 Planning Commission agenda: “An ordinance to repeal and reenact Chapter 88.03 of the San Bernardino County Development Code related to local surface mining and land reclamation regulations” (the “proposed development code” or “Project”).

We respectfully urge the Planning Commission to **deny** the recommendations to the Board of Supervisors at this time. Several provisions of the proposed development code are contradictory, inaccurate, and appear to impermissibly limit or abrogate the County’s obligations under both the State Mining and Reclamation Act (“SMARA”) and the California Environmental Quality Act (“CEQA”). In addition, the Project does not qualify for the CEQA exemption asserted because it may result in significant impacts to the environment. We also request that **the item be continued** to allow more time for public review and comment on the proposed development code changes.

Most of the proposed development code appears to be a straight-forward update of the County’s ordinances implementing SMARA and state regulations to incorporate changes in the law since 2007. As it stands, the interplay between local, state, and federal permitting for surface mining projects in California is complicated to navigate. The County, state and federal agencies, and the public will benefit from more clarity in how mining projects are permitted. We hope to work cooperatively with the County to recommend revisions to the code that will help clarify the

process and ensure that mine permitting includes adequate safeguards to protect the County's resources, such as groundwater, air quality, public lands, and endangered species habitat.

However, the current draft of the updated code includes a major carve out to the County's responsibility for SMARA permitting and CEQA review for projects on federal lands in the section entitled "applicability." **Proposed Section 88.03.040(b) should be removed** from the recommendation to the San Bernardino Board of Supervisors for several reasons as detailed below.

1. Proposed Section 88.03.040(b) is contradictory, inaccurate, and fails to provide clear guidance

The Project includes a major carveout to the County's permitting and review obligations under SMARA and CEQA for projects located on federal lands by attempting to limit the "applicability" of the development code requirements on federal lands. Proposed Section 88.03.040(b) states:

(b) Federal Lands. Where surface mining operations occur, or are proposed, partially or entirely on federally managed public lands, the County may accept documents and environmental studies prepared by federal agencies as functionally equivalent to meet the County's requirements under this Chapter, consistent with the 1992 Memorandum of Understanding between the State of California and such federal agencies, and any subsequent amendments or successor agreements entered into by the parties. A Permit shall not be required for those portions of surface mining operations that require and obtain a federally approved plan of operation, or other federal authorization, to conduct surface mining operation.

(Emphases added.)

a. Proposed Section 88.03.040(b) Is Internally Contradictory and Inconsistent with SMARA

The text of proposed Section 88.03.040(b) is internally contradictory because the first sentence says the County "may accept" the federal documentation and environmental review, which clearly calls for a case-by-case consideration, while the second sentence provides a blanket carve out from the applicability of County SMARA permitting for projects that have obtained federal plan of operations or other authorizations.

With the blanket carveout in the second sentence, the County would unlawfully limit the applicability of the County's permitting and other SMARA obligations on Federal Lands contrary to the intent of SMARA and case law. As explained in *Nelson v. Cty. of Kern* (2010), 190 Cal. App. 4th 252, 267-68:

The Legislature declared that its intent in enacting SMARA was "to create and maintain an effective and comprehensive surface mining and reclamation policy with regulation of surface mining operations so as to assure that: [¶] (a) Adverse

environmental effects are prevented or minimized and that mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses[; and ¶] (b) The production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment.” (§ 2712, subds. (a) & (b).) “To achieve those goals, SMARA requires that persons conducting surface mining operations obtain a permit and obtain approval of a reclamation plan from a designated lead agency for areas subjected to post-January 1, 1976, mining. (§§ 2770, 2776.)” (*Hansen Brothers Enterprises, Inc. v. Board of Supervisors* (1996) 12 Cal.4th 533, 547 [48 Cal. Rptr. 2d 778, 907 P.2d 1324], fn. omitted.) In particular, SMARA provides: “[N]o person shall conduct surface mining operations unless a permit is obtained from, a reclamation plan has been submitted to and approved by, and financial assurances for reclamation have been approved by, the lead agency for the operation pursuant to this article.” (§ 2770, subd. (a).) This section, including the requirement that a surface mining permit be obtained from the lead agency, has been described as “ ‘[a]t the heart of SMARA.’ ” (*People ex rel. Dept. of Conservation v. El Dorado County* (2005) 36 Cal.4th 971, 984 [32 Cal. Rptr. 3d 109, 116 P.3d 567].)

County permitting and review is needed to ensure that “adverse environmental effects are prevented or minimized,” “that mined lands are reclaimed to a usable condition which is readily adaptable for alternative land uses,” and that “the production and conservation of minerals are encouraged, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, and aesthetic enjoyment.” (Public Resources Code § 2712 (a) & (b).) Because the second sentence of Proposed Section 88.03.040(b) would undermine the purposes of SMARA, it should be deleted.

Recommendation 1:

Delete the second sentence of Proposed Section 88.03.040(b):

~~**A Permit shall not be required for those portions of surface mining operations that require and obtain a federally approved plan of operation, or other federal authorization, to conduct surface mining operation.**~~

b. Proposed Section 88.03.040(b) Misstates and Improperly Relies on the 1992 MOU

The first sentence of the proposed Section 88.03.040(b) also leaves out key terms of the 1992 Memorandum of Understanding (“MOU”) on which it relies. The MOU does not assume that federal documents and environmental studies are functionally equivalent to County’s requirements or that such equivalence alone is sufficient. Rather, the MOU requires that in order to be accepted by the lead agency, the Federal plans and studies must meet or exceed the state

and local requirements and other applicable state and local laws and regulations.¹ The MOU provides:

(2) Lead agencies may accept as functionally equivalent documents to meet their requirements under SMARA, operating plans, reclamation plans and environmental studies that meet the requirements of Forest service and BLM regulations [submitted pursuant to federal regulation provided such plans and studies meet or exceed lead agency requirements as included in the lead agency's State-certified surface mining and reclamation ordinance and any other applicable laws and regulations]; and alternatively, Forest Service and BLM may accept as functionally equivalent documents to meet their requirements, operating plans, reclamation plans and environmental studies [submitted to the lead agency when such plans and studies meet or exceed requirements set by the BLM] that meet SMARA requirements.

(3) Lead agencies may accept as functionally equivalent, documents prepared under NEPA (40 CFR 1500-1508) that meet the requirements of CEQA.

MOU at 4 (emphases added). Notably, the MOU is outdated in several respects (as explained in more detail below).

Moreover, the first sentence of proposed Section 88.03.040(b) fails to provide any process for the County to determine whether or not the federal documents are “functionally equivalent to the County’s requirements,” or “meet or exceed lead agency requirements as included in the lead Agency’s State-certified surface mining and reclamation ordinance and any other applicable laws and regulations,” and fails to provide any public notice and input or record keeping of that decision making.²

Recommendation 2:

Delete the first sentence of proposed Section 88.03.040(b):

~~Where surface mining operations occur, or are proposed, partially or entirely on federally managed public lands, the County may accept documents and environmental studies prepared by federal agencies as functionally equivalent to meet the County’s requirements under this Chapter, consistent with the 1992 Memorandum of Understanding between the State of California and such federal agencies, and any subsequent amendments or successor agreements entered into by the parties.~~

¹ These include CEQA as well as California Endangered Species Act, Western Joshua Tree Conservation Act, California Water Code, etc.

² We have been informed and believe that the County has informally relied on the MOU in the past to not require permits for some mining exploration projects, however, in response to a Public Records Act request from the Center for Biological Diversity, the County on March 31, 2026, in an email entitled “San Bernardino County public records request #26-8723” provided no records at all about such projects.

Alternate Recommendation 2:

If the County retains the first sentence, it should be revised to include a requirement that the documents or environmental studies “meet or exceed lead agency requirements as included in the lead Agency’s State-certified surface mining and reclamation ordinance and any other applicable laws and regulations,” and a process for public notice when County determination is pending, the basis for any proposed determination that the federal plans and permits or environmental studies are meet or exceed requirements for surface mining and reclamation under this ordinance and any other applicable laws and regulations, and record keeping requirements for all such determinations.

2. Proposed Section 88.03.040(b) could result in violations of SMARA by allowing mining operations to evade needed reclamation, financial assurances, monitoring and reporting obligations

The County cannot lawfully make a blanket exemption from its SMARA obligations on Federal Lands as proposed under the second sentence of Proposed Section 88.03.040(b). SMARA applies on all lands in California, including Federal Lands. Nothing in SMARA authorizes a county to relinquish its responsibilities as a lead agency simply because a federal agency has approved a plan of operations or issued another federal authorization.

Moreover, SMARA’s reclamation requirements are not identical to the Federal requirements, nor are they fully satisfied through federal permitting process. SMARA provides broader protections to the environment than Federal reclamation requirements including backfill requirements, financial assurances requirements, as well as more rigorous monitoring and reporting.

Reliance on Federal permitting and federal environmental review under the National Environmental Policy Act (“NEPA”) is not a substitute for the County’s separate obligations under SMARA or CEQA. Federal agencies do not administer SMARA and federal environmental review does not eliminate the County’s duty to ensure compliance with California’s reclamation and environmental review requirements.

3. CEQA Review of the Project as a Whole is Required for SMARA compliance

Reliance on Federal environmental review under NEPA that would be authorized in the first sentence of proposed Section 88.03.040(b), is not a substitute for the County’s required CEQA review for SMARA approvals because NEPA and CEQA are not largely equivalent and are moving further apart. As discussed in more detail below, the assumptions in the MOU that NEPA compliance would be sufficient in many cases to ensure CEQA compliance are not accurate. Therefore, the proposed development code could result in violations of CEQA.

For example, under CEQA, the lead agency must address the whole of the action in determining whether a proposal has the “potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment,” and thus is a project requiring CEQA review. (14 Cal. Code Regs. § 15378 (a),(c); *see Nelson v. Cty. of*

Kern (2010), 190 Cal. App. 4th 252, 278 [BLM’s review of proposed surface mining operations under NEPA does not preclude county from undertaking environmental review of entire mining proposal under CEQA].) CEQA prevents piecemeal review by defining the “project” broadly to include any “reasonably foreseeable indirect physical change in the environment.” (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 654.) CEQA forbids “piecemeal” review of the significant environmental impacts of a project, and therefore, a public agency may not divide a single project into smaller individual projects in order to avoid its responsibility to consider the environmental impacts of the project as a whole. (*Orinda Assn. v. Board of Supervisors* (1986) 182 Cal. App. 3d 1145, 1171.) This rule derives, in part, from Public Resources Code section 21002.1, subdivision (d), which requires the lead agency to “consider[] the effects, both individual and collective, of *all* activities involved in [the] project.” (Emphasis added.) CEQA prohibits piecemeal review because—absent such a prohibition—a series of sub-projects could be separately considered by an agency, such that a large project with cumulatively “disastrous consequences” could avoid review under CEQA. (*Bozung v. Local Agency Formation Com.* (1975) 13 Cal.3d 263, 283–284.)

In contrast, under recent caselaw and the new DOI and USDA regulations, NEPA review is increasingly fragmented into small approvals that are undertaken based on categorical exclusions and agencies are encouraged to take a narrow view of the impacts of any “project” that is being permitted. CEQA also includes mandatory elements that are different from those required in NEPA review and requires a broader look at alternatives than is provided under NEPA review. Some impacts that must be considered under CEQA that are not required to be included in Federal environmental review include, but not limited to, GHG impacts, growth inducing impacts, cumulative impacts, avoidance through alternatives, and mandatory mitigation and minimization measures. (*See Nelson v. Cty. of Kern* (2010), 190 Cal. App. 4th 252, 278-79; 14 C.C.R. § 15221(b).)

Further, under CEQA, as set forth in AB 52, a lead agency must engage in a “good faith” effort to consult with all affected tribes to develop mitigation measures that are reasonable and mutually agreed upon. (Pub. Res. Code, § 21082.3(a).) Agencies are required to provide notice to all “California Native American tribe(s) traditionally and culturally affiliated with a geographic area of the proposed project.” (Pub. Res. Code § 21080.3.1(a)-(b).) This requirement that the County engage in “good faith” effort and consult with all affected tribes, under AB 52 (Pub. Res. Code § 21082.3(a)), is different from Federal consultation requirements and would not happen under the proposed development code changes. On this basis as well, the first sentence of proposed Section 88.03.040(b) should be deleted.

4. The 1992 MOU is outdated and inaccurate.

The MOU assumed that NEPA and CEQA were “largely equivalent.”

WHEREAS, the statutory requirements of the National Environmental Protection Act. of 1969 (NEPA) for the Forest Service and BLM, and the California Environmental Quality Act (CEQA) for State and local agencies are largely equivalent.

MOU at 3; *see also* MOU at 4 (citing the now withdrawn CEQ regulations 40 CFR 1500-1508). Even if some equivalence in these environmental reviews had been true in 1992, it is not true today. NEPA, particularly under the new USDA and DOI regulations (*see* 91 Fed. Reg. 17062 (April 3, 2026); 91 Fed. Reg. 8738 (Feb. 24, 2026)) does not provide the same depth or breath of environmental review as CEQA. As just one example, CEQA requires public notice and an opportunity for participation whereas NEPA implementation no longer requires public notice or an opportunity to comment when the agency proposes to rely on a categorical exclusion or environmental assessment, and even for environmental impact statements (EIS), federal agencies may only be providing for public notice and comment at the scoping stage—not for the draft or final EIS.³

Even under the MOU’s own terms, the County’s reliance on it is problematic. Under the MOU’s terms the County should only rely on Federal documents and environmental studies that are determined to meet or exceed the requirements of SMARA and other applicable laws and regulations on a case-by-case basis – plans and authorizations “that meet SMARA requirements” or NEPA documents “that meet CEQA requirements.” As discussed above, **the first sentence of proposed Section 88.03.040(b) should be deleted, or if not, it should be revised to include a requirement that the documents or environmental studies “meet or exceed lead agency requirements as included in the lead Agency’s State-certified surface mining and reclamation ordinance and any other applicable laws and regulations,” and a process for public notice when County determination is pending, the basis for any proposed determination that the federal plans and permits or environmental studies are meet or exceed requirements for surface mining and reclamation under this ordinance and any other applicable laws and regulations, and record keeping requirements for all such determinations.**

The MOU also does not provide for a blanket carve out of Federal lands from County SMARA regulation where a federal permit or other authorization provided—on this basis as well, **the second sentence of Proposed Section 88.03.040(b) should be deleted.**

Notably, reliance on the MOU is also problematic because of the inaccurate statements regarding SMARA’s applicability. SMARA provides under Public Resources Code Section 2714, that it does not apply in some instances, including as relevant here, to small projects where “where the removal of overburden or mineral product totals less than 1,000 cubic yards in any one location **and the total surface area disturbed is less than one acre.**” (Pub. Res. Code § 2714(d) (emphasis added).) However, the MOU states it as the following: “Prospecting for, or the extraction of, minerals for commercial purposes and the removal of overburden in total amounts of less than 1,000 cubic yards in any one location of one acre or less.” MOU at 2 (emphasis added). This implies that it is the size of the “location” of each disturbance that matters, and ignores that total surface disturbance from the project at a whole is what must be considered. Our organizations are concerned that this inaccuracy in the MOU has already led to confusion about the

³ Two recent examples of mining projects where BLM is not taking comments on the draft EIS are the South Railroad (Nevada) <https://eplanning.blm.gov/Project-Home/?id=81dbebec-a7f2-f011-8407-001dd80db62a> , and DeLamar Mine Project (Idaho) <https://eplanning.blm.gov/Project-Home/?id=3D00EE85-E859-F111-BEC6-001DD804183B>

applicability of SMARA for projects that disturb more than one acre in total, but less than one acre at any one “location”.⁴

5. The County cannot rely on the listed CEQA exemption to adopt the Project

Because the proposed development code changes may have a significant impact on the environment, they do not fit within the proffered exemption. The use of the so-called “common sense” exemption applies only “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” (14 Cal. Code Regs § 15061(b)(3).) The burden is on the County to show that there is no possibility of an effect, it has failed to meet that burden here. (*See Davidson Homes v. City of San Jose* (1997) 54 Cal. App. 4th 106, 116-120 [to rely on the common sense exemption, the burden is on the agency to show based on substantial evidence that there is no possibility of environmental effect].)

Under the proposed Section 88.03.040(b) as written the County will have no way to ensure that future projects on Federal Land comply with SMARA or other state and local laws and regulations, therefore the County cannot find that there is no possibility the change in the development code will not result in a significant effect on the environment. By not requiring any SMARA permit for projects on Federal Lands which obtain federal permits or authorizations, the County is not ensuring compliance with SMARA or other state and local laws and regulations including compliance with CEQA for the impacts of such projects on state resources, including wildlife, water and air, which may not be addressed in Federal authorizations, permits, or environmental review. There is a strong possibility that the proposed development code will lead to development of mining projects where many significant impacts have not been adequately identified and analyzed, and alternatives, minimization and mitigation measures considered under CEQA to reduce significant impacts. Some of the resources of the State that may be harmed and are not adequately protected under Federal laws alone include state listed species under CESA, Joshua trees and rare plants, waters of the State protected under state law, water resources and availability, and groundwater quality.

Therefore, the County cannot rely on the CEQA exemption under 14 Cal. Code Regs § 15061(b)(3) to approve the proposed development code changes, and instead must undertake CEQA review of how these changes could result in different outcomes for the environment in the future.

⁴ We have raised concerns with this ambiguity in the MOU and reliance on this MOU with the SMGB in a proceeding where a mining applicant represented to the SMGB that San Bernardino County had previously informed them that the County would only look at each “location” or “claim” and therefore their project (in that case approximately 10 acres of surface disturbance in San Bernardino County and another 5 acres of surface disturbance in Kern County) did not need any SMARA review. *See, e.g.,* Gold Discovery Group presentation to SMGB dated June 20, 2024 at 7; Applicant’s February 22, 2023 Application to the Board for Exemption regarding Kern County areas at 2 available at <https://doc.app.box.com/s/afsfrc20m8mp4y2bfp1dehxdjxp8az7>

6. Conclusion

Given the possibility that our organizations will be required to pursue appropriate legal remedies in order to ensure enforcement of CEQA and other laws, we would like to remind the County of its duty to maintain and preserve all documents and communications that may constitute part of the “administrative record.” As you may know, the administrative record encompasses any and all documents and communications which relate to any and all actions taken by the County with respect to the Project, and includes “pretty much everything that ever came near a proposed [project] or [] the agency’s compliance with CEQA” (*County of Orange v. Superior Court* (2003) 113 Cal.App.4th 1, 8.) The administrative record further contains all correspondence, emails, and text messages sent to or received by the County’s representatives or employees, which relate to the Project, including any correspondence, emails, and text messages sent between the County’s representatives or employees and the project proponent’s representatives or employees. Maintenance and preservation of the administrative record requires that, inter alia, the City (1) suspend all data destruction policies; and (2) preserve all relevant hardware unless an exact replica of each file is made.

Thank you for the opportunity to submit comments on the proposed changes to Chapter 88.03 of Division 8 of Title 8 of the San Bernardino County Code. As explained above, the draft ordinance as written does not comply with the requirements of SMARA or ensure that future mining projects will be properly permitted along with needed environmental review under CEQA. Further, the County cannot rely on a CEQA exemption for adoption of the proposed changes to the development code because the proposal could result in significant impacts to the environment that have not been adequately disclosed and analyzed including impacts to biological resources, groundwater resources, energy use, and air quality. At minimum, the County must prepare and circulate an initial study regarding the potential impacts of the proposed changes in the development code prior to taking any further action and before the Planning Commission makes any recommendation to the Board of Supervisors.

Please ensure that the Center for Biological Diversity, Earthworks, Sierra Club, and National Parks Conservation Association are on the notice list for all future updates and notices associated with this Project and its environmental review, and include us as stakeholders in any meetings or processes regarding mining in the County. Please do not hesitate to contact the us with any questions at the emails listed below.

Sincerely,

Lisa Belenky, Senior Counsel
Center for Biological Diversity
lbelenky@biologicaldiversity.org

Jared Naimark, Western Mining Senior
Manager
Earthworks
jnaimark@earthworksaction.org

Joan Taylor, Chair
California/Nevada Desert Committee
Sierra Club
palmcanyon@mac.com

Chance Wilcox
California Desert Associate Director
National Parks Conservation Association
cwilcox@npca.org

cc:

Jeffrey Schmidt, Executive Officer, State Mining and Geology Board,
Jeffrey.Schmidt@conservation.ca.gov

Heidi Calvert, Regional Manager, Region 6 CDFW, Heidi.Calvert@wildlife.ca.gov

Heather Brashear, Senior Environmental Scientist Supervisor, CDFW,
heather.brashear@wildlife.ca.gov

Brandy Wood, Region 6, CDFW, Brandy.Wood@wildlife.ca.gov

Ben Letton, Executive Officer, Lahontan RWQCB, Ben.Letton@waterboards.ca.gov

From: [Sonck, Alexa](#)
To: [Planning Commission Comments](#)
Subject: FW: PMISC-2026-00029
Date: Wednesday, July 8, 2026 12:20:10 PM

From: Annette Bliudzius <bliudzius1116@gmail.com>
Sent: Wednesday, July 8, 2026 8:41 AM
To: Supervisor Rowe <Supervisor.Rowe@bos.sbcounty.gov>
Subject: PMISC-2026-00029

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Good morning:

Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.

I am asking the Planning Commission to continue Agenda Item 3 and not recommend adoption as-is. This ordinance does not directly approve the Lone Pine Canyon quarry, **but it rewrites the County's mining procedures while Lone Pine Canyon is an active and controversial issue.** The County should explain how this ordinance affects pending or vested-rights mining operations, disclose all mining operator and CalCIMA input, conduct broader outreach to affected communities, and require public notice and public review for any mining-related decision that could affect roads, grading, drainage, slopes, traffic, blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety.

Respectfully,

Annette A. Bliudzius

5733 Acorn Dr.

Wrightwood, CA 92397

760-713-2458

From: [johanna Perez](#)
To: [Planning Commission Comments](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 12:22:05 PM

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Good Afternoon:

Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.

As a new member of this community , I am sad to hear this is even a possibility. How is it I spend so much time getting away from noise to have it close by? This town has been thru so much fires , floods , snow storms and tourist. How is creating traffic on a locals roads helpful. How would we feel safe knowing an extra route is closed off now. My exit is off lone pine. The noise is going to be so much. I feel for all thoses houses on lone pine as well.

I wanted to try for a baby and now it feels jeopardized with this. I don't want to have a baby knowing an extra route is going to be filled up with mining

I am asking the Planning Commission to continue Agenda Item 3 and not recommend adoption as-is. This ordinance does not directly approve the Lone Pine Canyon quarry, but it rewrites the County's mining procedures while Lone Pine Canyon is an active and controversial issue. The County should explain how this ordinance affects pending or vested-rights mining operations, disclose all mining operator and CalCIMA input, conduct broader outreach to affected communities, and require public notice and public review for any mining-related decision that could affect roads, grading, drainage, slopes, traffic, blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety.

Respectfully, Johanna Perez

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From: [Wendy Perla Kurtz](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
Subject: Public Comment for July 9, 2026 Planning Commission Hearing, Agenda Item 3
Date: Wednesday, July 8, 2026 12:39:24 PM

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Good afternoon,

Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.

I am asking the Planning Commission to continue Agenda Item 3 and not recommend adoption of the ordinance as currently written.

While this ordinance does not directly approve the Lone Pine Canyon quarry, it would revise the County's mining procedures at a time when the quarry remains an active and highly contested issue. Before moving forward, the County should clearly explain how the ordinance would affect pending applications or vested-rights mining operations.

The County should also disclose all input received from mining operators and CalCIMA, conduct broader outreach to communities likely to be affected, and require meaningful public notice and public review for any mining-related decision that could affect roads, grading, drainage, slopes, traffic, blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety.

Respectfully,

Wendy Kurtz, PhD
Wrightwood Resident,
PO Box 1174,
Wrightwood CA 92397

From: [Sheri Ely](#)
To: [Planning Commission Comments](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 12:49:06 PM

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Good Afternoon:

Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.

I am asking the Planning Commission to continue Agenda Item 3 and not recommend adoption as-is. This ordinance does not directly approve the Lone Pine Canyon quarry, but it rewrites the County's mining procedures while Lone Pine Canyon is an active and controversial issue. The County should explain how this ordinance affects pending or vested-rights mining operations, disclose all mining operator and CalCIMA input, conduct broader outreach to affected communities, and require public notice and public review for any mining-related decision that could affect roads, grading, drainage, slopes, traffic, blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety.

Respectfully,

Sheri Frizzle

BoardMeetingComments@cob.sbcounty.gov

luscustomerservice@lus.sbcounty.gov

Supervisor.Cook@bos.sbcounty.gov

Supervisor.Armendarez@bos.sbcounty.gov

Supervisor.Rowe@bos.sbcounty.gov

Supervisor.Hagman@bos.sbcounty.gov

Supervisor.Baca@bos.sbcounty.gov

Photo credit by Dennis Nadalin

From: [Nicole Elliott](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 1:51:54 PM

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Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.

I am asking the Planning Commission to continue Agenda Item 3 and not recommend adoption as-is. This ordinance does not directly approve the Lone Pine Canyon quarry, but it rewrites the County's mining procedures while Lone Pine Canyon is an active and controversial issue. The County should explain how this ordinance affects pending or vested-rights mining operations, disclose all mining operator and CalCIMA input, conduct broader outreach to affected communities, and require public notice and public review for any mining-related decision that could affect roads, grading, drainage, slopes, traffic, blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety.

Respectfully,
Nicole Elliott, teacher
Torrance, CA

From: [Sarah Kariya](#)
To: [Planning Commission Comments](#)
Subject: Public Comment Opposing Agenda Item 3 (Project No. PMISC-2026-00029)
Date: Wednesday, July 8, 2026 2:44:33 PM

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My name is Sarah Kariya. I live in unincorporated San Bernardino county.

I am writing to express my strong opposition to the "administrative update" in Agenda Item 3 (Project No. PMISC-2026-00029). It is ludicrous for the county to give up authority and hand it over to federal discretion. This puts decisions in the hands of people who live thousands of miles away and will not be personally impacted by the consequences.

The proposed update is no small change to the rules, it's throwing the door wide open for unscrupulous corporations to do as they please without considering the needs of the American citizens who live in the ecosystem they are seeking to pillage.

The Australian-run Music Valley Mining Project plans to break ground barely 100 feet away from JTNP, and it is only one of many projects on the horizon. Our local economy relies on tourism, and the unique and unspoiled desert lands are what bring people to the Morongo Basin.

There is a concentrated effort to plunder our public lands. Desert dwellers understand the value of our wild spaces, but money-hungry foreign corporations only see dollar signs.

Why in the world would a significant rewrite like this be exempt from California Environmental Quality Act review? That is not common sense at all.

What benefit to citizens comes from removing our right to be notified and comment on these large-scale landscape-shifting projects?

The proposed "administrative update" is misleading, short-sighted, and damaging to the rural community of San Bernardino County.

I urge my representatives to prioritize the needs of the people over the profits of corporations. Please vote no, and stand up against this update.

Sincerely,
Sarah Kariya

From: [Dana Longuevan](#)
To: [Planning Commission Comments](#)
Subject: Item 3 Comment PMISC-2026-00029
Date: Wednesday, July 8, 2026 2:45:44 PM

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Commissioners-

My name is Dana Longuevan and I am a resident of Twentynine Palms, CA. I am voicing my opposition to giving up local permitting on federally approved mines. I believe this will be absolutely detrimental to local communities, who are mostly poor, rural towns like Twentynine Palms. Eliminating the CEQA requirements will demolish our aquifers, harm the environment and encroach on our endangered species. The air quality, traffic and pollution will rise. The largest industry in our part of the high desert is tourism. Taking away local permitting and rules would absolutely affect tourism and the desperately needed revenue it generates. Thoughtfully planned mining has a space and a place in our county. We must ensure that it is done responsibly so as to not diminish what makes our county special and noteworthy! I ask of you- please do not give the Supervisors a recommendation without first spending further time to review this change.

I appreciate your time and energy on this matter.

Best

Dana Longuevan

From: [Colin Donohue](#)
To: [Planning Commission Comments](#)
Subject: Opposed: "Administrative Update" - Agenda Item 3 (Project No. PMISC-2026-00029)
Date: Wednesday, July 8, 2026 2:53:53 PM

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My name is Colin Donohue,

I was born and raised in southern California, like several generations of my family before me. I live in the unincorporated San Bernardino county. I am writing to express my strong opposition to the "administrative update" in Agenda Item 3 (Project No. PMISC-2026-00029).

This puts decisions in the hands of people who live thousands of miles away and will not be personally impacted by the consequences. The proposed update leaves the door wide open for unscrupulous corporations to do as they please without considering the needs of the American citizens who live in the ecosystem they are seeking to pillage.

The Australian-run Music Valley Mining Project plans to break ground barely 100 feet away from [JTNP](#), and it is only one of many projects on the horizon. Our local economy relies on tourism, and the unique and unspoiled desert lands are what bring people to the Morongo Basin.

There is a concentrated effort to plunder our public lands. Californians understand the value of our wild spaces, but money-hungry foreign corporations only see dollar signs.

Why would a significant re-write like this be exempt from California Environmental Quality Act review?

What benefit to citizens comes from removing our right to be notified and comment on these large-scale landscape-shifting projects?

The proposed "administrative update" is damaging to the rural community of San Bernardino County. I urge my representatives to prioritize the needs of the people over the profits of corporations.

Please vote no, and stand up against this update.

From: [Pam Wiseman](#)
To: [Planning Commission Comments](#)
Subject: Reference Agenda Item 3, PMISC-2026-00029.
Date: Wednesday, July 8, 2026 2:54:32 PM

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Dear Sirs and Madams,
Writing to you today, Wed, July 8, 2026 about concerns regarding getting informed citizens consent to further mining procedures in the near Twentynine Palms, Ca. desert.

- If the County stops requiring permits for mining on federally approved public land, and federal environmental review is less rigorous than California's, how will impacts to local air, water, and wildlife be studied and mitigated?
- Will nearby residents still learn about and get a chance to comment on new mining projects on public land, or could those projects advance without local notice?
- Why did the County stakeholder outreach engage the mining industry's trade association but, per the staff report, no local residents, tribes, or conservation groups?
- Given that the ordinance's own language allows the County to adopt rules stronger than the state minimum, why does the proposal decline to do so anywhere?
- Should the Commission recommend this to the Board of Supervisors now or continue the item to give the public more time to review a countywide change of this scope?

A mine like Music Valley sits largely on federal BLM land. Under the County's proposed federal-lands carve-out, much of a project like that

could move forward without a County permit and without the local environmental review that a permit triggers — the exact scenario NPCA is warning about.

I don't want to see that happening. People need to be informed and it needs assurance of following safety and health for the people, and creatures who live here, and especially needs permits for each proposed mining operation in question. Environmental and safety must be followed and given permission per each proposal.

Thanks
Ms Wiseman
Twentynine Palms, Ca.
July 8, 2026

Sent with [Proton Mail](#) secure email.

From: [Russ K](#)
To: [Planning Commission Comments](#)
Subject: Agenda Item #3
Date: Wednesday, July 8, 2026 3:07:41 PM

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Dear Planning Commissioners,

Please do NOT give any of our San Bernardino County jurisdictional authority and decisions to the Federal Government. All of you, along with the residents of this big, beautiful county deserve the right to have a say in what should be developed in and on our land.

Without a voice we will all pay the ultimate price without even having a say in this development or any other development, whether it is beneficial or not.

Democracy is about giving a voice to the people and its representatives, and if you exclude the County from any decision making you will be doing harm to your voice and vote as a Planning Commission, the Supervisors, and to the representatives of your constituency.

I beg you please, DO NOT remove your voice and our voice from the basic discussion of approvals or denials that will have a major impact on the land we all reside in. The County and its residences deserve to have a say as to what can and cannot be developed within our jurisdiction.

Thank you, sincerely,
Russ Kohn
Wonder Valley

From: [cheryl rhoden](#)
To: [Planning Commission Comments](#)
Subject: Planning Commission, July 9, 2026, Item 3 - Comments
Date: Wednesday, July 8, 2026 3:11:54 PM

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Please include the below as comments for the July 9, 2026 Planning Commission meeting, Item 3 , PMISC - 2026 - 00029, Draft Mining Ordinance

PLEASE REDACT MY EMAIL ADDRESS FROM THE PUBLIC RECORD.

Dear Commissioners,

I write these comments to request that the Commission continue consideration of the draft ordinance prior to forwarding it to the Board of Supervisors for adoption.

The drafting of the proposed ordinance evidently occurred over a period of several years and included county staff, outside consultants, mining interests, and mining organizations. Yet, it was not released for public comment until one week prior to the hearing - a week that included a federal holiday and the closure of county offices.

In particular, I draw your attention to the following sections that, as now drafted, are not in the county's interest or the interests of communities adjacent to active mining operations.

1) Vested Rights -

This is additional language on page 7 of the ordinance/page 14 of the document:

1	this Chapter. In such a proceeding the Claimant shall assume the burden of proof. The
2	County shall recognize prior administrative determinations or confirmations of vested
3	rights (including, but not limited to, those encompassed by a prior reclamation plan
4	approval) consistent with applicable law.

The language in this proposed section could enshrine the 2019 Vested Rights Determination for El Cajon Associates, LLC in county law as a standard for future mining vested rights decisions. The use of "shall" requires the county to consider that decision as a precedent. That decision ignored the "objective manifestation" and "not subjective intent" language found later in the proposed ordinance and in state law. This section should be struck from the ordinance. County staff would not be precluded from referring to prior decisions when appropriate

In addition, further language in the Vested Rights section of the proposed ordinance recognizes the concept of "diminishing assets" without incorporating any of the objective

standards for doing so.

2) Reclamation Plan - I'm hoping the following is a typo or an oversight. Pages 10 & 11 of the ordinance/pages 18 & 19 of the document, last line:

(j) **Additional Permits.** Should a vested right be recognized by the Board, the person shall obtain County approval of a reclamation plan covering the mined lands disturbed on or subsequent to January 1, 1976. In those cases where an overlap exists (in the horizontal and/or vertical sense) between pre-SMARA and post-SMARA mining, the reclamation plan shall require reclamation proportional to the disturbance caused by the mining as of January 1, 1976 (i.e., effective date of SMARA).

The current ordinance (2007) has the word "after" in the last line -as does the governing section of the PRC. I also note there are two sections (i) in this section. The Reclamation Plan should encompass all mining operations and degradation of the land - particularly operations like the Lone Pine Canyon Quarry (now Grand Lone Pine) that had deminimus operations followed by decades of non-operation.

This section must be rewritten to ensure the county is financially protected and the community where the mine is located ensured the entire scope of reclamation will occur. Particularly, in light of the proposed ordinance now including "diminishing assets" as a consideration to expand mining operations.

Further, the ordinance does not address the CEQA "baseline" evaluation established by California Supreme Court decisions that set the precedent for the scope of Reclamation Projects that must include the "actual" conditions of an active mining operation that will exist at the time of reclamation - regardless of the absence of those conditions at the time of approval.

Respectfully, I hope you will review the ordinance in light of these comments and others and direct staff to return the ordinance to the Planning Commission after addressing these issues. And, specifically, review the financial surety and fiscal soundness of applicants utilizing the full scope of standards in PRC 2773 1.5.

Sincerely,
Cheryl D. Rhoden
Resident Pinon Hills

From: [Tyler Sabbag](#)
To: [Planning Commission Comments](#)
Subject: Mining Projects Permitting Process
Date: Wednesday, July 8, 2026 3:19:22 PM

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Hello, I'm Tyler Sabbag, a resident of Joshua Tree. I'm writing to express opposition to the proposal to allow mining projects to skip the county-level permitting process. That process allows community members such as myself to voice opposition or support for such projects, and I do not consent to the limitation of such rights.

Kindly,
Tyler Sabbag

From: [Brad Hudson](#)
To: [Planning Commission Comments](#)
Subject: Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 3:24:25 PM

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To the County Supervisors,

I respectfully urge the County to maintain its current land use authority and continue its longstanding commitment to protecting the Mojave Desert and the federally threatened Mojave desert tortoise.

The desert is one of San Bernardino County's greatest natural assets. Once intact habitat is fragmented by incompatible development, it cannot be restored to its original condition. Responsible land use planning helps balance economic opportunity with the preservation of the unique landscapes, wildlife, and open spaces that make our region special.

The desert tortoise and other sensitive species depend on large, connected areas of habitat to survive. Weakening local land use protections could lead to increased habitat fragmentation, greater pressure on wildlife, and the loss of irreplaceable conservation values.

I encourage the County to continue making decisions based on sound science, long-term stewardship, and careful planning. Protecting our desert today ensures that future generations can enjoy its ecological, recreational, and cultural value.

Thank you for your consideration and for your service to San Bernardino County.

Sincerely,
Brad Hudson
7078 Manzanita Ave
29 Palms, CA 92277

San Bernardino County
Land Use Services Department
Planning Commission Secretary
385 N. Arrowhead Ave, 1st Floor
San Bernardino, CA 92415

Re: An ordinance to repeal and reenact Chapter 88.03 of the San Bernardino County Development Code related to local surface mining and land reclamation regulations

San Bernardino County Planning Commission,

I am a resident of San Bernardino County, residing in Joshua Tree. I am writing in regards to the July 9th Planning Commission agenda item 3: a public hearing on a proposed ordinance to repeal and reenact Chapter 88.03 of the San Bernardino County Development Code related to local surface mining and land reclamation regulations.

I'm concerned that the proposed changes to San Bernardino County's mining regulations will allow mining on federally managed public lands without important County permitting. In my experience, strong regulations for mining are vitally important to ensuring proper bonding, reclamation, and community input to ensure reduction of environmental impacts. Locally, there are more than 20,000 acres of mining claims staked just outside of Joshua Tree National Park on Bureau of Land Management land. The company behind these claims seeks to build out a full production mine—a development that would have devastating impacts on the tourism economy of the city of Twentynine Palms, and the greater Morongo Basin community that depends on the integrity of Joshua Tree National Park and the surrounding public lands. I'm concerned that the proposed ordinance would lead to mining projects like the one outside of Twentynine Palms to be approved without the public's knowledge and opportunity to study and reduce environmental impacts. I ask that further stakeholder engagement take place, as it seems the County only spoke with the mining industry and not residents and businesses.

I ask that you please deny the recommendation of this ordinance to the Board of Supervisors. Rather, continue to allow more time for the public to review and comment on these changes.

Sincerely,
Mason Osgood

From: [Matthew Reader](#)
To: [Planning Commission Comments](#)
Subject: Item 3 Local Permitting of Mines
Date: Wednesday, July 8, 2026 3:32:02 PM

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I am a San Bernardino County Property Owner and Agenda Item 3 (Project No. PMISC-2026-00029) would repeal and rewrite Chapter 88.03 of the County Development Code, the County's local rules for surface mining and land reclamation. County staff describe it as a routine "administrative update" to bring the 2007-era rules in line with California's Surface Mining and Reclamation Act (SMARA). But tucked inside is a change with real teeth: the County would give up its own permitting authority over mining projects that receive federal approval.

Please DO NOT GIVE THIS LOCAL PERMITTING UP UNDER ANY CIRCUMSTANCES.

The desert is a jewel and it must be taken care of.

Sincerely,

Matthew Reader

From: [Hannah](#)
To: [Planning Commission Comments](#)
Subject: Agenda Item 3, PMISC-2026-00029 - Joshua Tree Resident Statement
Date: Wednesday, July 8, 2026 3:47:16 PM

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Hello,

My name is Hannah Moore and I am a full time resident of Joshua Tree, CA. I was recently informed that there will be a hearing tomorrow at the Joshua Tree Community Center. Unfortunately, I will be at work and unable to join the meeting but I would like for my comment on Agenda Item 3, PMISC-2026-00029 to be heard and considered.

I understand that there is a vibrant history and mining community in the high desert, and I do not want to ignore that. However, I believe that San Bernardino County review and approval of mining projects is imperative. My understanding is that federal requirements are weaker than California's and will not require public knowledge or an opportunity to comment.

I consider our delicate ecosystem and national park a vital component of our desert communities. It is the reason why I bought my home and live here full time. Anything moving forward without allowing for community awareness, environmental review, and protection of our public lands, air, water, and wildlife is unacceptable. As residents of the high desert, we and our elected officials should have a say in the decisions made on our lands and not relinquish this power to a distant entity. Aside from the intangibles our desert environment provides, it also generates tourism dollars, tax income, and jobs for residents. I would have been so much less likely to visit and fall in love with this place if it weren't for the national park and the vast landscape surrounding it.

I am not against all mining permits, growth, or progress, but I am against relinquishing the county's control and ability to review and grant permits on an individual basis, considering the environment and community. We can build for a future that isn't at the expense of what we have now. I truly hope this hearing results in the county maintaining its power to grant mining permits instead of relinquishing that authority to the federal process.

Thank you for your time.

Hannah Moore
61620 Fountain Blvd
Joshua Tree 92252

From: [Alexandra Altschuler](#)
To: [Planning Commission Comments](#)
Subject: Agenda Item 3 (Project No. PMISC-2026-00029) — Oppose the Federal Lands Permit Exemption in the Proposed Rewrite of Development Code Chapter 88.03
Date: Wednesday, July 8, 2026 3:55:17 PM

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Dear Chair Stoffel and Members of the Planning Commission!

I am writing to oppose Section 88.03.040(b) of the proposed ordinance repealing and reenacting Chapter 88.03, on the agenda for your July 9, 2026 hearing. As drafted, that provision states that “a Permit shall not be required for those portions of surface mining operations that require and obtain a federally approved plan of operation, or other federal authorization.” In practice, this exempts mining on federally managed public land within the County from the County’s own Conditional Use Permit, reclamation, financial-assurance, and inspection requirements whenever a federal Plan of Operations exists — reversing the County’s own longstanding position, stated in its Mining FAQ, that the absence of County authorization on public land for a non-exempt surface mining operation is itself a violation of SMARA. I ask the Commission to decline to recommend this section to the Board of Supervisors, or to amend it to preserve independent County permit review of all surface mining within County boundaries, regardless of land ownership.

Federal-only oversight has a documented record of failure

Waiving County review wherever a federal agency has signed off is not a hypothetical risk — it is the same regulatory structure that produced the worst radioactive contamination event in U.S. history. On July 16, 1979, a tailings dam at United Nuclear Corporation’s federally permitted uranium mill in Church Rock, New Mexico, failed, releasing roughly 94 million gallons of acidic radioactive tailings solution and over 1,100 tons of solid radioactive waste into the Puerco River (1). Cracks in the dam had been reported nearly two years earlier and were not acted on. The spill released more radioactivity than the Three Mile Island accident four months prior, and contaminated water relied on by roughly 1,700 nearby residents; hot-spot contamination remains today. This happened under a permitting structure that treated federal sign-off as sufficient — precisely the model Section 88.03.040(b) would import here.

The same pattern shows up at scale. From 1944 to 1986, nearly 30 million tons of uranium ore were extracted from tribal land in the Southwest under federally authorized leases, most of it on the Navajo Nation. More than 500 abandoned uranium mines remain today, along with homes and water sources carrying elevated radiation; over 30% of unregulated wells in the affected communities are still unsafe to drink (2). The EPA has committed more than \$1.7 billion since 1994 just to begin assessing and cleaning up a fraction of these sites — a cost borne by the public,

decades after the mining companies that caused the contamination were gone. Local permitting authority, with its own reclamation and financial-assurance requirements, is the mechanism that is supposed to prevent this outcome; it does not work if it can be waived.

This is not only history. Utah's White Mesa Mill — the last conventional uranium mill still operating in the United States — sits near the Ute Mountain Ute reservation and other tribal lands in San Juan County, Utah's poorest county. It is currently the subject of an EPA- and CDC-funded study into possible links between the facility's documented emissions of radon, sulfur dioxide, and nitrogen oxide and community health outcomes, with tribal officials and environmental groups warning it threatens the region's primary drinking-water aquifer (3). This is what a mining operation built primarily around federal authorization looks like in practice, more than forty years after Church Rock.

Property values decline near mining sites and contamination risk — even before harm is proven

Peer-reviewed research on Superfund and contaminated sites consistently finds measurable, lasting effects on nearby property values. One study found nearby home values fell by as much as \$3,310 for every mile closer to a site once it was placed on the EPA's National Priorities List — before any cleanup even began (4). Another, tracking sites over three decades, found property values continued declining for five to ten years after cleanup was complete (5). A study of homes near a Los Angeles-area landfill found an aggregate value loss exceeding \$40 million during the period the site was active (6). The County's high desert communities — Joshua Tree, Yucca Valley, Landers, Lucerne Valley, and Wonder Valley — are currently attracting new residents and investment. Stripping County oversight from mining on adjacent public land introduces exactly the kind of proximity and reputational risk this research shows homebuyers price in, regardless of whether contamination ever actually occurs.

Requested action

I respectfully ask the Planning Commission to recommend that the Board of Supervisors strike or substantially revise Section 88.03.040(b) so that County permit, reclamation, and financial-assurance review continues to apply to surface mining operations on federally managed public land within County boundaries, in addition to any federal review — not in place of it. The County's own layered oversight is not redundant; it is the backstop that federal-only review has repeatedly failed to provide.

Thank you for your consideration.

Respectfully,

Alexandra Altshuler,

Resident of the Morongo Basin

Address: 5394 Morongo Rd, Twentynine Palms, CA 92277

Email: energyofwords@gmail.com

Sources

1. Church Rock uranium mill spill — Wikipedia; New Mexico In Depth, “Remembering the largest radioactive spill in U.S. history” (2014).
2. U.S. EPA, “Navajo Nation: Cleaning Up Abandoned Uranium Mines”, epa.gov/navajo-nation-uranium-cleanup.
3. KUER, “Inside the controversy around White Mesa, America’s last conventional uranium mill” (June 2026); Salt Lake Tribune (Oct. 2024).
4. Kohlhase, J. (1991), “The impact of toxic waste sites on housing values,” Journal of Urban Economics.
5. Messer, K. et al., studies of Superfund site property-value recovery timelines, summarized in American Bar Association, “Superfund Sites and Property Value Diminution” (2017).
6. McClelland, G. et al. (1990), property-value study of the Operating Industries Inc. Landfill, Los Angeles.

From: [Petra Freyer](#)
To: [Planning Commission Comments](#)
Subject: The Australian run music valley mining project
Date: Wednesday, July 8, 2026 4:05:50 PM

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My name is Petra Freyer I live in unincorporated San Bernardino County.

I am writing to express my strong opposition to the “ administrative update” (in Agenda item3 Project No PMISC - 2026-00029

I urge my Representatives to prioritize the needs of the people over the profits of corporations

Please vote NO and stand up against this update.

Kind regards,
Petra Freyer
Sent from my iPhone

From: [Natalie Raymond](#)
To: [Planning Commission Comments](#)
Subject: Comment: opposition to Item 3
Date: Wednesday, July 8, 2026 4:10:27 PM

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To whom it may concern,

I am a San Bernardino County resident & homeowner. I am writing to voice my vehement opposition to item 3 on the Planning Commission's agenda for July 9th. Mining projects should absolutely NOT be given special unregulated access to further erode our beautiful & delicate desert ecosystem. At a time when we should be doing more to protect our public lands from extractive development, it is absolutely unconscionable to be considering allowing these types of projects to fast track through permitting & review.

Much of our local economy relies on the unique beauty of this landscape, destroying this for extractive mining projects that benefit only their shareholders is bad for business, bad for the desert, & bad for the community. This proposal should be laughed out of committee.

Sincerely,
Natalie Raymond

--

natalie raymond, mfa, cdmp
poet | photographer | filmmaker
natalieraymond.com

instagram/threads: @natalie_raymond

youtube: [@natalie_raymond](#)

n@natalieraymond.com

she/her

From: [Sarah Renner](#)
To: [Planning Commission Comments](#)
Subject: Agenda Item 3 - Mining Projects - Music Valley Mine Project No. PMISC-2026-00029
Date: Wednesday, July 8, 2026 4:19:40 PM

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To Whom It May Concern-

My name is Sarah Renner and I am an 18 year citizen of the Morongo Basin. I strong encourage the San Bernardino Planning Commission to vote no on repealing and rewriting Chapter 88.03 of the County Development Code. The county cannot give up its own permitting authority over mining projects and must maintain its autonomy from the Federal Government. There is no telling the catastrophic recourse that will take place if the County stops requiring permits for mining on public lands with detriment being wide spread - local air, water, wildlife all being drastically affected.

No local residents, tribes or conservation groups were never reached out to by the County stakeholder group but the mining industry's trade association was contacted. This is a vile indication of intentions that does not take into consideration what is best for the people or the land of the Morongo Basin, JTNP or surrounding areas.

Best,
Sarah Renner

From: [Angella d'Avignon](#)
To: [Planning Commission Comments](#)
Subject: Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 4:19:49 PM

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As a Yucca Valley resident and journalist concerned with the future of the Morongo Basin we are all privileged to share and enjoy, I strongly oppose allowing Dateline Resources to resume mining at Colosseum Mine. This project threatens a unique desert ecosystem, putting native wildlife, including sensitive species like desert tortoises and bighorn sheep, at greater risk through habitat destruction, increased traffic, noise, and pollution.

The impacts extend beyond wildlife. Local communities depend on clean air, clean water, and protected public lands for recreation, tourism, and their quality of life. Industrial mining jeopardizes these shared resources while offering short-term benefits that do not outweigh the long-term environmental costs.

Most importantly, this is public preserved land that belongs to all of us—not a place to sacrifice for private mining interests. These lands were set aside to protect irreplaceable natural and cultural resources for current and future generations. Once these landscapes are disturbed, they cannot truly be restored.

Please protect our public lands, wildlife, and local communities by rejecting any proposal that would allow Dateline Resources to expand or resume mining at Colosseum Mine.

Thank you for your time and consideration,
Angella d'Avignon

--

Angella d'Avignon
heyangella.com
@heyangella
she/her

From: [Hannah Harding](#)
To: [Planning Commission Comments](#)
Subject: URGENT COMMENTS ON AGENDA 3
Date: Wednesday, July 8, 2026 4:20:30 PM

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Hello,

My name is Hannah Harding. I am a full time resident in Joshua Tree and go to Wonder Valley often to enjoy the serene nature and beauty of the open desert. I'm so incredibly saddened and scared to hear that this conversation is up in the air on skipping permitting for mining on federal land to any company, let alone foreign ones.

I am referring to the decision being made tomorrow for this agenda: Section 88.03.040(b), Federal Lands: "A Permit shall not be required for those portions of surface mining operations that require and obtain a federally approved plan of operation, or other federal authorization, to conduct surface mining operation."

To me, no matter how anyone feels about right or left, or for or against ai, is deeply and truly un-American at its core. The land they are mining on is a tortoise habitat, and the desert flora and fauna are already seeing struggles with the changing climate. Allowing this would open up a Pandora's box in the future for corporations to take over this wild open space we call home. As we have seen with the colosseum mine expansion, these corporations do not care about how much they take and how little they give back.

I do not trust federal review with these decisions based on how the government has favored profit over conservation in the recent past. These decisions should go through our county where professionals who represent it know the land, live here, and respect it.

Please don't give up on the small desert communities for a check, we are begging for consideration and care in this process. Please make the right decision and don't allow them to do anything without going through proper procedures so we can protect and conserve the land we live on.

Thank you for listening,
- Hannah Harding

From: [Aidan Koch](#)
To: [Planning Commission Comments](#)
Subject: July 9 meeting line item #3
Date: Wednesday, July 8, 2026 4:35:59 PM

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Dear San Bernardino County Planning Commission,

I am writing with concerns about Project No. PMISC-2026-00029, which would bypass local authority over Federally approved mining projects. This feels dismissive of the possible impacts local mining projects would have on SB county residents. I believe it is essential that local residents are considered stakeholders and given ample resources to examine, approve or deny these proposals.

I recommend that Project No. PMISC-2026-00029 be scrutinized for it's potential negative impact on local resident's involvement with projects. While federal land is everyone's, local federal land is most important to those in it's vicinity and who value it as a local resource. We need to maintain a voice in this process and it's the county's job to make that happen.

Thank you,
Aidan Koch
58929 Lutz Ave
Landers CA
92285

From: [audrey philpot](#)
To: [Planning Commission Comments](#)
Subject: Reference Agenda Item 3, PMISC-2026-00029.
Date: Wednesday, July 8, 2026 4:42:56 PM

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Please provide answers to these questions:

- If the County stops requiring permits for mining on federally approved public land, and federal environmental review is less rigorous than California's, how will impacts to local air, water, and wildlife be studied and mitigated?
- Will nearby residents still learn about and get a chance to comment on new mining projects on public land, or could those projects advance without local notice?
- Why did the County stakeholder outreach engage the mining industry's trade association but, per the staff report, no local residents, tribes, or conservation groups?
- Given that the ordinance's own language allows the County to adopt rules stronger than the state minimum, why does the proposal decline to do so anywhere?
- Should the Commission recommend this to the Board of Supervisors now or continue the item to give the public more time to review a countywide change of this scope?

I hope the public's interest be taken into consideration before moving forward with this proposal.

Sincerely,

Audrey Philpot

Resident and Homeowner- City of Twentynine Palms, CA

From: [Violet Hill](#)
To: [Planning Commission Comments](#)
Subject: Section 88.03.040(b), Federal Lands
Date: Wednesday, July 8, 2026 4:48:31 PM

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Hello San Bernadino County Planning Commission,

My name is Violet Hill. I am a full time resident in 29 Palms and go to Wonder Valley often to enjoy the serene nature and beauty of the open desert. I'm so incredibly saddened and scared to hear that this conversation is up in the air on skipping permitting for mining on federal land to any company, let alone foreign ones.

I am referring to the decision being made tomorrow for this agenda: Section 88.03.040(b), Federal Lands: "A Permit shall not be required for those portions of surface mining operations that require and obtain a federally approved plan of operation, or other federal authorization, to conduct surface mining operation."

To me, no matter how anyone feels about right or left, or for or against it, is deeply and truly un-American at its core. The land they are mining on is a tortoise habitat, and the desert flora and fauna are already seeing struggles with the changing climate. Allowing this would open up a Pandora's box in the future for corporations to take over this wild open space we call home. As we have seen with the colosseum mine expansion, these corporations do not care about how much they take and how little they give back.

I do not trust federal review with these decisions based on how the government has favored profit over conservation in the recent past. These decisions should go through our county where professionals who represent it know the land, live here, and respect it.

Please don't give up on the small desert communities for a check, we are begging for consideration and care in this process. Please make the right decision and don't allow them to do anything without going through proper procedures so we can protect and conserve the land we live on.

Thank you for listening,
Violet Hill

From: [Xárene Eskandar](#)
To: [Planning Commission Comments](#)
Subject: Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 4:52:58 PM

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Hello,

I am Dr Xárene Eskandar. I am a member of the Public Arts Advisory Committee for the city of 29 Palms but I'm writing as a resident of Wonder Valley, California and no in my capacity as an appointed city official.

I ask the commission to recommend that the county supervisors do not remove or loosen any review of mining applications. I'm proud to be a Californian because California values our environment which includes our public lands, and California's regulations and requirements for the environment often are more rigorous than the federal government's. By reducing or removing the county's involvement in the review and permitting process, the public risk being uninformed or misinformed, or not informed in a timely manner of the impacts to our community, local environment and wildlife, and our public lands.

Engagement at all levels is crucial to a healthy democracy and removing local oversight severs the connection between local and federal.

So I ask you to please recommend maintaining the county's oversight and involvement in the permitting of mining projects, which will allow the residents of the county to voice their opinions whether it is in support or in opposition of a project.

Thank you.

Xárene

Sent from [Proton Mail](#) for iOS.

From: [Suzanna Choi](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 5:10:26 PM

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Good Afternoon:

Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.

We only heard about this a month and a half ago. I own multiple homes in Wrightwood and am very worried about the noise pollution, air pollution, and how this will affect our property values. Wrightwood has been devastated by fires for the last several years and this is one of our only evacuation routes. Additionally, we have a number of seniors and retired community members who are disabled and have serious health issues and asthma, and this would cause them to have to leave their homes or it would damage their health. Something very wrong has happened that none of us were notified until very recently. It has been proven that even one of the councilmembers that had approved this prior, has been convicted of fraud or bribery.

I am asking the Planning Commission to continue Agenda Item 3 and not recommend adoption as-is. This ordinance does not directly approve the Lone Pine Canyon quarry, but it rewrites the County's mining procedures while Lone Pine Canyon is an active and controversial issue. The County should explain how this ordinance affects pending or vested-rights mining operations, disclose all mining operator and CalCIMA input, conduct broader outreach to affected communities, and require public notice and public review for any mining-related decision that could affect roads, grading, drainage, slopes, traffic, blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety.

Thank you for your time and consideration,

Suzanna Choi
(949) 254-8080
suzanna@tashirochoi.com

From: [Diane Bemboom](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [Supervisor Cook](#); [Supervisor.armendarez@bos.sbcounty](#); [supervisor.baca@bossbcounty.go](#)
Subject: Public comment on agenda item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 5:17:51 PM

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Good Afternoon,

Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda item 3, PMISC-2026-00029.

I am asking the Planning Commission to continue Agenda item 3 and not recommend adoption as-is. This ordinance does not directly approve the Lone Line Canyon quarry, but it rewrites the County's mining procedures while Lone Pine Canyon is an active and controversial issue. The County should explain how this ordinance affects pending or vested-rights mining operations, disclose all mining operator and CalCIMA input, conduct broader outreach to affected communities, and require public notice and public review for any mining-related decisions that could affect roads, grading, drainage, slopes, traffic, blasting, crushing, water quality, fire risk, visual impact, habitat, or public safety.

Respectfully,

Diane Bemboom

From: [Kathy Walsh](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 5:19:35 PM

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Good afternoon,

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The County needs to explain how this ordinance affects pending or vested-rights mining operations, disclose all mining operator and CalCIMA input, conduct broader outreach to affected communities, and require public notice and public review for any mining-related decision that could affect public safety, roads, grading, drainage, slopes, traffic, blasting, crushing, water quality, fire risk, visual impacts, or habitat.

Shown below are issues that need to be considered before this new ordinance is implemented.

- **The ordinance greatly expands vested rights procedures with detailed applications, evidence requirements, hearings, and Board Determinations.**
 - This appears to be something you are putting into place to avoid the problems that came to light regarding the Lone Pine Canyon quarry vested rights. But how does it affect the current Lone Pine Canyon Quarry project?
 - The 2019 Vested Rights decision must be re-visited. You can't just cover it up and continue with new rules for projects coming afterward. This is why:
 - The 2019 Vested Rights determination on the Lone Pine Canyon quarry project was recommended for Denial by Planning Commission Staff, mainly for inactivity/idol mine reasons. Yet the Planning Commission voted to approve Vested Mining Rights 3-2.
 - Even by the County's own record, this was indeed an idol/inactive mine. The

County was required to do annual inspections and reporting; they did not. The landowner/project manager was required to file multiple reports including IMP, MRRC-2, FACE, etc; they did not. I did a public records request; there were ZERO reporting documents done by the County or the owner/operator. If the County and the owner/operator were not (and are still not!) in compliance with these requirements, why were they allowed to gain Vested Rights based on being an active mine?

- The vote was initiated by Gabriel Chavez, a SBC Planning Commissioner that resigned six months after the Vested Rights vote due to criminal activity on another city planning commission case. Mr. Chavez pled guilty to bribery. Has the County ever done any investigation or review of possible bribery in the Lone Pine Canyon Vested Rights decision? Or any other cases he voted on, for that matter.

- **The ordinance creates a new process for Permit and Reclamation Plan amendments, distinguishing substantial vs. non-substantial changes.**
 - This directly impacts the Lone Pine Canyon Quarry Project. There is an open Reclamation Plan being reviewed, and the ordinance doesn't specify what happens during the transition.
 - The County should not allow a consultant paid by the owner/operator to declare something in the Reclamation Plan is non-Substantial without an independent review, public notice, hearings, etc. The new ordinance allows these declared non-substantial items to just pass through with no further oversight except by the Planning Commission.
- **The ordinance strengthens financial assurance requirements.**
 - Wonderful. But no one, the County included, was in compliant on these requirements for the Lone Pine Canyon Quarry.
 - Since the County and the owner/operator of the quarry were not compliant, the vested rights decision must be revisited.
- **The ordinance expands idle min/interim management requirements with renewal timelines and abandonment standards.**
 - Again, this is trying to correct the errors in the 2019 vested rights decision. Which means the Planning Commission and the County KNOW that it should have been handled this way previously. You blew it. Revisit the 2019 Vested Rights decision.
- **The ordinance adds new provisions allowing renewable energy facilities on reclaimed mine sites.**
 - What kind of renewable energy?
 - Who determines if it's an eye sore, if it harms the environment or wildlife, what are the provisions to protect our land, community, and neighbors?
- **The ordinance reduces ambiguity and provides comprehensive definitions for**

consistent interpretation.

- Again, you are trying to fix what was in place when the Vested Rights were given in 2019.
- What's the transition and how does this work with projects that are currently trying to be approved?
- **The ordinance provides much more predictable and legally defensible standards for Vested Rights determination.**
 - Again, you are trying to fix what was in place when the Vested Rights were voted on in 2019.
 - By changing this, you are admitting the process was poor, incomplete, unpredictable, and not legally defensible.
- **The ordinance (to repeal and reenact) all the mining details was written by the County and CalCIMA, the mining industry association.**
 - Who didn't get to be involved? Affected communities, nearby residents, watershed groups, tribal representatives, environmental organizations, and more! Why were we not invited to the table? The PEOPLE in the county need to be considered, not just big industry.
- **The ordinance "administrative" changes:**
 - Who gets to decide what has a substantial impact and what is considered non-substantial? These are not minor details:
 - Roads, access, evacuation routes
 - Drainage, slopes, water quality
 - Fire risk, public safety
- **And speaking of roads:**
 - Again the 2019 Vested Rights decision needs to be re-visited. I don't know how it can get to the Reclamation Plan approval process without addressing the actual mining situation that comes before any Reclamation, and the road changes required to run this mine.
 - Lone Pine Canyon road is a narrow county-maintained road that is used regularly by commuters, tourists, seasonal visitors to the snow, and evacuees! Large heavy trucks are not allowed on that road. It's my understanding that if the Reclamation Plan is approved, the mine moves forward based on the 2019 Vested Rights determination.
 - Is the County making so much money off of this project that it's worth it to disrupt the lives and safety of residents and tourists on Lone Pine Rd as well as Highway 138, where the trucks will be travelling to Palmdale?
 - Who will pay for the changes to the road, to handle the extra truck traffic and increased weight limits? It better not be County residents who don't want this project; it better be the owner/operator.

- Who has addressed the evacuation routes? Do you realize how many trucks per day the owner/operator expects to put on the road/highway? 50-70 or more! Will the County be taking responsibility for the accidents, injuries, and deaths that will occur because they approved this mining project?

If this is truly a harmless housekeeping ordinance, then the County should have no problem slowing down, showing its work, disclosing who helped write it, and guaranteeing public review for decisions that affect our roads, water, fire safety, and canyon.

Because nothing says “public trust” like rewriting mining rules with industry in the room and the public reading about it afterward. Do better, County Board of Supervisors – this is on all of you.

Respectfully,
Kathy and Dan Walsh, Voters and
Concerned Wrightwood Residents

From: [Gary and Rhonda Young](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 5:22:36 PM

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Respectfully,

Gary and Rhonda Young

From: [Steve Brown](#)
To: [Planning Commission Comments](#)
Cc: [Supervisor Rowe](#); [Harris, Glen](#)
Subject: Agenda Item 3 (Project No. PMISC-2026-00029)
Date: Wednesday, July 8, 2026 5:23:51 PM

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I am asking the Planning Commission to reject proposed changes to Chapter 88.03 of the County Development Code that would abdicate San Bernardino County's role in permitting surface mining and land reclamation. The staff report purposefully misleads by describing the changes as an "administrative update," and its intent to deny county citizens input on projects occurring in and around their communities is borderline criminal. It's unthinkable and irresponsible that the county would willfully abdicate its role - as well as that of its citizens - in the approval of massive, highly destructive projects within the county.

I am a longtime resident of the hi-desert. I live in the unincorporated county near both Yucca Valley and Joshua Tree. There has been no outreach or public discussion regarding this immensely important proposed policy change. This is gross negligence on the part of the County. It can't be entirely coincidence, can it, that this is happening as Dateline Resources, an Australian company, has announced a planned rare-earth mining project on nearly 20,000 acres of land near the City of Twentynine Palms and the border of Joshua Tree National Park? It doesn't seem that it's a coincidence. What it does seem, is potentially corrupt and worthy of investigation.

There are no good reasons why the County should abdicate its role in approving highly impactful projects within its borders. It raises the question of why county government suddenly wishes to do so? Why deny the County's ability to have a greater say? Why deny the County's citizens the ability to have more of a say about what transpires in and around their communities? I don't see what was so broken with the existing process that the County needs to throw away its right to participate in the approval processes for projects as obviously impactful as open pit mining or mining across 20,000 acres of rural land next to our main economic engine for the Morongo Basin, and a national treasure in its own right, Joshua Tree National Park.

Does County government wish to be known for its disenfranchisement of its citizenry? For its disregard for our national treasures? For its disregard for existing local economies, infrastructure, and quality of life for its residents? What about this proposal makes sense on any level other than streamlining a process for mining companies to do whatever they want with no regard for communities within San Bernardino County?

As a journalist based here over the past 26 years, I have witnessed County staff entirely disregard community input on projects that have impacted the community. I have watched County staff purposefully misrepresent community input, claiming black is white and white is black, thus deeming a project appropriate for a community that voiced its clear disapproval. I have watched residents plead that a project would likely ruin their properties and even their health, only to be ignored. I have seen the County ignore its own regulations while reviewing

projects. None of this is acceptable.

Neither is the fact that the County outreach engaged the mining industry's trade association, but failed to engage tribal governments, NGOs, or we taxpaying local residents, who appear to be wholly and utterly taken for granted.

The County must remain involved in the permitting and approval process for mining projects. It cannot abdicate its role, and the ability for its citizens to have a say in the process. The County can, and should, retain its ability to adopt and enforce rules stronger than the minimum required by the state. The County needs to ensure that residents learn about and have the opportunity to be involved in the approval process for mining projects. We must ensure that projects located on federal lands within San Bernardino County continue to have strong environmental protections to protect not only our natural resources, but the health and well being of our residents. The County must safeguard its ability to have a role in approval of these projects, and the ability of us - your constituents - to have a say in them as well. Any other outcome is unacceptable.

Sincerely,
Steve Brown

--

Steve Brown
Journalist/Historian/Media Producer
Sun Runner Media
Joshua Tree, California
(760)820-1222 (voice/text)
Watch:

<https://southweststories.us>

Listen to the Area 62 podcast:

<https://www.area62podcast.com>



From: [Angella d'Avignon](#)
To: [Planning Commission Comments](#)
Cc: [DeNinno, Amy](#); [Walsh, Dan](#); [Macias, Ivonne](#)
Subject: Re: Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 7:16:43 PM
Attachments: [image001.png](#)

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My additional comment below:

As a Yucca Valley resident and journalist concerned with the future of the Morongo Basin we are all privileged to share and enjoy, I urge the Commission to ensure that any updates to the County's surface mining ordinance maintain strong environmental review, meaningful public participation, and local oversight for mining projects on federal lands and throughout unincorporated San Bernardino County.

Our desert ecosystems are unique and fragile. Mining can permanently affect wildlife habitat, water resources, air quality, scenic landscapes, and cultural resources. Species such as the desert tortoise and bighorn sheep depend on these public lands, and once these landscapes are disturbed, they cannot truly be restored.

While this ordinance is presented as an update to align the County Code with the Surface Mining and Reclamation Act, I ask that the County not treat this as merely an administrative exercise. Any changes affecting permitting, vested rights, federal lands, or reclamation should preserve rigorous environmental review, transparency, and opportunities for public input. Residents deserve confidence that mining proposals will continue to receive careful scrutiny before approval.

These public lands belong to all of us. Their long-term ecological, recreational, and cultural value should not be outweighed by short-term private interests. I respectfully ask you to ensure that this ordinance maintains the strongest possible protections for our public lands, wildlife, and communities and does not weaken environmental safeguards or public oversight in any way.

Thank you for your consideration,
Angella d'Avignon

On Wed, Jul 8, 2026 at 6:15 PM Macias, Ivonne <Ivonne.Macias@lus.sbcounty.gov> wrote:

Yes, you may submit an additional comment.

Kind Regards,

Ivonne Macias

Junior Planner
Land Use Services

Planning Division
Phone: 909-387-3020

385 N. Arrowhead Ave, 1st Floor

San Bernardino, CA, 92415



Our job is to create a county in which those who reside and invest can prosper and achieve well-being.

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From: Angella d'Avignon <angellachristine@gmail.com>
Sent: Wednesday, July 8, 2026 5:59 PM
To: Macias, Ivonne <Ivonne.Macias@lus.sbcounty.gov>
Cc: DeNinno, Amy <Amy.DeNinno@lus.sbcounty.gov>; Walsh, Dan <Dan.Walsh@lus.sbcounty.gov>
Subject: Re: Agenda Item 3, PMISC-2026-00029

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Is it possible to rescind this comment in order to make another? I have a more specific comment I'd like to make. Thank you for your consideration.

On Wed, Jul 8, 2026 at 5:44 PM Macias, Ivonne <Ivonne.Macias@lus.sbcounty.gov> wrote:

Hello,

Thank you, the comment has been received and will be provided to the commissioners for their consideration.

Kind Regards,

Land Use Services

Planning Division
385 N. Arrowhead Ave, 1st Floor
San Bernardino, CA, 92415



Our job is to create a county in which those who reside and invest can prosper and achieve well-being.

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From: Angella d'Avignon <angellachristine@gmail.com>
Sent: Wednesday, July 8, 2026 4:18 PM
To: Planning Commission Comments <PlanningCommissionComments@lus.sbcounty.gov>
Subject: Agenda Item 3, PMISC-2026-00029

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As a Yucca Valley resident and journalist concerned with the future of the Morongo Basin we are all privileged to share and enjoy, I strongly oppose allowing Dateline Resources to resume mining at Colosseum Mine. This project threatens a unique desert ecosystem, putting native wildlife, including sensitive species like desert tortoises and bighorn sheep, at greater risk through habitat destruction, increased traffic, noise, and pollution.

The impacts extend beyond wildlife. Local communities depend on clean air, clean water, and protected public lands for recreation, tourism, and their quality of life. Industrial mining jeopardizes these shared resources while offering short-term benefits that do not outweigh the long-term environmental costs.

Most importantly, this is public preserved land that belongs to all of us—not a place to sacrifice for private mining interests. These lands were set aside to protect irreplaceable natural and cultural resources for current and future generations. Once these landscapes are disturbed, they cannot truly be restored.

Please protect our public lands, wildlife, and local communities by rejecting any proposal that would allow Dateline Resources to expand or resume mining at Colosseum Mine.

Thank you for your time and consideration,

Angella d'Avignon

--

Angella d'Avignon

heyangella.com

@heyangella

she/her

--

Angella d'Avignon

heyangella.com

@heyangella

she/her

--

Angella d'Avignon
heyangella.com
@heyangella
she/her

From: [Melissa Stratton](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 5:52:29 PM

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Respectfully, Melissa Stratton

From: [Kathleen Volner](#)
To: [Planning Commission Comments](#)
Subject: The Music Valley rare earth mine
Date: Wednesday, July 8, 2026 5:59:18 PM

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This email is to let you know that you must not give up your right to permits..

“County Moves to Give Up Local Permitting for Mines on Federal Land”

if a mining company gets a green light from a federal agency like the Bureau of Land Management, it would no longer need a County permit for the work on that federal land. This gives area residents much less recourse to challenge mining operations that directly affect them.

PLEASE DO NOT GIVE UP THOSE RIGHTS. They want to destroy the land next to Joshua tree national Park. This cannot happen. That destruction of the land is permanent and it's the only thing that's good about the Morongo basin how it is. It's just the land. So much of it has already been destroyed. The ecological damage makes living here much more difficult than it was even 10 years ago because of higher particulates in the air.

Donald Trump will only be in office a few more years. The damage done to this land is permanent. We know he wants to give a foreign nation right to come and dig and destroy and mine on our delicate desert land. Please don't let this happen. Do not allow this to go through.

Thank You!

Kathleen Rutherford
Morongo Basin

From: [Nicholas Brown](#)
To: [Planning Commission Comments](#)
Subject: Agenda Item 3 (Project No. PMISC-2026-00029)
Date: Wednesday, July 8, 2026 6:25:09 PM

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I'm writing to request clarification on why the planning commission plans to relinquish local authority over our public lands to the federal government.

For obvious reasons, this is a big problem for me as a resident of the rural high desert. The federal government should not have veto power over the voices of local residents, nor should the county roll over for the feds (and a foreign mining company) in this pitiful and obsequious way.

I would also like to know why it's tucked last minute into tomorrow's agenda, so the public has next to no time to discuss the reasoning behind this significant change.

Yours,
Nicholas Brown

From: [Jeanette Henry Brown](#)
To: [Planning Commission Comments](#)
Subject: Item 3
Date: Wednesday, July 8, 2026 6:39:50 PM

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I oppose any approval of mining projects that skip the county permitting process. There are imperative reasons to secure permits. All mining projects must go through the proper process for approval from the county.

From: [Dana Balicki](#)
To: [Planning Commission Comments](#)
Subject: Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 6:49:37 PM

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I'm a full-time resident of Yucca Valley for the past 11 years. It's concerning enough that a private Australia-based company now has mining claims totaling roughly 19,380 acres — some within 100 feet of Joshua Tree National Park — a project that could deplete scarce water, generate toxic waste, add heavy truck traffic, and threaten the desert tortoise.

That would be scary enough, but the additional county's proposed change to county law around mining projects is outrageous!

This supposed administrative-only change gives us area residents much less recourse to challenge mining operations that directly affect us. California law generally requires mining projects, including those on federal public land, to go through county permitting, a process meant to study and minimize impacts on air, water, wildlife, and neighbors. That would effectively be eliminated. Also, there is no mention in the county staff report detailing this change of outreach to local residents, tribes, or conservation groups. It sure looks like in the stakeholder engagement for this proposal, the county only talked to the mining industry, and not us local residents. Because federal requirements are weaker than California's this means new mining projects will be approved without the public's knowledge, and with serious impacts to our treasured public lands, air, and water.

All of this as a U.S. Senate budget-reconciliation proposal has floated auctioning off tens of thousands of acres of BLM public land across the Morongo Basin including Wonder Valley, Desert Heights, and parcels near Joshua Tree's Section 6. This raises the prospect of far more private development and extraction on land that is public today!

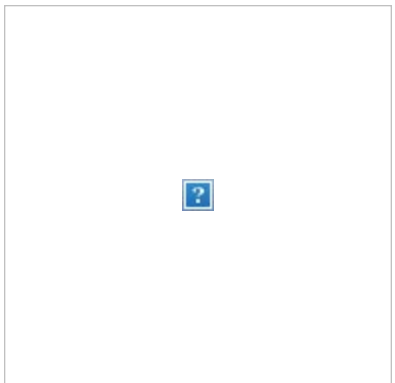
We need you to stand for public engagement and public lands but giving this more time for public review and input on a countywide change at this scale and scope.

There are also important questions you all should be answering (without us having to ask!):

- If the County stops requiring permits for mining on federally approved public land, and federal environmental review is less rigorous than California's, how will impacts to local air, water, and wildlife be studied and mitigated?
- Will nearby residents still learn about and get a chance to comment on new mining projects on public land, or could those projects advance without local notice?
- Why did the County stakeholder outreach engage the mining industry's trade association but, per the staff report, no local residents, tribes, or conservation groups?
- Given that the ordinance's own language allows the County to adopt rules stronger than the state minimum, why does the proposal decline to do so anywhere?

Give this issue more time and more transparency and more public engagement!

Thank you,
Dana Balicki
Yucca Valley resident
92284



d a n a b a l i c k i {she/her}
transformational coach, community-care worker, slowdown medicine guide, podcast host
[crying in my jacuzzi podcast](#)
[aliveness is calling](#)
[free grounding meditation](#)
[we belong to each other](#)

From: [Aubree Wells](#)
To: [Planning Commission Comments](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 7:21:49 PM

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Respectfully,

Aubree Wells

From: [David DeMeglio](#)
To: [Planning Commission Comments](#)
Subject: Open pit mining
Date: Wednesday, July 8, 2026 7:29:59 PM

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Definitely not
This should never be approved

Sent from my iPhone

From: evertdebbie@yahoo.com
To: [Planning Commission Comments](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 7:37:47 PM

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Respectfully,
Debra Evert

From: [Tex Evert](#)
To: [Planning Commission Comments](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 7:39:15 PM

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Respectfully,
Tex Evert

From: [Emilee Mae](#)
To: [Planning Commission Comments](#)
Subject: Urgent Community Member Comments On Agenda 3
Date: Wednesday, July 8, 2026 7:48:30 PM

You don't often get email from emileemae.bb@gmail.com. [Learn why this is important](#)

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Hello San Bernadino County Planning Commission,

My name is Emily Klump. I am a full time resident in Twentynine Palms and go to Wonder Valley often to enjoy the serene nature and beauty of the open desert. I'm so incredibly angry, saddened, and scared to hear that this conversation is up in the air on skipping permitting for mining on federal land to any company, let alone foreign ones.

I am referring to the decision being made tomorrow for this agenda: Section 88.03.040(b), Federal Lands: "A Permit shall not be required for those portions of surface mining operations that require and obtain a federally approved plan of operation, or other federal authorization, to conduct surface mining operation."

To me this decision, no matter how anyone feels about right or left, or for or against it, is deeply and truly un-American at its core. The land they are mining on is an ENDANGERED tortoise habitat, and the desert flora and fauna are already seeing struggles with the changing climate. The lack of environmental awareness in a national park and protected area is frankly alarming and appalling. Allowing this would open up a Pandora's box in the future for corporations to take over this wild open space we call home. Any environmentalist would agree. Have you even considered consulting professionals? No, of course not, because corporate greed is your main goal, as you've made so clear with previous decisions and complete disregard for public opinion. We have seen with the colosseum mine expansion, these corporations do not care about how much they take and how little they give back.

I do not trust federal review with these decisions based on how the government has favored profit over conservation in the recent past. These decisions should go through our county where professionals who represent it know the land, live here, and respect it.

Please don't give up on the small desert communities for a check, we are begging for consideration and care in this process. Frankly I'm disappointed you've been ignoring us for this long already. Please make the right decision and don't allow them to do anything without going through proper procedures so we can protect and conserve the land we live on. Do better and be a better representative of local government that cares about the communities real priorities.

Thank you for listening,
Emily a community member that cares about the environment and for the health and stability of our sacred land.

From: [Nicholas McElroy](#)
To: [Planning Commission Comments](#)
Subject: July 9th meeting line item #3
Date: Wednesday, July 8, 2026 8:31:16 PM

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Dear San Bernardino County Planning Commission,

I am writing with concerns about Project No. PMISC-2026-00029, which would bypass local authority over Federally approved mining projects. This action is dismissive of the very real impacts local mining projects would have on SB county residents. I believe it is essential that local residents are considered stakeholders and given ample resources to examine, approve, or deny these proposals.

I recommend that Project No. PMISC-2026-00029 be scrutinized for its potential negative impact on local resident's involvement with projects. While federal land is everyone's, local federal land is most important to those in its vicinity and who value it as a local resource. We need to maintain a voice in this process and it's the county's job to make that happen.

Thank you,
Nicholas McElroy, MA, MSW
58929 Lutz Ave
Landers CA
92285

From: [Friends of Morongo Valley](#)
To: [Planning Commission Comments](#)
Subject: Public Comment – Agenda Item #3 (PMISC-2026-00029) – Friends of Morongo Valley
Date: Wednesday, July 8, 2026 8:33:19 PM

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Dear Chair and Members of the Planning Commission:

On behalf of Friends of Morongo Valley, we respectfully submit these comments regarding Agenda Item #3, the proposed amendments to Chapter 88.03 of the San Bernardino County Development Code regarding surface mining and land reclamation.

We recognize the importance of coordination between County, State, and federal agencies, and we understand that the intent of the proposed amendment may be to improve efficiency and avoid unnecessary duplication where another agency provides equivalent review and oversight. However, projects located partly on federally managed lands and partly within County jurisdiction do not necessarily involve duplicative permitting. Separate approvals may reflect separate agency responsibilities. The County should ensure that streamlining does not unintentionally create regulatory loopholes or reduce local participation.

San Bernardino County is unique. Many rural communities are surrounded by federal public lands, and projects involving those lands can directly affect nearby residents, infrastructure, emergency services, scenic resources, cultural resources, recreation, wildlife habitat, and quality of life. Federal agencies operate under different statutory mandates, while Planning Commissioners and elected representatives understand and represent their communities. Without clarifying language, the proposed amendment could unintentionally create a regulatory gap for mining operations spanning multiple jurisdictions. Federal authorization of activities on public lands should not eliminate County permitting authority for private lands. Such an outcome could remove local review, public hearings, locally enforceable conditions, appeal rights, and opportunities for residents to raise concerns before decision-makers accountable to affected communities.

We respectfully request that the Planning Commission continue this item for additional public review or direct staff to revise the ordinance language to clearly preserve County authority and public participation opportunities before forwarding a recommendation to the Board of Supervisors.

Thank you for your consideration.

Respectfully,

Sara Fernandez
President
Friends of Morongo Valley

From: [Karen McKendrick](#)
To: [Planning Commission Comments](#)
Subject: AGAINST the ordinance to repeal and reenact Chapter 88.03 of the San Bernardino County Development Code
Date: Wednesday, July 8, 2026 8:42:11 PM

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Dear Chair and Members of the Planning Commission:

I have great concerns regarding Agenda Item #3, the proposed amendments to Chapter 88.03 of the San Bernardino County Development Code regarding surface mining and land reclamation. I worry that the proposed amendment could allow mining operations to operate without clear regulations and oversight. The proposed amendment also might disenfranchise local communities and create a situation where there is no accountability.

I respectfully request that the Planning Commission clarify the ordinance language to preserve County authority and public review and participation opportunities before forwarding a recommendation to the Board of Supervisors.

Sincerely,

Karen McKendrick

Morongo Valley CA 92256

From: [CRR](#)
To: [Planning Commission Comments](#)
Subject: Agenda Item 3, PMISC-2026-00029-Public Comment
Date: Wednesday, July 8, 2026 9:24:45 PM

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To Whom It May Concern,

We are full-time residents of Joshua Tree and our family has been living here for almost 20 years. We are writing to voice our opposition to the repealing and rewriting of Chapter 88.03 of the County Development Code. Bypassing community input and removing county permitting authority over federally approved mining projects in a time when the federal government is gutting environmental regulations and fast-tracking development is totally unacceptable. You would be effectively eliminating our right to have a say about the impact of development projects on our air and water quality, the local wildlife, and our neighborhoods.

There are tens of thousands of acres in the Morongo Basin area (Wonder Valley, Desert Heights, Section 6 in Joshua Tree) all under potential threat of sale and development through the BLM. This decision you are considering would effectively end any community say about what happens in the place we live and the place that almost 3,000,000 people visit annually because of its pristine, beloved landscape.

Please stand with your constituents.

Thank you,
Kelly & Christopher Cole

From: [Shannon Downey](#)
To: [Planning Commission Comments](#)
Subject: Re: Agenda Item 3 (Project No. PMISC-2026-00029)
Date: Wednesday, July 8, 2026 9:35:01 PM

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Dear Planning Commission,

I'm writing to provide public comment regarding the proposed rule change which will allow waiving of State regulations in order to allow for unregulated mining in sensitive desert areas, even within 100 feet of Joshua Tree National Park. Below is a summary of the issues, concerns and questions for the planning commission pertaining to this highly unethical "administrative" change which will allow for unmitigated mining projects in our desert with minimum public input. While the rule change was proposed in 2023, the public was not notified or considered in the decision making process which is highly unethical. At a time when our public lands are under attack in an unprecedented manner, this move is unacceptable. These are our public lands and they should not be sold off to be destroyed by foreign or domestic mining companies!!

Summary of Issues:

Agenda Item 3 (Project No. PMISC-2026-00029) is proposing repeal and rewrite of Chapter 88.03 of the County Development Code, the County's local rules for surface mining and land reclamation. County staff have the audacity to describe this change as a routine "administrative update" to bring the 2007-era rules in line with California's Surface Mining and Reclamation Act (SMARA).

Under the proposed new Section 88.03.040(b):

"A Permit shall not be required for those portions of surface mining operations that require and obtain a federally approved plan of operation, or other federal authorization."

Under this proposed rule change, if a mining company gets a green light from a federal agency like the Bureau of Land Management (BLM), it would no longer need a County permit for the work on that federal land. This gives area residents much less recourse to challenge mining operations that directly affect them.

California law generally requires mining projects, including those on federal public land, to go through county permitting, a process meant to study and minimize impacts on air, water, wildlife, and neighbors. The National Parks Conservation Association (NPCA) warns that the county's proposed change would surrender that local check precisely where it matters most:

Because federal requirements are weaker than California's this means new mining projects will be approved without the public's knowledge, and with serious impacts to our treasured public lands, air, and water.

No public input when planning to adopt rewrite of state regulations pertaining to mining:

Repeal and Rewrite of Chapter 88.03 of the County Development Code was done without public comment and in coordination with stakeholders who stand to benefit from waiving of more stringent state laws:

"An initial stakeholder meeting occurred on November 13, 2023, where County staff provided a presentation informing stakeholders of proposed updates to Chapter 88.03. Stakeholders included local mining operators and the California Construction and Industrial Materials Association (CalCIMA). County staff received comments from the mining operators requesting that CalCIMA coordinate with the County throughout the process to ensure the updates are comprehensive and incorporate all applicable changes to SMARA."

There is no evidence in the staff report of outreach to local residents, tribes, or conservation groups. NPCA's concern is blunt: "in its stakeholder engagement for this proposal, the county only talked to the mining industry, and not local residents."

Opening Pandora's Box with Public Lands:

- In February 2026, the Australian company Dateline Resources announced its "Music Valley" rare-earth project in the Pinto Mountains south of Twentynine Palms. The Bureau of Land Management (BLM) confirmed the company filed 969 mining claims totaling roughly 19,380 acres — some within 100 feet of Joshua Tree National Park. Environmental advocates warn the project could deplete scarce water, generate toxic waste, add heavy truck traffic, and threaten the desert tortoise.
- Meanwhile, a U.S. Senate budget-reconciliation proposal has floated auctioning off tens of thousands of acres of BLM public land across the Morongo Basin including Wonder Valley, Desert Heights, and parcels near Joshua Tree's Section 6. This raises the prospect of far more private development and extraction on land that is public today.

Outstanding questions for the Planning Commission:

- Mining by a foreign entity in sensitive desert areas without environmental reviews should not even be a consideration! Who benefits if a foreign entity mines on Public lands?
- Who stands to benefit from the proposed regulation changes?
- Who is receiving monetary compensation for destruction of precious natural resources?
- Will the planning commission provide an explanation as to why the public was not consulted when the planning commission met with "stakeholders" on November 13, 2023?
- The public was given a very limited window to provide comment or protest and this deal was crafted in secret. A moratorium must be entered in order to allow for public comment.

Thank you for your consideration,
Shannon Erskin, M.Sp.Ed.

From: [Brandon Sward](#)
To: [Planning Commission Comments](#)
Subject: Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 9:36:17 PM

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As a resident of Los Angeles County, I urge the Commission to ensure that any updates to the County's surface mining ordinance maintain strong environmental review, meaningful public participation, and local oversight for mining projects on federal lands and throughout unincorporated San Bernardino County.

Our desert ecosystems are unique and fragile. Mining can permanently affect wildlife habitat, water resources, air quality, scenic landscapes, and cultural resources. Species such as the desert tortoise and bighorn sheep depend on these public lands, and once these landscapes are disturbed, they cannot truly be restored.

While this ordinance is presented as an update to align the County Code with the Surface Mining and Reclamation Act, I ask that the County not treat this as merely an administrative exercise. Any changes affecting permitting, vested rights, federal lands, or reclamation should preserve rigorous environmental review, transparency, and opportunities for public input. Residents deserve confidence that mining proposals will continue to receive careful scrutiny before approval.

These public lands belong to all of us. Their long-term ecological, recreational, and cultural value should not be outweighed by short-term private interests. I respectfully ask you to ensure that this ordinance maintains the strongest possible protections for our public lands, wildlife, and communities and does not weaken environmental safeguards or public oversight in any way.

Brandon Sward

--

Brandon Sward
Writer

■ [+1 719 433 3948](tel:+17194333948)
■ brandonssward@gmail.com
■ www.brandonsward.com



From: [Zoe Koke](#)
To: [Planning Commission Comments](#)
Subject: Surface Mining Ordinance
Date: Wednesday, July 8, 2026 9:42:11 PM

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To whom this may concern,

As a resident of Wonder Valley in San Bernardino County, I encourage the Commission to ensure that any revisions to the County's surface mining ordinance continue to uphold robust environmental review, meaningful opportunities for public participation, and strong local oversight of mining activities on federal lands and across unincorporated San Bernardino County.

The desert is an irreplaceable and sensitive environment. Mining operations can cause lasting impacts to wildlife habitat, water supplies, air quality, scenic vistas, and cultural resources. Species including the desert tortoise and bighorn sheep rely on these public lands, and once these natural landscapes are altered, their ecological integrity cannot be fully recovered.

Although this ordinance is described as an effort to bring the County Code into alignment with the Surface Mining and Reclamation Act, I urge the County to view this process as more than a technical update. Any revisions related to permitting, vested rights, mining on federal lands, or reclamation standards should retain thorough environmental review, open decision-making, and meaningful opportunities for community involvement. Residents should be assured that mining proposals will continue to undergo careful evaluation before any approvals are granted.

Our public lands are a shared resource that should be managed for the benefit of current and future generations. Their ecological, recreational, and cultural importance should not be compromised by short-term private gain. I respectfully ask the Commission to adopt an ordinance that preserves the strongest possible protections for our public lands, wildlife, and local communities while maintaining rigorous environmental safeguards and meaningful public oversight.

-Zoe Koke

Z.K
323.573.3507
zoekoke.com

From: [Kimberly Brower Keilbach](#)
To: [Planning Commission Comments](#)
Subject: Agenda Item #3 (Project No. PMISC-2026-00029)
Date: Wednesday, July 8, 2026 9:52:36 PM

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To Whom It May Concern:

I have recently learned that the County is proposing a new Section 88.03.040(b) of the San Bernardino County Development Code related to surface mining and land reclamation, which would essentially eliminate our community's ability to provide local oversight and involvement in the permitting process of surface mining operations.

While I applaud the attempt to streamline bureaucratic processes to make them more effective and efficient, I worry that this effort could create loopholes in the permitting process that would create serious unintended environmental and economic problems for local communities.

San Bernardino County is unique in that many of our communities are surrounded by federal public lands. Projects on those lands can have significant impacts on nearby residents, roads, emergency services, scenic and cultural resources, recreation, wildlife habitat, and overall quality of life.

Federal agencies have a different focus with different responsibilities than the County. BLM employees, for example, are responsible for balancing the overall health, diversity, and productivity of public lands on a broad level, covering vastly different geographic and biological ecosystems. County officials, on the other hand, are responsible for balancing the day-to-day needs of our local communities by managing regional infrastructure, public health, and enforcement issues including zoning laws, building codes, and safety ordinances that take our specific ecosystems into account.

As currently written, the proposed changes to the County Development Code have the potential to create a gap in oversight for mining projects. If that happens, local review, public hearings, enforceable County conditions, appeal rights, and opportunities for residents to share their concerns with local decision-makers could be lost.

I urge the Planning Commission to reject Agenda Item #3 (Project No. PMISC-2026-00029) completely or at least to revise the verbiage so it clearly preserves the County's permitting authority and protects opportunities for public participation before sending it to the Board of Supervisors.

Sincerely,

Kimberly Keilbach

Morongo Valley, CA

From: [Abigail Stewart](#)
To: [Planning Commission Comments](#)
Subject: Regarding Local Permitting for Mines on Federal Land
Date: Wednesday, July 8, 2026 10:16:04 PM

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Good evening,

I am a resident of Twentynine Palms, California and I am writing in prior to tomorrow's Planning Commission meeting to voice my concern for and opposition to Agenda Item 3, PMISC-2026-00029.

Please consider the effects of mining on local communities. The current federal free-for-all should not give leeway to foreign mining investors who will not provide the care and stewardship our BLM land deserves.

Thank you for your time,
Abigail Stewart

From: [Kathleen Mitchell](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
Subject: Public Comment on Agenda Item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 10:18:32 PM

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Good Afternoon:

Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029.

I am asking the Planning Commission to continue Agenda Item 3 and not recommend adoption as-is. This ordinance does not directly approve the Lone Pine Canyon quarry, but it rewrites the County's mining procedures while Lone Pine Canyon is an active and controversial issue. The County should explain how this ordinance affects pending or vested-rights mining operations, disclose all mining operator and CalCIMA input, conduct broader outreach to affected communities, and require public notice and public review for any mining-related decision that could affect roads, grading, drainage, slopes, traffic, blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety.

I would like to see a side-by-side comparison of what is the current practice and how this new ordinance would change procedures and results.

I would also like to know exactly how this would change the process with the Lone Pine Canyon proposed mine.

I ask that SB County prioritizes keeping the citizens fully informed about mining and give them a voice in Agenda item 3

Respectfully,

Kathleen Mitchell
Wrightwood Resident

From: [Crystal Wysong](#)
To: [Planning Commission Comments](#)
Subject: Regarding Item 3 on the agenda for 7/9/2026 meeting
Date: Wednesday, July 8, 2026 10:34:06 PM

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To whom it may concern:

No change should be made and this item should be continued to give the public more time to review and comment.

I only heard about this today, the day before the meeting. Could a better way be developed to inform the public about items coming up for a vote?

Thank you!

Crystal Wysong
Joshua Tree

Sent from my iPhone

From: [Janice](#)
To: [Planning Commission Comments](#)
Date: Wednesday, July 8, 2026 11:09:08 PM

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This is in regarss to agenda #3.An ordinance to repeal and reenact Chapter 88.03 of the San Bernardino County Development Code related to local surface mining.

As a resident of the desert that you are making this huge decision to allow mining adjacent to Joshua National Park and basically in my back yard, I totally object!
I do not believe you are giving enough time to let local people absorb what this means for our community!

You sit in San Bernardino and have no regard to our small communities and the impact that this kind of mining will have on our environment or health.

I wonder who is this going to benefit , not us,we will be left with the destruction and pollution.

Please reconsider. At least fully educate the local communities and have a fair process.

This issue should be a local one, with local town halls, with time to address this fully and honestly!

It makes me sad to think that someone is probably being bought off by big business. Is this even an American company. We need more facts and discussion.

Give us more information instead of voting for something that will for ever change this beautiful desert and environment.

This is so short sited, and makes me wonder what is next??? Data Center? I do not see the people with the power in San Bernardino caring about the communities of 29 Palms, Joshua Tree, or Yucca Valley.

Please reconsider allowing this to pass!

Sincerely.

Janice Morrow
Yucca Valley, Ca

From: babyjean@protonmail.com
To: [Planning Commission Comments](#)
Subject: Vehemently oppose item 3, PMISC-2026-00029
Date: Wednesday, July 8, 2026 11:43:23 PM

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I am very opposed to changing our law to allow mining in California specifically item this provides no environmental reviews and no public say. We live here and should have a say in what goes on in our county. It is undemocratic and corrupt to bypass the people that live here and subject us to much weaker protections and no input.

Please reject the rewriting of our laws that take away our right to make decisions about our land, health and environment.

Please do not sell us out.

Respectfully,

Ronnie Perry-Tiner

From: [Katie Rock](#)
To: [Planning Commission Comments](#)
Cc: [COB - Internet E-Mail](#); [Board Meeting Comments](#); [LUS - Customer Service](#); [Supervisor Cook](#); [Supervisor Armendarez](#); [Supervisor Rowe](#); [Supervisor Hagman](#); [Supervisor Baca](#)
Subject: Comment on Agenda Item 3, PMISC-2026-00029.
Date: Wednesday, July 8, 2026 11:53:43 PM

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To Whom It May Concern,

Please include this comment in the official record for the July 9, 2026 Planning Commission hearing, Agenda Item 3, PMISC-2026-00029:

I am asking the Planning Commission to continue Agenda Item 3 and not recommend adoption as-is. This ordinance does not directly approve the Lone Pine Canyon quarry, but it rewrites the County's mining procedures while Lone Pine Canyon is an active and controversial issue. The County should explain how this ordinance affects pending or vested-rights mining operations, disclose all mining operator and CalCIMA input, conduct broader outreach to affected communities, and require public notice and public review for any mining-related decision that could affect roads, grading, drainage, slopes, traffic, blasting, crushing, water quality, fire risk, visual impacts, habitat, or public safety.

Respectfully,
Katie Rock
Wrightwood Resident

From: [David Rubinstein](#)
To: [Planning Commission Comments](#)
Subject: July 9, 2026 - Agenda Item 3
Date: Thursday, July 9, 2026 5:44:50 AM

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I strongly ask that you recommend rejecting the rewrite of Chapter 88.03 of the County Development Code.

Those of us that live near the currently proposed mining operations, and inevitable future mining proposals, count on our representatives to look out for the interests of your constituents. By giving up the ability to approve projects - mining or otherwise - that happen in our community you are giving up the ability to represent and protect your constituents, and your communities.

Just because a federal agency has approved a project, does not mean that it is actually in the best interest of the citizens who live here.

If this rewrite were to be accepted the people who would be directly impacted by these mining operations would have less of a voice in how these businesses operate in our communities.

Without requiring planning commission approval, projects can be approved without the public's knowledge, and without having any say over the impact these projects might have to our local businesses, public lands, air and water.

I have very little confidence that the federal government really cares that the Joshua Tree area remains a beautiful tourist destination, or that the local businesses that count on tourism thrive, or that those of us on wells have clean drinking water, or any other other impacts that these projects might have.

Just because these are on federal lands doesn't mean that they don't impact those of us that live nearby. And honestly, the fact that, as I understand it, this was drafted with lots of input from the mining industry, and little or no input from the community makes it feel like we're being sold to the highest bidder.

We are counting on you to protect the voices of the citizens of San Bernardino County so that we can continue to have a voice in the ways in which our communities change and grow.

Thank you,

David Rubinstein