



# LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

**HEARING DATE: January 23, 2020**

**AGENDA ITEM #2**

**Project Description**

**Vicinity Map -**

**APN:** 0336-101-15  
**Applicant:** Church of the Woods  
**Community:** Rim Forest/2<sup>nd</sup> Supervisorial District  
**Location:** North side of State Route 18, west of Daley Canyon Road  
**Project No:** P201700270/CUP  
**Staff:** Tom Nieves  
**Rep:** Patrick Hopkins  
**Proposal:** Conditional Use Permit to construct a religious facility consisting of a 27,364 square-foot, two-story Youth Center/ Gymnasium, recreational facilities, sports field, 41,037 square-foot, two-story assembly building with a maximum seating capacity of 600, and a 1,500 square-foot, two-story maintenance/ caretaker unit in two phases on a 13.6-acre portion of a 27.12-acre site.



**285 Hearing Notices Sent on : January 10, 2020**

Report Prepared By: Tom Nieves, Contract Planner

**SITE INFORMATION:**

Parcel Size: Approximately 27.12 acres  
 Terrain: Mountainous  
 Vegetation: Evergreen forest

**TABLE 1 – SITE AND SURROUNDING LAND USES AND ZONING:**

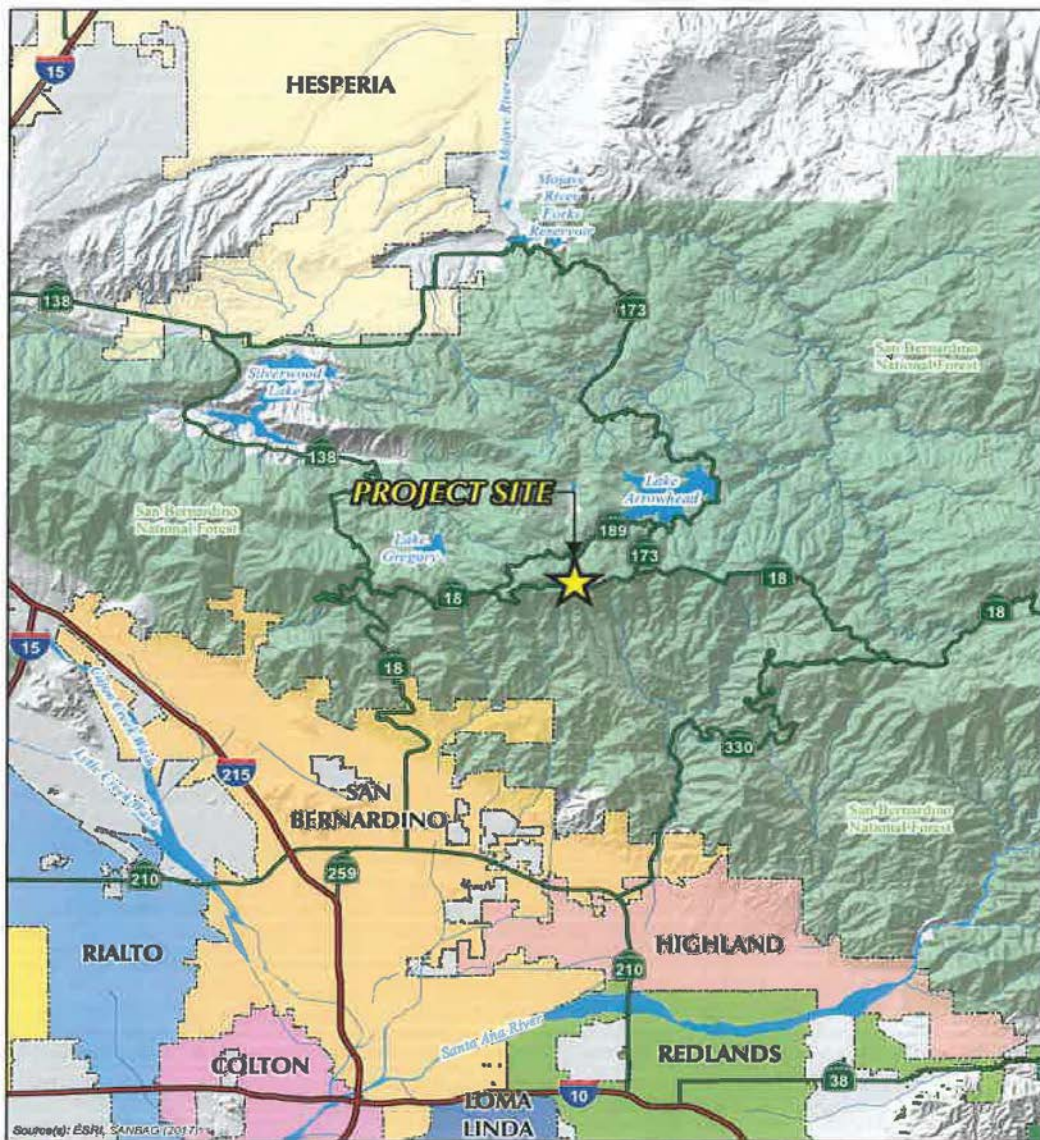
AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT
SITE	Vacant	Community Industrial (IC)
North	Vacant, Govt. Land	Resource Conservation (RC)
South	Vacant	Resource Conservation (RC), Single Residential (RS)
East	Campground, Govt. Land, Rim of the World High School	Resource Conservation (RC)
West	Single Residential	Single Residential – 14,000 sq. ft. min. lot size (RS-14M) Office Commercial (CO)

	<u>Agency</u>	<u>Comment</u>
City Sphere of Influence:	N/A	N/A
Water Service:	Crestline/Lake Arrowhead Water Agency	Public water system
Sewer Service:	Lake Arrowhead CSD	Sewer system

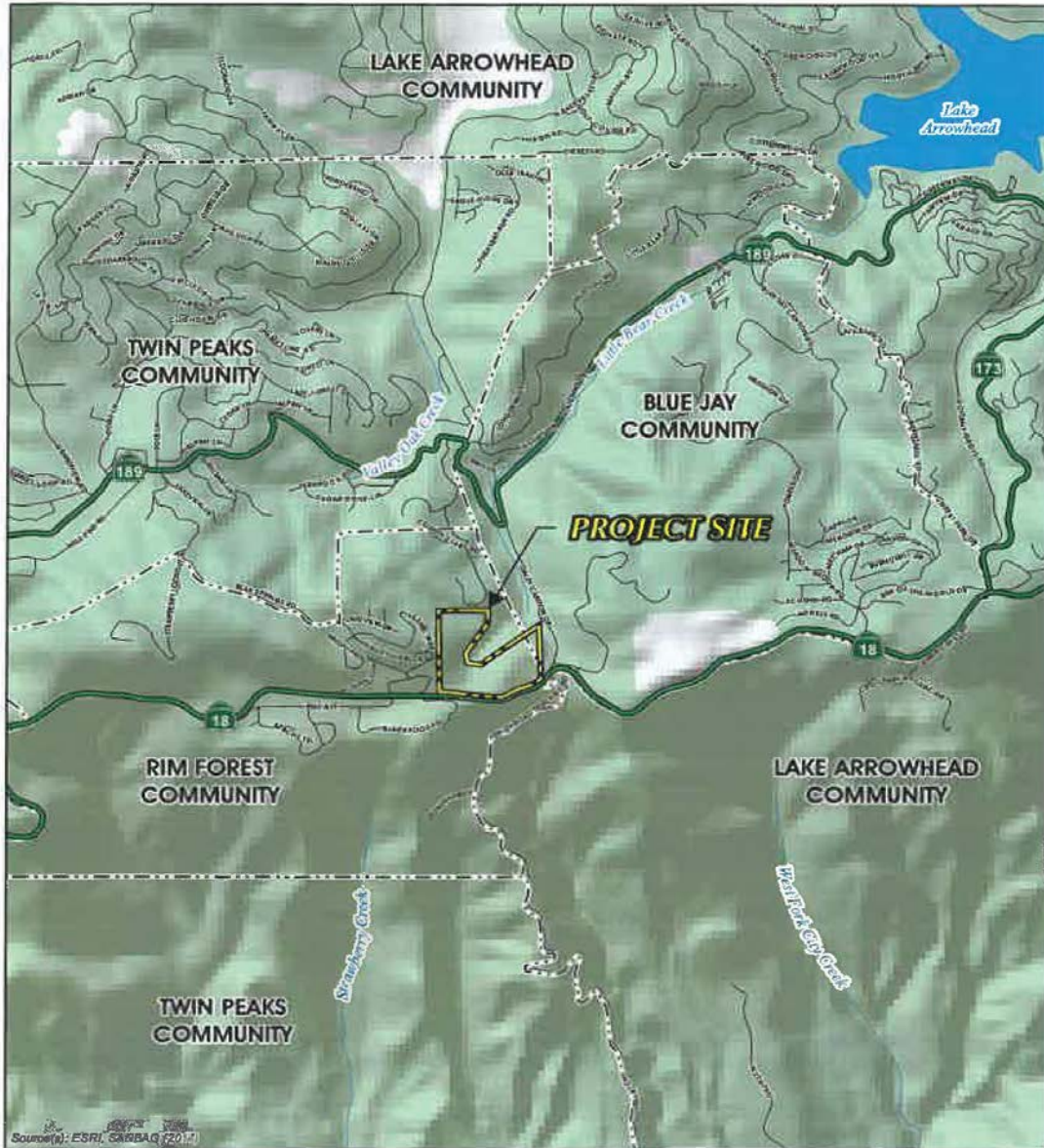
**STAFF RECOMMENDATION:** That the Planning Commission **CERTIFY** the Environmental Impact Report (SCH No. 2004031114), **ADOPT** the CEQA Findings of Fact and Statement of Overriding Considerations, **ADOPT** the Mitigation Monitoring/Reporting Program, **APPROVE** the Conditional Use Permit subject to the Conditions of Approval, **ADOPT** the Conditional Use Permit and Findings, and **DIRECT** staff to file a Notice of Determination.<sup>1</sup>

<sup>1</sup> In accordance with Section 86.08.010 of the Development Code, the Planning Commission action may be appealed to the Board of Supervisors

## EXHIBIT 1 – REGIONAL LOCATION



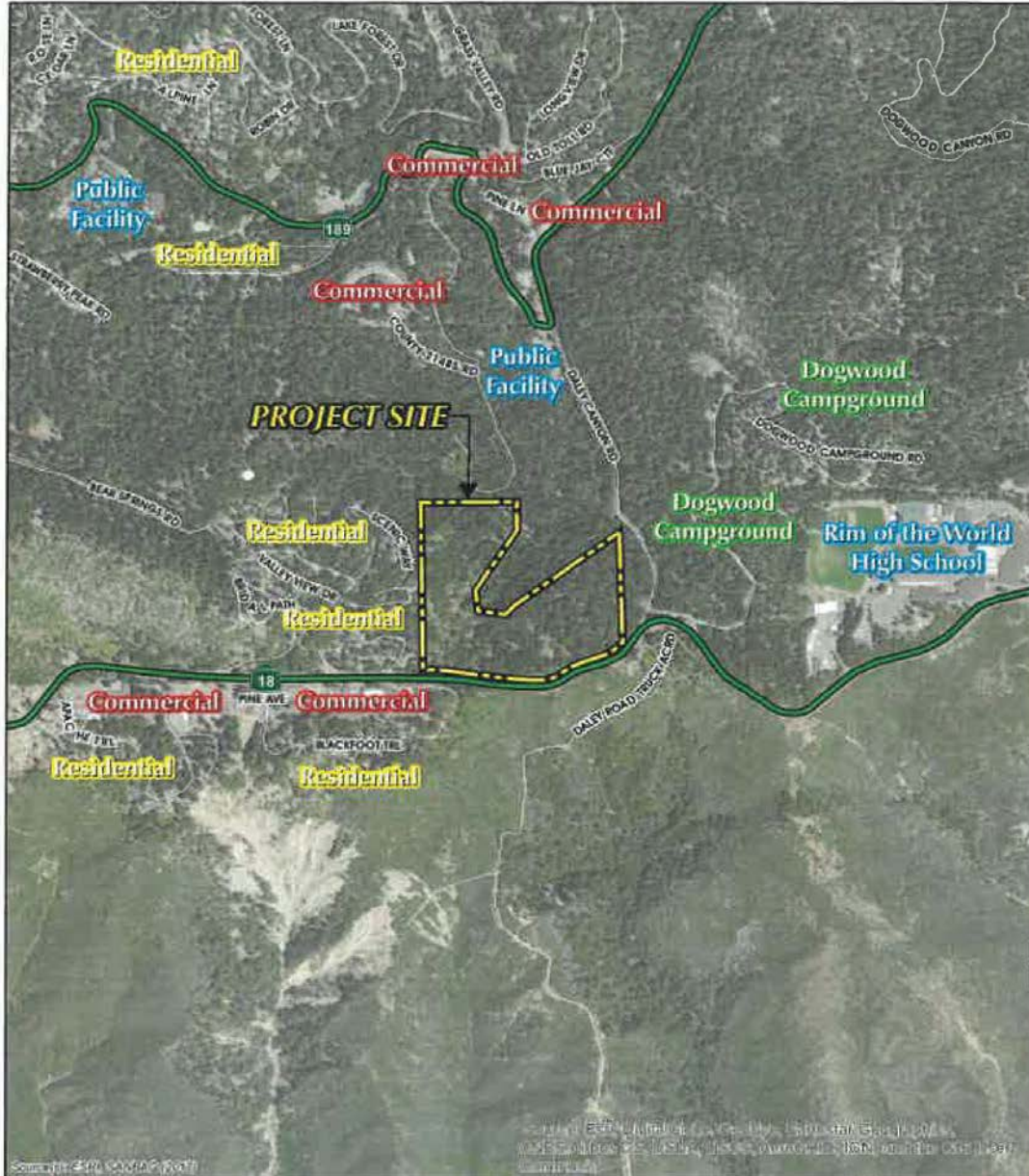
## EXHIBIT 2 - VICINITY MAP



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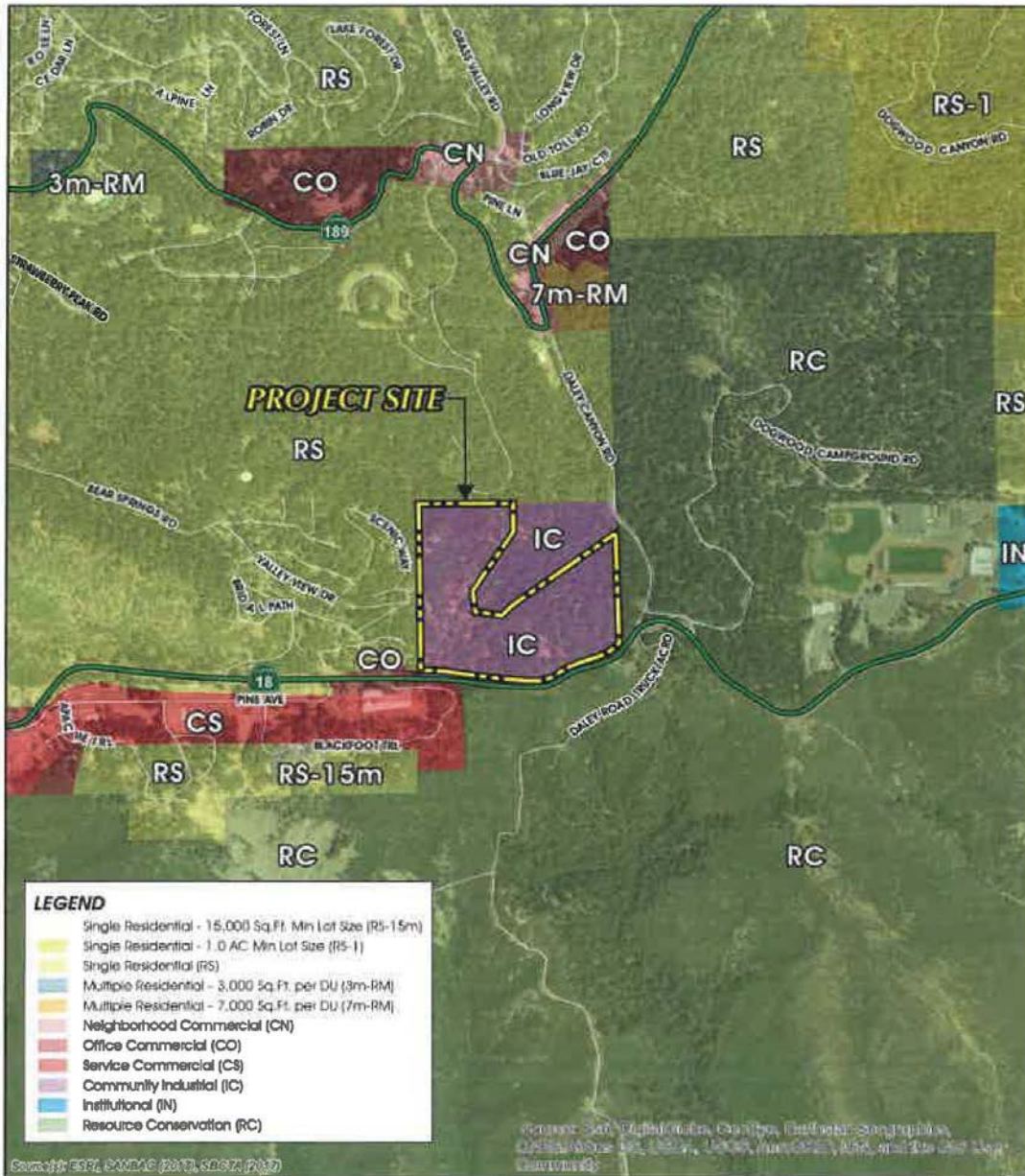
**EXHIBIT 3 – PROJECT SITE: SURROUNDING LAND USES**



**EXHIBIT 4 – PROJECT SITE: AERIAL VIEW**

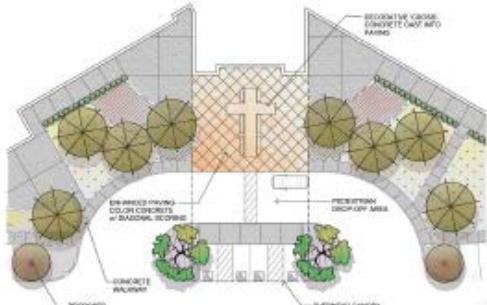


## EXHIBIT 5 – GENERAL PLAN/ZONING DESIGNATIONS





## EXHIBIT 7 – CONCEPTUAL LANDSCAPE PLAN



**FACILITY ENTRY ENLARGEMENT**  
SCALE: 1" = 20'-0"





**EXHIBIT 8 – SITE PHOTOGRAPHS**



**LOOKING NORTHEAST ALONG STATE ROUTE 18 AT WEST END OF PROJECT**

**EXHIBIT 9 – SITE PHOTOGRAPHS**



**LOOKING EAST ALONG STATE ROUTE 18 AT MIDDLE OF PROJECT**

**EXHIBIT 10 – SITE PHOTOGRAPHS**



**LOOKING WEST ALONG STATE ROUTE 18**

## **PROJECT DESCRIPTION:**

Church of the Woods, a nonprofit corporation (Applicant), requests approval of a Conditional Use Permit (CUP) to construct and operate a religious facility comprised of a 27,364 square-foot, two-story Youth Center/Gymnasium (combined gymnasium and auditorium), recreational facilities, sports field, 41,037 square-foot, two-story assembly building with a maximum seating capacity of 600, and a 1,500 square-foot, two-story maintenance/caretaker unit to be developed in two phases on a 13.6-acre portion of a 27.12-acre site (Project). The Project site is located on the north side of State Route 18, west of Daley Canyon Road and east of the Rimforest residential community. The overall site plan is attached as Exhibit A.

## **PROJECT BACKGROUND:**

In 2003, a project of significantly larger scope, including a school, was proposed (Original Project). After approval of the Original Project by the Planning Commission on May 20, 2004, which included adoption of a Mitigated Negative Declaration, an appeal to the Board of Supervisors (Board) was filed by a consortium of environmental groups.<sup>1</sup> The Board never decided the merits of the appeal on the Original Project. Instead, in September 2004, the Applicant submitted a smaller project without the school, and opted for the County to prepare an Environmental Impact Report (EIR). After the circulation of the Draft EIR in 2010 and issuance of the Final EIR in 2011, the County took no further action on the Project, pending further discussions with the Applicant. Based on the conclusions and the comments received in response to the Draft EIR, the Applicant submitted a revised CUP application, further reducing the size and scope of the Original Project in order to address some of the significant impacts identified in the Draft EIR. Due to the lapse in time and change in existing conditions from the 2010 Draft EIR and the 2011 Final EIR, the County determined that a Draft Revised EIR was necessary for consideration of the Project as currently proposed.

## **PROJECT ANALYSIS:**

### **Conditional Use Permit**

Site Planning: The Applicant proposes to construct parking, access improvements, perimeter fencing and church facilities over the 27.12-acre site. The site design includes a traffic signal at the main entry on State Route 18, as well as emergency access and circulation on-site to ensure that fire protection can be provided.

General Plan Consistency: Several San Bernardino County General Plan (General Plan) and Lake Arrowhead Community Plan Goals and Policies apply to development of the Project site. These policies address issues such as land use, public services and utilities, water quality, fire safety, conservation, air quality, traffic and circulation, drainage and flood control. The Project is consistent with the General Plan and the Lake Arrowhead Community Plan, as discussed in the findings for approval of the CUP in Exhibit B.

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<sup>1</sup> Center for Biological Diversity, San Bernardino Valley Audubon Society, Save Our Forest Association, Sierra Club Mountains Group of the San Gorgonio Chapter.

Code Compliance Summary: The Project site is located in the Community Industrial (IC) District. Places of worship are a permitted use within the IC District subject to County approval of a CUP. The Project design complies with the development standards set forth in the San Bernardino County Development Code (Development Code) including minimum lot size and dimensions, setbacks, floor area ratio, lot coverage and height limits. Findings for approval of the CUP are attached as Exhibit B.

## **California Environmental Quality Act Compliance**

On February 14, 2005, a Notice of Preparation (NOP) was distributed by the County as the lead agency, by which appropriate public agencies and the public were advised that a Draft EIR was being prepared and to invite comments on the scope and content of the document. A Draft EIR (Exhibit C) was prepared and circulated for public review and comment in 2010, and the original Final EIR (Exhibit D) prepared in 2011.

As a result of new information provided, the County prepared a Draft Revised EIR pursuant to CEQA Guidelines Section 15088.5(a). The decision to prepare and recirculate a revised environmental document was based on the following factors:

- The need to reevaluate existing conditions in that approximately eight years had elapsed since the circulation of the 2010 Draft EIR;
- The County Public Works Department had acquired a portion of the Project site and undertaken the Rimforest Storm Drain project on and adjacent to the portion of the Project site acquired. The Rimforest Storm Drain project was subject to an independent CEQA review and the EIR (SCH No. 2015051070) was certified by the Board on May 23, 2017; and
- Other revisions and modifications to the now-reduced Project site plan needed to be evaluated.

The Draft Revised EIR (SCH 2004031114) (Exhibit E) includes an in-depth evaluation of environmental resource areas and other CEQA-mandated issues (e.g., cumulative impacts, growth-inducing impacts, project alternatives and impacts that are less than significant). The Draft Revised EIR is supported by updated technical appendices which are attached (together with the NOP and public comments) as Exhibit F.

The Draft Revised EIR identified areas of concern where there is the potential that the Project will result in unavoidable significant adverse impacts. These include cumulative impacts to biological resources, noise impacts, transportation/circulation and land use. Additionally, comments were received by the County in response to the NOP and at the scoping meeting, as well as comments received following the original EIR circulation in 2010. Issues and concerns raised involved grading and landslides, traffic, water supply and water quality, loss of trees and wildlife, fire hazards and evacuation, air quality, and visual impacts to scenic highways.

The County released the Draft Revised EIR to the public on January 10, 2019, for a 45-day review ending on February 25, 2019. During the public review period, the Draft Revised EIR was available for review on the County's website. In addition, hard copies were available at the County Land Use Services Department, Planning Division at 385 North Arrowhead Avenue, San Bernardino, CA 92415 and various other locations identified in Section 1.8 of the Draft Revised EIR.

Comments received on the Draft Revised EIR and subsequent errata have been incorporated into the Final EIR (Exhibit G). The following are summaries of topics/issues of significant concern addressed in the EIR<sup>2</sup>:

### Aesthetics

In response to concerns regarding aesthetics and visual impacts on the surrounding community, the size and scale of the Project and the area of proposed ground disturbance have been reduced from the original application. Impacts to scenic resources are discussed in detail in Section 3.A of the Draft Revised EIR. Exhibits that illustrate existing vs. simulated Project site views are included in this section. While the proposed Project will certainly be visible to the surrounding community, the Project would not result in significant impacts to scenic vistas or scenic resources, nor substantially degrade the existing visual character or quality of the Project site.

### Air Quality

The analysis of impacts to air quality, found in Section 3.B of the Draft Revised EIR, focuses on two distinct aspects of the life of the Project, i.e. temporary short-term construction and long-term operation. As discussed in Section 3.B of the Draft Revised EIR, the proposed Project will not exceed air quality thresholds during the construction or operation phases of the Project and, through compliance with County and South Coast Air Quality Management District (SCAQMD) standards, regulations and design requirements, impacts would be less than significant.

### Biological Resources

Section 3.C of the Draft Revised EIR describes the results of resource surveys conducted on the Project site and discusses the potential impacts to species including southern rubber boa, California spotted owl, and San Bernardino flying squirrel, and associated habitat. Although mitigation measures are proposed to reduce impacts, the cumulative impacts to these species remain significant and unavoidable.

### Fire Protection

Section 3.E of the Draft Revised EIR describes the fire protection features, Project design and compliance with all applicable fire hazard regulations to reduce impacts to a

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<sup>2</sup> The Notice of Preparation, Notice of Availability, Notice of Completion, the Draft Revised EIR, technical studies attached as Appendices to the Draft Revised EIR, the Final EIR and the MMRP are hereafter referred to collectively herein as the EIR.

less-than-significant level. Specifically, the Project incorporates fuel modification and development standards to comply with the requirements of the Development Code.

### Geology and Soils

Section 3.D of the Draft Revised EIR provides the analysis and technical data regarding the Project site, the grading proposed and the potential for landslides. Mitigation measures require that a Project-specific geotechnical investigation be prepared to fully evaluate potential landslide hazards and determine any remedial measures that should be incorporated in grading design prior to issuance of a grading permit. The analysis and implementation of expert recommendations will ensure that Project impacts will be less than significant.

### Land Use

The Project is consistent with the applicable land use policies of the County General Plan and the Lake Arrowhead Community Plan. By preserving 50% of the Project site as natural open space, providing extensive mountain-appropriate landscaping and establishing a less intensive land use than would otherwise be permitted under the IC land use designation, the Project will be compatible with surrounding land uses. The Project will also provide a space for public assembly to meet the needs of the community. As discussed in the Transportation/Circulation summary below as well as in Draft Revised EIR Section 3.I, the Project would result in direct and cumulatively significant impacts to the Project area roadways. Mitigation measures are incorporated in the EIR to require traffic and road improvements consistent with roadway level of service (LOS) policies in the General Plan.

### Noise

Section 3.H of the Draft Revised EIR addresses the expected impacts associated with the noise generated by the construction and operation of the proposed Project. Mitigation measures have been proposed but the temporary impacts during construction remain significant and unavoidable.

### Transportation/Circulation

As noted above, Section 3.I of the Draft Revised EIR discusses the circulation system in the Project area, Project impacts to LOS and mitigation measures required to reduce impacts to traffic and circulation conditions. The analysis determines that the Project will result in significant and unavoidable impacts to several intersections within the Project's traffic study area. Mitigation measures will require the Applicant to install traffic improvements and pay fair-share fees to the California Department of Transportation (CalTrans) for use in the construction of other improvements. Since there is no guarantee that CalTrans improvements will be constructed in a timeframe that would achieve level of service (LOS) targets with Project implementation, the Draft Revised EIR concludes that the Project traffic impacts would be significant and unavoidable.

### Water Quality and Water Service

Section 3.F of the Draft Revised EIR addresses hydrology, water supply and water quality issues based on information and data provided in analyses located in Appendices I-1 and I-2 of the Draft Revised EIR; indicating that sufficient water supplies exist to serve the proposed Project. Crestline-Lake Arrowhead Water Agency (CLAWA) has issued a Will Serve letter to the Applicant indicating that the agency can provide the Project with sufficient water supplies. Additionally, the Project will comply with water quality standards and waste discharge requirements resulting in impacts that are less than significant.

### **PUBLIC COMMENTS:**

Project notices were sent to surrounding property owners whose boundaries are within 700 feet of the Project site, as required by Development Code Section 85.03.080. A Notice of Availability of the Draft Revised EIR was sent to surrounding property owners and responsible agencies, as part of the CEQA process. As noted, in response to the Project notices, over two hundred comment letters and emails (included in the Final EIR, Exhibit G) were received from residents, organizations and responsible agencies that reflected the issues and concerns identified via the Scoping Meeting. Responses to Comments are attached as part of the Final EIR, Exhibit G.

### **SUMMARY:**

All potentially significant environmental impacts resulting from the construction and operation of the proposed Project can be mitigated to a less-than-significant level with the exception of cumulative impacts to biological resources, temporary impacts associated with noise during construction and direct impacts to transportation/circulation and land use. The unavoidable adverse impacts require a Statement of Overriding Considerations to establish that the benefits of the Project outweigh the adverse impacts. The proposed specific Findings of Fact and Statement of Overriding Considerations are included in Exhibit H. In determining whether or not to approve the proposed Project, the Planning Commission must balance the economic, social, technological, and other Project benefits against its unavoidable environmental risks. Generally, the Project benefits include the provision of facilities available to local public and private organizations including meeting rooms, classrooms, and recreational facilities. Public Resources Code Section 21081.6 also requires lead agencies to adopt a Mitigation Monitoring and Reporting Program (MMRP) (Exhibit I) to describe measures that have been adopted or included as conditions of project approval in order to mitigate or avoid significant effects on the environment. The Project's proposed Conditions of Approval are attached as Exhibit J.



## RECOMMENDATION:

That the Planning Commission:

1. **CERTIFY** the Final Environmental Impact Report (SCH No. 2004031114) (collectively, Exhibits C, D, E, F, and I);
2. **ADOPT** the CEQA Findings of Fact and Statement of Overriding Considerations (Exhibit H);
3. **ADOPT** the Mitigation Monitoring and Reporting Program (Exhibit I);
4. **ADOPT** the recommended Findings for approval of the Conditional Use Permit (Exhibit B);
5. **APPROVE** the Conditional Use Permit for the construction and operation of a religious facility, subject to the recommended Conditions of Approval (Exhibit J);
6. **DIRECT** staff to file the Notice of Determination.

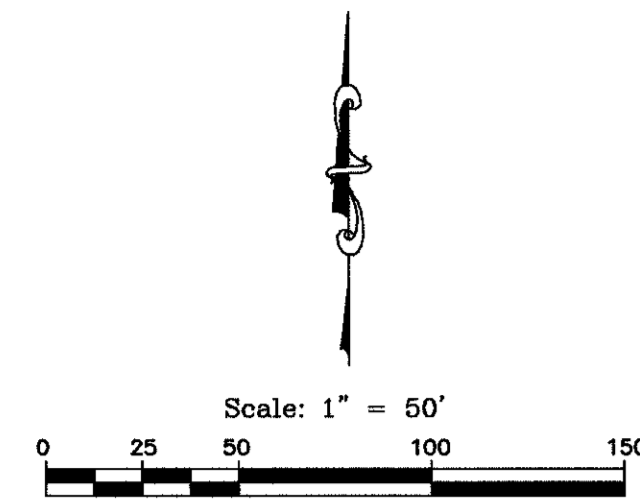
## ATTACHMENTS:

- EXHIBIT A: Overall Site Plan  
EXHIBIT B: Findings – Conditional Use Permit  
EXHIBIT C: Draft Environmental Impact Report (SCH No. 2004031114)  
<http://cms.sbcounty.gov/lus/Planning/Environmental/Mountain.aspx> (Church of the Woods Draft EIR, April 2010)  
EXHIBIT D: Final Environmental Impact Report (SCH No. 2004031114)  
<http://cms.sbcounty.gov/lus/Planning/Environmental/Mountain.aspx> (Church of the Woods Final EIR, June 2011)  
EXHIBIT E: Draft Revised Environmental Impact Report (SCH No. 2004031114)  
<http://cms.sbcounty.gov/lus/Planning/Environmental/Mountain.aspx> (Church of the Woods Draft Revised EIR, January 3, 2019)  
EXHIBIT F: EIR Technical Appendices, including NOP and Public Comments Received  
<http://cms.sbcounty.gov/lus/Planning/Environmental/Mountain.aspx> (Church of the Woods Appendices)  
EXHIBIT G: Final Environmental Impact Report (SCH No. 2004031114), Responses to Comments  
<http://cms.sbcounty.gov/lus/Planning/Environmental/Mountain.aspx> (Church of the Woods Final EIR, January 10, 2020)  
EXHIBIT H: CEQA Findings and Statements of Overriding Consideration  
EXHIBIT I: Mitigation Monitoring Reporting Program  
EXHIBIT J: Conditions of Approval  
EXHIBIT K: Correspondence

# **EXHIBIT A**

## **Overall Site Plan**

# CHURCH OF THE WOODS CONDITIONAL USE PERMIT SITE PLAN & PRELIMINARY GRADING



- NOTES:**
- RECORD OWNER: CHURCH OF THE WOODS, A CALIFORNIA CORPORATION; P.O. BOX 2000; LAKE ARROWHEAD, CA; 92352; 909-337-5483.
  - PUBLIC UTILITIES ARE AS FOLLOWS:
    - WATER: CRESTLINE LAKE ARROWHEAD WATER AGENCY; P.O. BOX 3880; CRESTLINE, CA. 92325; 909-338-1775
    - SEWER: LAKE ARROWHEAD COMMUNITY SERVICES DIST; P. O. BOX 789; LAKE ARROWHEAD, CA 92352; 909-337-8856
    - NATURAL GAS: SO. CAL. GAS CO.; P. O. BOX 6226; SAN BERNARDINO, CA; 909-889-9711
    - ELECTRIC: SO. CAL. EDISON CO.; P. O. BOX 96; RIM FOREST, CA; 92378; 909-337-2564
    - TELEPHONE: VERIZON; 1500 GRAFTON AVE.; MENTONE, CA; 92359; 909-793-7441
    - CABLE TV: FALCON CABLE; P. O. BOX 9; RIM FOREST, CA; 92378; 909-336-2457
  - THE CURRENT AND PROPOSED GENERAL PLAN USE DISTRICT IS L/V/C.
  - ENTRY SIGNS WILL BE SUBMITTED FOR REVIEW AT A LATER DATE.
  - ALL PARKING AREAS WILL BE SURFACED WITH ASPHALT. THE MINIMUM PARKING SPACE WILL BE 8'x18' TYPICAL.
  - TREES TO BE REMOVED ARE DISCUSSED IN THE FORESTERS REPORT PREPARED BY JOHN HATCHER DATED 3-25-03.

**PROJECT SUMMARY:**

**BUILDINGS**

**PHASE 1  
YOUTH CENTER GYMATORIUM.**

FIRST FLOOR	17,493 SF
SECOND FLOOR	8,579 SF
SNACK BAR	480 SF
<b>TOTAL SF:</b>	<b>26,552 SF</b>

**PHASE 2  
ASSEMBLY BUILDING - CHILDREN'S MINISTRY**

FIRST FLOOR	26,551 SF
SECOND FLOOR	13,783 SF
<b>TOTAL =</b>	<b>40,334 SF</b>

**MAINTENANCE BUILDING &  
CARETAKERS RESIDENCE**

FIRST FLOOR	1,050 SF
SECOND FLOOR	750 SF
STAIRS	145 SF
<b>TOTAL SF=</b>	<b>1,945 SF</b>
<b>TOTAL PH 2=</b>	<b>42,279 SF</b>

**PROJECT SUMMARY**

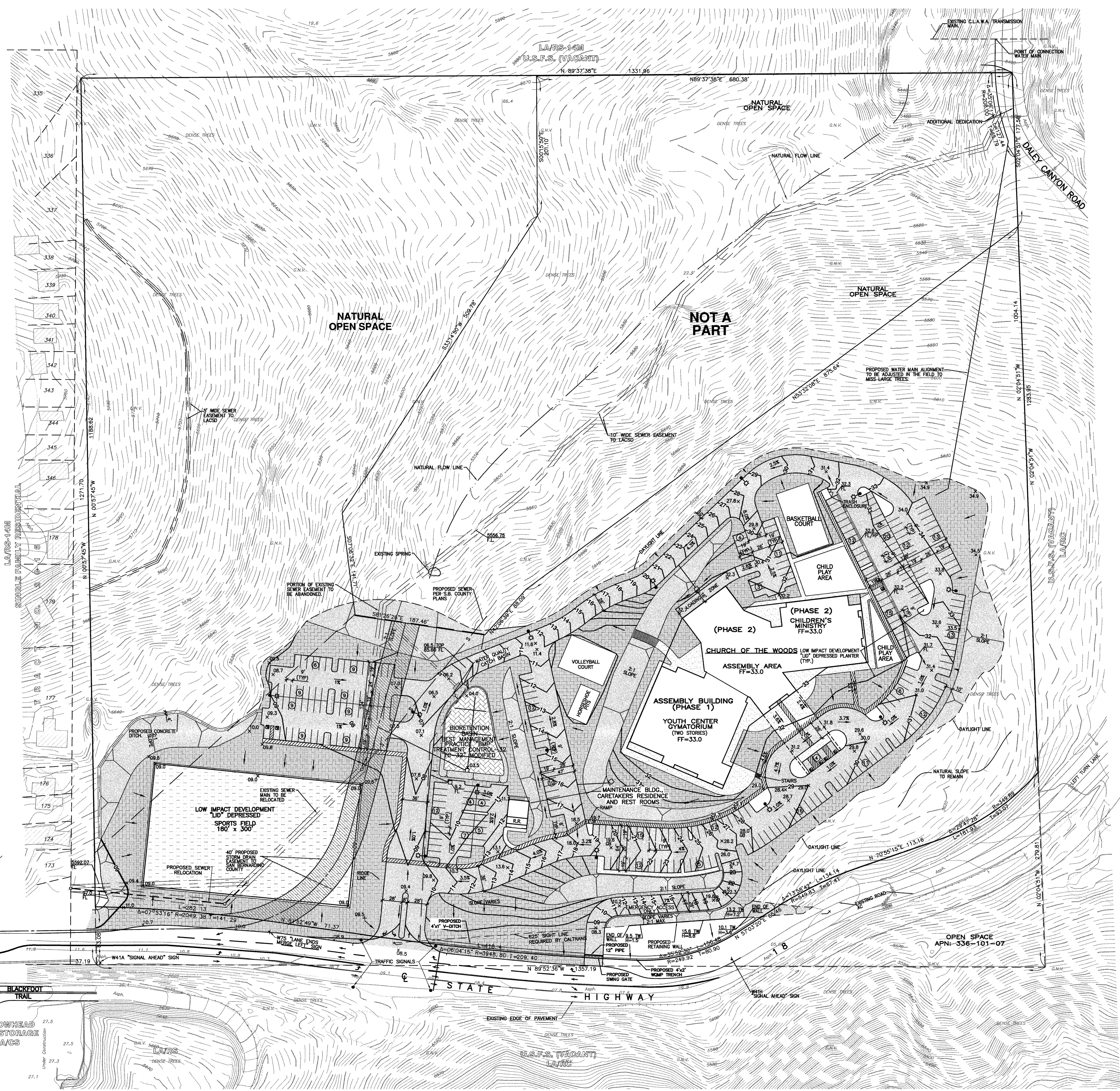
BUILDING COVERAGE (FOOTPRINT)	45,719 SF	3.9 %
DRIVEWAYS & PARKING	179,661 SF	15.1 %
CONCRETE WALKS & PATIOS	27,831 SF	2.3 %
CHILD PLAY AREA	6,645 SF	0.6 %
SPORTS COURTS	9,509 SF	0.8 %
SPORTS FIELD	54,000 SF	4.6 %
LANDSCAPE AREA	167,651 SF	14.1 %
LANDSCAPE SLOPES	65,839 SF	5.6 %
WATER QUALITY BASIN	9,628 SF	0.8 %
NATURAL AREA	618,325 SF	52.2 %
<b>TOTAL PROJECT= (27.22 ACRES)</b>	<b>1,185,908 SF</b>	<b>100.0 %</b>

**PARKING SUMMARY (8x19 TYPICAL)**

CHURCH OF THE WOODS (BUILD OUT)	REQUIRED	PROVIDED
600 SEATS (1 space for 3 seats)	200	311

**IMPROVEMENT NOTES:**

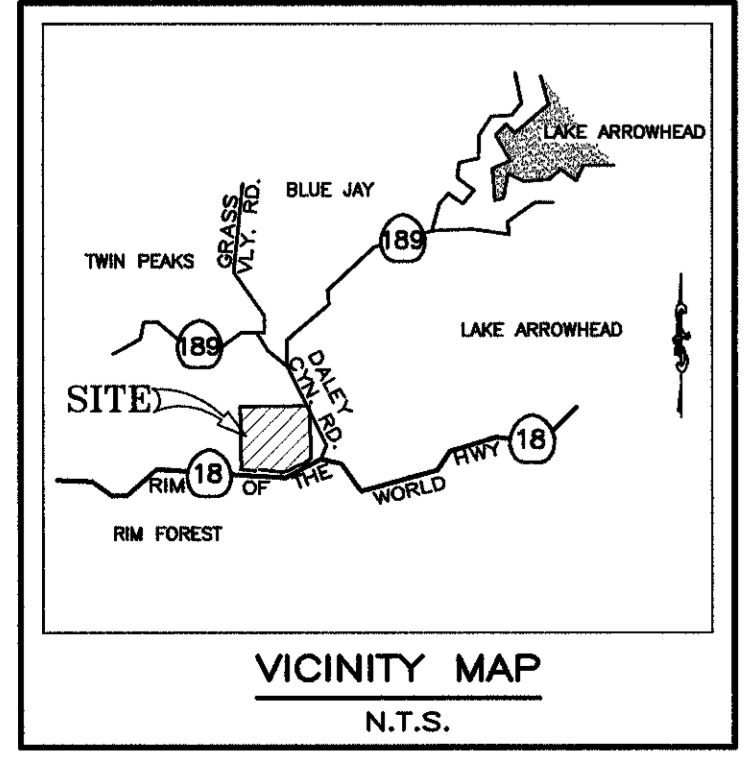
- DRIVE AISLES AND PARKING SPACES TO BE A.C. PAVEMENT AND BASE PER GEOTECHNICAL ENGINEERING RECOMMENDATIONS.
- ALL PAVED ACCESS AREAS TO BE BOARDED BY 6" CONCRETE CURB.
- SPORTS FIELD AND LANDSCAPE AREAS TO BE DEPRESSED AS PART OF STORM WATER RUNOFF MITIGATION PLAN.
- SEE WATER QUALITY MANAGEMENT PLAN FOR DETAILS ON MODIFIED BIORETENTION BASIN.
- BUILDINGS WITHIN CAMPUS ARE CONNECTED BY A.D.A. PATH OF TRAVEL. NO A.D.A. PATH OF TRAVEL IS PROVIDED TO ANY STATE HIGHWAYS BECAUSE PEDESTRIAN TRAFFIC IS NOT ALLOWED WITHIN STATE HIGHWAY RIGHT OF WAY.



- LEGEND:**
- INDICATES PLAY FIELD
  - INDICATES ORNAMENTAL LANDSCAPE
  - INDICATES SLOPE
  - INDICATES CONCRETE WALKWAY
  - INDICATES A.D.A. PATH OF TRAVEL
  - INDICATES DIRECTION OF FLOW
  - INDICATES FINISH FLOOR
  - INDICATES FINISH GRADE
  - INDICATES EXISTING CONTOURS
  - INDICATES PROPOSED CONTOURS
  - INDICATES LIGHT POLE

APN: 336-101-06  
CUP FOR 42,537 SF CHURCH FACILITIES

APPLICANT/  
OWNERS: CHURCH OF THE WOODS  
P.O. BOX 2000, LAKE ARROWHEAD  
CA 92352  
PHONE: 909-337-5483.



**LEGAL DESCRIPTION:**  
THE SE 1/4, NW 1/4, SECTION 29 T2N, R3W, S.B.M. COUNTY OF SAN BERNARDINO STATE OF CALIFORNIA.

PREPARED BY:  
**W.J. MCKEEVER, INC.**  
CIVIL ENGINEERING  
906 E. WASHINGTON STREET, SUITE 208  
COLTON, CALIFORNIA 92324  
TEL: (909) 825-8608  
FAX: (909) 825-8609

**REVISIONS**

4-23-13
3-14-17
3-28-17
4-14-17
4-24-17
8-26-19
1-3-20

REGISTERED PROFESSIONAL ENGINEER  
W.J. MCKEEVER, R.E.C. 22502  
1/9/20  
DATE

## **EXHIBIT B**

### **Findings – Conditional Use Permit**

**CONDITIONAL USE PERMIT FINDINGS:**

In regard to Conditional Use Permit (P201700270) to construct and operate a religious facility consisting of a 27,364 square-foot, two-story Youth Center/Gymnasium, recreational facilities, sports field, 41,037 square-foot, two-story assembly building with a maximum seating capacity of 600, and a 1,500 square-foot, two-story maintenance/caretaker unit in two phases on a 13.6-acre portion of a 27.12-acre site; (APN 0336-101-15)(Project):

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040, and supporting facts for the Project's Conditional Use Permit:

- 1. The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features pertaining to the application.** The approximately 27-acre Project site can accommodate the proposed Project. The Project is designed to incorporate all required improvements and facilities required by the Development Code, such as parking, internal vehicular circulation, drainage facilities, landscaping, lighting and loading areas. The Project site is located in the Community Industrial (IC) District, and the Project is compliant with the development standards set forth in the San Bernardino County Development Code (Development Code) including minimum lot size, lot dimensions, setbacks, floor area ratio, lot coverage and height limits
- 2. The site for the proposed use has adequate legal and physical access which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use.** The proposed Project would install an access driveway along the Project frontage with State Route 18 (SR-18) that would include a signalized intersection that would provide full-access into and out of the Project site. The Project would also widen SR-18 for approximately 300 feet easterly and westerly of the Project driveway to include an eastbound left-turn lane and westbound deceleration/acceleration lane. Additionally, an emergency access driveway would be installed along the Project's frontage with SR-18 to the east of the main Project driveway. The Project improvements would be designed in accordance with all applicable design and safety standards required by adopted fire codes, safety codes, and building codes established by the County's Engineering and Fire Departments as well as the California Department of Transportation (Caltrans).
- 3. The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance.** The Project will not generate excessive vibration, light, glare, odors or other disturbances to the existing community. Long-term Project operation will not generate excessive noise. However, the proposed Project will generate temporary and intermittent excessive noise during the construction phase. However, due to the intervening

topography and tree cover, views of construction activities from surrounding areas would be limited. Moreover, the Project is conditioned to comply with restrictions on days and hours of construction activities specified in Development Code Section 83.01.080(g) to limit the exposure of sensitive land uses in the Project area to construction noise. The incorporation of mitigation measures would limit the exposure of sensitive receptors to excessive noise levels to the extent feasible. A full assessment of the Project's effect on noise is discussed in Subsection 3.H of the Draft Revised Environmental Impact Report (DREIR) and incorporated herein by reference

The Project may also result in significant adverse impacts to levels of service at several intersections in the Project study area. Mitigation measures are recommended that identify specific improvements that would fully reduce, to a level below significance, the Project's impacts. As described in DREIR Subsection 3.I, Transportation and Circulation, with the installation of a traffic signal at the Project entrance and SR-18 and the installation of the off-site traffic signals partially funded by fair share contributions provided by the Project Applicant, the minimum levels of service (LOS) would be maintained on all study area intersections with the addition of Project-generated traffic. However, because the intersections that would be significantly impacted by Project traffic in the Existing Plus Project Scenario, Opening Year 2018 Scenario, Cumulative (2018) Scenario, and Year 2040 Scenario are under the jurisdiction of Caltrans, San Bernardino County cannot ensure the construction of improvements to State Highway facilities that may be needed to improve traffic flows at the impacted intersections. Furthermore, Caltrans does not have a funding mechanism in place to allow development projects to contribute a fair-share payment to contribute to future improvements and off-set cumulatively considerable traffic impacts. Although Mitigation Measure MM 3.I-2 was identified in DREIR Subsection 3.I, Transportation and Circulation, requiring the Project Applicant to make fair share fee contributions to Caltrans to fund improvements to State Highway facilities in the Project study area (in the event that Caltrans establishes a fair share funding program that is applicable to the Project), there is no assurance that planned improvements would be in place prior to the time that the Project begins to contribute traffic to the affected facilities. Accordingly, in the absence of such improvements, the proposed Project would contribute to non-Peak Hour and LOS deficiencies during Project operation that could resulting in a cumulatively considerable significant and unavoidable impact. A full assessment of the Project's effect traffic are discussed in Subsection 3.I of the DREIR and incorporated herein by reference.

- 4. The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the General Plan and any applicable community or specific plan.** The proposed CUP site plan, together with the provisions for its design and improvement are consistent with the County General Plan and the Lake Arrowhead Community Plan. The Project specifically implements the following goals and policies:

LU 1.1: Develop a well-integrated mix of residential, commercial, industrial, and public uses that meet the social and economic needs of the residents in the three regions of the County: Valley, Mountain, and Desert.

*Assessment: The Project provides new facilities in the Mountain region for worship services, as well as meeting and recreational facilities for local public and private organizations.*

M/LU 1.6: The density and character of development shall not detract from the beauty, character and quality of the residential alpine environment.

*Assessment: The Project has been designed to blend in with the natural environment to the maximum extent feasible to minimize detracting from the residential alpine environment. Approximately 50% of the Project site would be retained as natural open space. As detailed in DREIR Subsection 3.A, Aesthetics, landscaping along the western boundary (adjacent to residential uses) and SR-18 (a designated scenic highway), would include replacement trees and plant materials native to the alpine environment. The density and character of the proposed church and recreation uses would be more compatible with the residential alpine environment than the more intense industrial uses that could be developed on the Project site consistent with the existing applicable IC District.*

M/CI 1.1: The County shall ensure that all new development proposals do not degrade Levels of Service (LOS) on State Routes and Major Arterials below LOS C during non-peak hours or below LOS D during peak-hours in the Mountain Region.

*Assessment: As described in DREIR Subsection 3.I, Transportation and Circulation, with the installation of a traffic signal at the Project entrance and SR-18 and the installation of the off-site traffic signals partially funded by fair share contributions provided by the Project Applicant, the minimum levels of service (LOS) would be maintained on all study area intersections with the addition of Project-generated traffic. Accordingly, the Project is consistent with this Policy.*

LA/LU 1.5: All architecture and outside facades of commercial structures shall be in keeping with the mountain character. Natural woods and masonry shall be used as much as practicable, and shall be reviewed for conformance during the Land Use Services Conditional Use Permit approval process.

*Assessment: The proposed Project would utilize architectural treatments that blend in with and complement the surrounding natural environment. Furthermore, as part of the Conditional Use Permit approval process pursuant to Section 85.06.030 of the San Bernardino County Development Code, the County would review the design of the Project as shown in the architectural plans and landscape plans to ensure that the design of the Project complements the mountainous character of the surrounding area. Accordingly, the Project would not conflict with Policy LA/LU 1.5.*

LA/CI 1.1: Ensure that all new development proposals do not degrade Levels of Service (LOS) on State Routes and Major Arterials below LOS “C” during non-peak hours or below LOS “D” during peak-hours.

*Assessment: As described in DREIR Subsection 3.I, Transportation and Circulation, with the installation of a traffic signal at the Project entrance and SR-18 and the installation of off-site traffic signals partially funded by fair share contribution to the identified off-site intersection improvements, the minimum levels of service (LOS) would be maintained on all study area intersections with the addition of Project-generated traffic. Accordingly, this Project is consistent with this Policy.*

LA/OS 4.1: Where possible, require that open space areas set aside within individual developments be contiguous to natural areas adjacent to the site. Isolated open space areas within development shall be specifically discouraged, but may be accepted if no adjacent open space areas are available.

*Assessment: The Project would preserve approximately 50% of the Project site as natural open space along the northern areas of the site that are contiguous to undeveloped U.S. Forest Service land to the north. Therefore, the Project is consistent with this policy.*

- 5. There is supporting infrastructure, existing or available, consistent with the intensity of development, to accommodate the proposed development without significantly lowering service levels.** New public/infrastructure services required for the Project site, such as water, sewer, and storm drains can be readily extended from existing facilities. In addition, water supply would be available to meet the water and fire flow demands of the proposed Project, as analyzed in DREIR Subsection 3.F, Hydrology, Water Quality, and Water Supply, and DREIR Subsection 3.E, Hazards. As evaluated in the Project’s Initial Study (DREIR Technical Appendix A), development of the Project would not require an expansion of police or fire facilities or exceed the service capabilities of fire and police services. Therefore, the proposed Project can be fully supported by existing community infrastructure, including water, sewer, fire and police protection, communication services and facilities, electrical and natural gas.

The Project proposes to widen SR-18 for approximately 300 feet easterly and westerly of the Project driveway to include an eastbound left-turn lane and westbound deceleration/acceleration lane. The improvements the Project proposes to make to the SR-18 right-of-way (ROW) would be required to adhere to County standards. Additionally, DREIR Subsection 3.I, Transportation and Circulation, evaluates the Project’s potential impacts on affected circulation facilities, and imposes mitigation measures that would reduce Project-related impacts on such facilities to a level that is below significance.



6. **The lawful conditions stated in the approval are deemed reasonable and necessary to protect the public health, safety and general welfare.** Implementation of and compliance with the Conditions of Approval will ensure that the objectives of the Development Code to protect the overall public health, safety and general welfare will be achieved. These conditions are based on established legal requirements and are applicable to all similar projects. Consequently, they are considered reasonable and necessary to protect the public health, safety, and general welfare
  
7. **The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.** The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.

**ENVIRONMENTAL FINDINGS:**

The environmental findings, in accordance with Section 85.03.040 of the Development Code, are as follows:

Pursuant to provisions of the California Environmental Quality Act (CEQA) and the San Bernardino County Environmental Review guidelines, the above referenced Project has been adequately reviewed through an Environmental Impact Report (EIR). The EIR adequately describes the environmental impacts that will result from the proposed Project and reflects the County's independent judgment. The EIR has determined that all impacts will be less than significant with mitigation measures included, with the exception of cumulative impacts to biological resources, noise, transportation/circulation and land use. The unavoidable adverse impacts associated with biological resources, noise, transportation/circulation and land use require Statements of Overriding Consideration establishing that the benefits of the Project outweigh the adverse impacts. Appropriate mitigation measures have been incorporated into the Conditions of Approval and the Mitigation Monitoring and Reporting Program addressing all other impacts. This will ensure that all other impacts are reduced to a level of non-significance.

## EXHIBIT C

### Draft Environmental Impact Report (SCH No. 2004031114)

<http://cms.sbcounty.gov/lus/Planning/Environmental/Mountain.aspx>

(Church of the Woods Draft EIR, April 2010)

## **EXHIBIT D**

### **Final Environmental Impact Report (SCH No. 2004031114)**

<http://cms.sbcounty.gov/lus/Planning/Environmental/Mountain.aspx>

**(Church of the Woods Final EIR, June 2011)**

## **EXHIBIT E**

### **Draft Revised Environmental Impact Report (SCH No. 2004031114)**

**<http://cms.sbcounty.gov/lus/Planning/Environmental/Mountain.aspx>**

**(Church of the Woods Draft Revised EIR, January 3,  
2019)**

## **EXHIBIT F**

### **EIR Technical Appendices, including NOP and Public Comments Received**

<http://cms.sbcounty.gov/lus/Planning/Environmental/Mountain.aspx>

**(Church of the Woods Appendices)**

## **EXHIBIT G**

### **Final Environmental Impact Report (SCH No. 2004031114), Responses to Comments**

**<http://cms.sbcounty.gov/lus/Planning/Environmental/Mountain.aspx>**

**(Church of the Woods Final EIR, January 10, 2020)**

# **EXHIBIT H**

## **CEQA Findings and Statements of Overriding Consideration**

CALIFORNIA ENVIRONMENTAL QUALITY ACT  
FINDINGS OF FACT AND STATEMENT OF OVERRIDING  
CONSIDERATIONS

from the Environmental Impact Report  
for the  
Church of the Woods Project  
Rim Forest (San Bernardino County), CA  
SCH # 2004031114



## **I. INTRODUCTION**

The County of San Bernardino (the “County”), in approving the Church of the Woods Project (the “Project”), which requires a number of discretionary approvals as discussed within the Project Summary, makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings.

The Environmental Impact Report (“EIR”) was prepared by the County acting as lead agency pursuant to the California Environmental Quality Act (“CEQA”). Hereafter, the Notice of Preparation, Notice of Availability, Notice of Completion, the Draft Revised EIR, technical studies attached as Appendices to the Draft Revised EIR, the Final EIR, containing Responses to Comments and textual revisions to the Draft Revised EIR, and the Mitigation Monitoring and Reporting Program will be referred to collectively herein as the “EIR.”

These Findings are based on the entire record before the County, including the EIR. The County adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by the County.

## **II. PROJECT SUMMARY**

### **1. Site Location and Existing Conditions**

The proposed 27.12-acre Project site is located in northeast portion of the unincorporated community of Rimforest in the western portion of unincorporated San Bernardino County, California. The Project site is located immediately north of State Route 18 (SR-18), approximately 0.5 mile south of State Route 189 (SR-189) and approximately 1.2 miles west of State Route 173 (SR-173).

Furthermore, the Project site is located within the San Bernardino National Forest, a United States National Forest that encompasses about 823,816 acres of portions of the San Bernardino Mountains, San Jacinto Mountains, and Santa Rosa Mountains. Approximately 82% of the San Bernardino National Forest is federally-owned. The Project site is privately-owned and is located in the San Bernardino Mountains portion of the San Bernardino National Forest, situated immediately north of SR-18, east of Bear Springs Road, and west of Daley Canyon Road. The Project site lies within Section 29, Township 2 North, Range 3 West, Harrison Mountain Quadrangle. The Project site encompasses the Assessor’s Parcel Number (APN) 336-101-15.

The Project site is undeveloped and is characterized by gently rolling hills to steep mountain terrain that is largely covered by montane coniferous forest. The Project site includes a northeasterly trending valley that runs along the center of the Project site and falls to the northeast. Elevations across the Project site range from approximately 5,400 feet above mean sea level (amsl) at the northeast corner of the Project site to 5,740 feet amsl on the western edge of the Project site. A natural drainage course traverses the south-

central portion of the Project site that is planned to be controlled in a pipe in the future as part of the County Department of Public Works' Rimforest Storm Drain project, discussed in detail below. In the existing condition, an 8-inch subsurface sewer line traverses the Project site parallel to the existing drainage course. An abandoned groundwater well also exists on the southwest portion of the Project site.

## **2. Environmental Setting**

Pursuant to CEQA Guidelines Section 15125 (as revised in December 2018), the baseline environmental conditions for purposes of establishing the setting of an EIR is generally the environment as it existed at the time the EIR's Notice of Preparation (NOP) was circulated for public review. However, the CEQA Guidelines Section 15125 allow for the time that environmental analysis is commenced to be used as the baseline for environmental conditions when necessary to provide the most accurate picture practically possible of the project's impacts when supported by substantial evidence. The NOP for the Project's Draft EIR was released for public review on March 11, 2005. However, due to the length of time that passed between the publication of the NOP and the time that this Draft Revised EIR commenced preparation, the County determined that for purposes of analysis in this Draft Revised EIR, it is more appropriate that this Draft Revised EIR regard the baseline environmental conditions as those that existed at the Project site and in its vicinity in April 2017 when the Project Applicant submitted a revised CUP application to the County and the preparation of this Draft Revised EIR commenced.

Additionally, the Rimforest Storm Drain project Final EIR (SCH No. 2015051070) was published on March 2017 and certified by the County on May 23, 2017. As part of the Rimforest Storm Drain project, the County purchased approximately 10.0 acres of land that were previously included within the Project site for the purpose of installing drainage facilities that, when constructed, will address erosion and land sliding in the southern Rimforest community. Thus, the 10.0 acres previously included in the Project site (as described in the Draft EIR), and that are now associated with the Rimforest Storm Drain project, are no longer part of the Project site that is evaluated in this Draft Revised EIR. No legal challenges were filed on the Rimforest Storm Drain project Final EIR; thus, its Mitigation Monitoring and Reporting Program (MMRP) is adopted, legally binding, and expected to be implemented as described. The Rimforest Storm Drain project Final EIR is herein incorporated by reference pursuant to CEQA Guidelines Section 15150 and is available for public review at the physical location and website referenced in the Draft Revised EIR, Section 6.0, References.

For the reasons described above, deviation from the use of the March 2005 NOP date to a more recent date of April 2017 to establish the environmental baseline for purposes of evaluation in this Draft Revised EIR is appropriate in order to present a fair and accurate description of the Project's expected environmental impacts.

### **3. Project Description**

The Project Applicant proposes to develop a portion of the Project site with the Church of the Woods campus development that would include a two-story building consisting of a 27,364-square foot (sq. ft.) gymnasium and a 41,037-sq. ft. assembly building/children's ministry on the southeast portion of the Project site. Additionally, a 1,500-sq. ft. two-story building that would serve as a maintenance building, caretaker residence, and lavatory facilities would be developed on the southwest portion of the Project site. The Project would also include an ancillary 54,000-sq. ft. sports field, sports courts, and a 7,838-sq. ft. water quality bioretention basin. Additionally, associated on-site drainage facilities, utility connections, landscaped areas, pedestrian pathways, internal circulation roadways, driveways, and parking areas would be constructed. Approximately 13.5 acres (588,937 sq. ft.) of the Project site (approximately 50%) would remain as natural open space.

### **4. Actions Covered by the EIR**

#### **Discretionary Actions and Approvals**

- Conditional Use Permit

#### **Other Potential Government Agency Approvals (Responsible/Trustee Agencies)**

- State Water Resources Control Board (SWRCB)
- California Department of Transportation (Caltrans)
- Lahontan Regional Water Quality Control Board (RWQCB)
- California Department of Fish & Wildlife (CDFW)

### **III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION**

- In 2003, a project of significantly larger scope, including a school, was originally proposed.
- On May 20, 2004, the County Planning Commission adopted a Mitigated Negative Declaration and approved the original project. On May 28, 2004, an appeal was filed and the Applicant decided to resubmit a smaller project by removing the proposed school.
- On February 14, 2005 the County circulated a Notice of Preparation (NOP) identifying the environmental issues to be analyzed in the resubmitted Project's EIR to the State Clearinghouse, responsible agencies, and other interested parties.
- The NOP public review period ran for 30 days. Written comments on the NOP were received from six public agencies, one investor owned utility, two environmental group/associations and over 10 members of the public. The

scope of the issues identified in the comments included potential impacts associated with: air quality, biological resources, hydrology (drainage) and water quality, land use and planning, public services and transportation and traffic.

- On March 30, 2005, the County conducted a scoping meeting, pursuant to CEQA Guidelines Section 15082(c)(1). Over 30 members of the public attending and approximately 17 provided comments. No public agencies attended the meeting.
- The Notice of Availability (NOA) and Draft EIR were circulated for public review and a Notice of Completion (NOC) was filed with the State Clearinghouse on April 14, 2010 to start the 45-day review period.
- Comments were received by the County on the Draft EIR, but the County took no further action at that time.
- On April 2017, the Project Application submitted a revised Conditional Use Permit application for the current Project, with yet another reduction in scope, including the elimination of a baseball field and an increase in the open space area. As discussed in more detail below, the County elected to prepare a Draft Revised EIR to address the current Project and to recirculate the entire document. In addition, the County decided that they would not be responding to comments made during the public review of the Draft EIR. Instead, the County will be accepting new comments and on the Draft Revised EIR.
- The NOA and Draft Revised EIR were circulated for public review and a NOC was filed with the State Clearinghouse on January 7, 2019 to start the 45-day review period.
- On January 10, 2020, in accordance with *Public Resources Code* Section 21092.5, the County provided written proposed responses to the public agencies that commented on the DEIR.
- On January 10, 2020, notice of the Planning Commission hearing to consider the Project was provided in the following newspapers of general and/or regional circulation: San Bernardino County Sun and The Alpine Mountaineer
- On January 23, 2020, the Planning Commission conducted a public hearing to consider the Project. The Commission, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, the

Planning Commission certified the EIR, adopted these Findings of Fact and Statement of Overriding Considerations, and took take action to approve the Project as recommended by the Staff Report.

As discussed above, the Project Applicant submitted a second revised Conditional Use Permit (CUP) application for the currently-proposed Project. The County decided to prepare a Draft Revised EIR pursuant to CEQA Guidelines Section 15088.5(a) as a result of the availability of new information. Additionally, the County determined that a Draft Revised EIR was needed because approximately eight years had elapsed since the prior Draft EIR was circulated for public review. A Draft Revised EIR also was determined necessary to address the change in conditions resulting from the County Department of Public Works' purchase of a portion of the previously proposed Project site for the Rimforest Storm Drain project, which occupied approximately 10.0 acres of land within the initial Project's proposal. That purchase and related storm drain project were subject to an independent CEQA review with the EIR (SCH No. 2015051070) certified by the County Board of Supervisors on May 23, 2017. Finally, a Draft Revised EIR is necessary to reflect site plan revisions and modifications, including the elimination of the previously proposed northern baseball field, facilities and drive aisle, the elimination of the southern baseball field and the relocation of some of the proposed buildings.

For these reasons, the County elected to prepare a Draft Revised EIR and to recirculate the entire document. CEQA Guidelines Section 15088.5 (f) gives the Lead Agency discretion on how to respond to comments received on the initial Draft EIR. The County decided that they will not be responding to comments made during the public review of the 2010 Draft EIR, however the County will be accepting new comments on Draft Revised EIR. Those comments and responses to those comments are part of the Final EIR.

#### **IV. ENVIRONMENTAL IMPACTS AND FINDINGS**

County staff reports, the EIR, written and oral testimony at public meetings or hearings, these Findings of Facts and Statement of Overriding Considerations, and other information in the administrative record, serve as the basis for the County's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in the EIR, as well as the responses to comments from the public and from other government agencies.

The EIR evaluated 10 major environmental categories for potential impacts including: Aesthetics; Air Quality; Biological Resources; Geology and Soils; Greenhouse Gas Emissions; Hazards; Hydrology and Water Quality; Noise; and Transportation and Traffic. Both Project-specific and cumulative impacts were evaluated. The County concurs with the conclusions in the EIR that the issues and sub-issues discussed in subsections A and B below are either less than significant without mitigation or can be mitigated below a level of significance.

For the remaining potential environmental impacts, Biological Resources – Cumulative, Noise – Construction, Transportation and Traffic and Land Use and Planning, the County concurs with the conclusions in the EIR that the respective impacts cannot feasibly be mitigated below a level of significance as discussed in subsection C, and therefore the County must evaluate the overriding considerations and Project benefits and balance them against the significant impacts of the Project.

**A. IMPACTS IDENTIFIED AS NO IMPACT OR LESS THAN SIGNIFICANT REQUIRING NO MITIGATION**

The following issues have no potential to cause significant impacts and therefore require no Project-specific mitigation. Unless specifically mentioned, this includes all related cumulative impacts for each issue area.

**1. Aesthetics**

**Scenic Vistas:** The County General Plan (General Plan) does not designate any scenic vistas. Additionally, the Project site does not contain any designated scenic vistas. Moreover, views of the Project would be limited due to the dense tree cover that characterizes the Project site. (Draft Revised EIR, pgs. 3.A-7 to 3.A-8)

**Scenic Resources within a State Scenic Highway:** The Project site does not contain any roadways or vista points that provide vistas of undisturbed natural areas. No unique or unusual features occur on the Project site that comprise a dominant part of the viewshed. Additionally, the Caltrans Scenic Highway Mapping System indicated that there is no officially designated State or County Scenic Highways in the vicinity of the Project site. (Draft Revised EIR, pgs. 3.A-9 to 3.A-10)

**Existing Visual Character/Quality of the Site and Surroundings:** During Project construction there would be a temporary change in the Project’s visual character. Following the completion of Project development, all construction equipment would be removed from the Project site. The developed Project site would change from predominantly undisturbed forested land to a church campus with associated roadways, landscaping, recreational facilities, and infrastructure. The Project would alter views from the SR-18 corridor looking north. However, the Project would not result in substantial physical degradation of the existing visual character. (Draft Revised EIR, pgs. 3.A-10 to 3.A-15)

**Light/Glare:** All site lighting will comply with Chapter 83.07, Glare and Outdoor Lighting, of the County Development Code, including shielding to restrict glare and address issues such as “sky glow.” The proposed Project would introduce limited sources of glare at the Project site, including potentially reflective building materials such as glass windows. However, the proposed Project does not include any components that would include large expanses of reflective materials that would result in the generation of substantial amounts of glare. Moreover, proposed walls, fences, and landscaping located along the Project site’s southern and eastern boundary would screen potential sources of

glare from affecting nearby motorists and/or residents. Accordingly, a less-than-significant daytime glare impact would occur. (Draft Revised EIR, pg. 3.A-16)

## 2. Air Quality

**Implementation of the Applicable Air Quality Plan:** The Project's localized construction-source emissions would not exceed the applicable level of significance thresholds nor cause or contribute new violations. Additionally, the Project's proposed features would be consistent with the Community Industrial development standards enforced by the General Plan and would be subject to a Conditional Use Permit. Finally, the Project is consistent with the assumptions of the South Coast Air Quality Management District (SCAQMD) 2016 Air Quality Management Plan. Accordingly, the impact is less than significant. (Draft Revised EIR, pgs. 3.B-16 to 3.B-17)

**Sensitive Receptors:** Construction of the Project would not result in the exposure of any sensitive receptors to substantial pollutant concentrations. Operational emissions would not exceed the SCAQMD's localized significance thresholds (LSTs) for any criteria pollutant at the nearest sensitive receptor. The Project would not result in a new or contribute to Carbon Monoxide (CO) Hot Spots. Project generated traffic trips are not anticipated to result in CO concentrations exceeding the State or federal CO standards. (Draft Revised EIR, pgs. 3.B-19 to 3.B-20)

**Odors:** The Project could produce odors during construction; however, standard construction practices would minimize odors. During long-term operation, the proposed Project would include a church campus with sports fields and sport courts, which are not typically associated with objectionable odors. The proposed Project would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions. (Draft Revised EIR, pgs. 3.B-20 to 3.B-21)

## 3. Biological Resources

**Jurisdictional Waters/Wetlands:** A single drainage feature containing riparian habitat is located within the southwest portion of the Project site. This drainage feature does not contain any wetland or wetland vegetation. The drainage feature is proposed to be a part of the County's Rimforest Storm Drain Project. As a result, the Project would not result in any impacts to jurisdictional waters of the State or the U.S. (Draft Revised EIR, pgs. 3.C-22 to 3.C-23; Final EIR Attachment C pages 0-10, 3.C-22, -25)

**Migratory Species/Corridors:** The Project site is located immediately east of the San Bernardino County designated Strawberry Creek wildlife corridor. The Strawberry Creek corridor provides movement opportunities from the City of San Bernardino through the San Bernardino Mountains to the Mojave River. This wildlife corridor is constrained in areas by private ownership and wildlife movement would be impeded by Project-related disturbance. However, the northern and western portions of the Project site would remain undisturbed and continue to provide movement opportunities for wildlife. Therefore, implementation of the Project would result in less-than-significant impacts to wildlife movement and wildlife corridors. (Draft Revised EIR, pg. 3.C-23)

**Local Policies/Ordinances:** The proposed Project would not result in significant conflicts with any applicable policy established by the General Plan or Lake Arrowhead Community Plan. Additionally, neither does the General Plan nor the Lake Arrowhead Community Plan have a tree preservation policy or ordinance. (Draft Revised EIR, pg. 3.C-24)

**Conservation Plans:** The Project site is located within the Lake Arrowhead Community Plan, which is not located within an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan, or other approval local, regional, or state HCP. No HCPs have been approved and none are in the process of approval for the lands within the San Bernardino Mountains. (Draft Revised EIR, pg. 3.C-24)

#### **4. Geology and Soils**

**Soil Erosion:** Grading activities associated with the proposed Project would temporarily expose underlying soils in the Project's grading footprint to water and air, which would increase erosion susceptibility. The Project would be required to obtain coverage under National Pollutant Discharge Elimination System (NPDES) permit for construction activities. Additionally, the Project would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) that would address construction fencing, sand bags, and other erosion control features. The Project would also comply with SCAQMD Rule 403 – Fugitive Dust, which would minimize wind related erosion. Following construction, wind and water erosion on the Project site would be minimized, as previously disturbed areas would be landscaped. A bioretention basin would be developed at the south-central portion of the Project site and would receive storm water flows. The Project would be required to prepare and submit a Project specific SWPPP and Final Water Quality Management Plan (WQMP), which would identify and implement an effective combination of erosion control and sediment control measures. (Draft Revised EIR, pgs. 3.D-12 to 3.D-13)

**Expansive Soil:** The Project site contains granular soils in the upper materials, which are considered to have very low expansion potential. (Draft Revised EIR, pg. 3.D-16)

#### **5. Hazards**

**Emergency Response Plan:** Emergency access and evacuations routes occur within the vicinity of the Project site. The Project's proposed occupants are anticipated to already live in the area; therefore, the Project would not meaningfully change the number of people requiring evacuation down the mountain during a major wildfire. Fire services for the Project would be provided by 3 local Crest Forest Fire Protection District (CFFPD) Fire Stations and assistance would be supplemented by Paid Call Firefighters (PCF). Additionally, fire services would be reduced through Project compliance with applicable statutes, codes, ordinances, and standards of the CFFPD. (Draft Revised EIR, pg. 3.E-6 to 3.E-7)

**Wildland Fire:** The Project site is located within a "Very High Fire Hazard Severity Area." The Project has the potential to expose people and structures to wildland fire



hazards. However, the Project has been designed to meet or exceed fire hazard requirements established by the County, CFFPD, and United States Forest Service. Additionally, proof of compliance would be required as a standard condition of Project approval, site grading, issuance of building permit, and Project occupancy. (Draft Revised EIR, pg. 3.E-7 to 3.E-8)

**Airports/Airstrips:** The Project site is located approximately 11.0 miles south of the Hesperia Airport and approximately 25 miles northeast of the Ontario International Airport. The Project site is not located within an Airport Safety Review Area and does not have the potential to expose people residing or working in the Project area to hazards associated with public airport or private airstrips. (Draft Revised EIR, pg. 3.E-8)

## **6. Hydrology and Water Quality**

**Groundwater:** The Project does not propose the use of groundwater. The groundwater at the Project site is anticipated to consist of insignificant amounts of perched water and limited amount of water within the fractures of the bedrock. (Draft Revised EIR, pg. 3.F-23 to 3.F-24)

**Drainage Patterns/Runoff:** The Project would alter the Project site and would result in a nominal increase in the overall drainage area's Q value. Because the proposed Project would be constructed following the San Bernardino Rimforest Storm Drain project, onsite flows would be discharged to the existing drainage course (as modified by the Rimforest Flood Control Project) and overall topography would not be substantially altered by Project development. (Draft Revised EIR, pgs. 3.F-24 to 3.F-25)

**Flood Zone:** According to the FEMA Flood Insurance Rate Map No. 06071C7955H, the Project site is not located within a special flood hazard zone area that is subject to inundation by a 1% annual flood. Additionally, the proposed Project is a commercial development and would include on housing facility to accommodate the on-site caretaker. The on-site water drainage system would convey storm water to the natural drainage feature in a similar manner that occurs under existing conditions. (Draft Revised EIR, pgs. 3.F-25 to 3.F-26)

**Flooding:** The Project site is not located within a special flood hazard area subject to a 100-year flooding event nor is the Project site within an area subject to the protection of levees. Additionally, the General Plan's Hazards Overlay does not identify any portions of the Project site to be impacted by flooding as a result of a dam or levee failure. (Draft Revised EIR, pg. 3.F-26)

## **7. Greenhouse Gas Emissions**

**Greenhouse Gases Emissions:** The Project's total annual GHG emissions would not exceed the County's GHG Reduction Plan threshold of 3,000 MTCO<sub>2</sub>e/year and would therefore not generate substantial GHG emissions – neither directly or indirectly – that

would have a significant impact on the environment. (Draft Revised EIR, pgs. 3.J-17 to 3.J-18)

**Greenhouse Gas Plans:** The Project would not conflict with applicable regulations, policies, plans, and policy goals adopted for the purpose of reducing GHG emissions. (Draft Revised EIR, pgs. 3.J-18 to 3.J-20)

## 8. Noise

**Vibration:** The Project would not expose persons to excessive groundborne vibration during Project construction or operation. The Project's anticipated land use is not typically associated with the generation of excessive vibration. (Draft Revised EIR, pg. 3.H-20)

**Airports/Airstrips:** The Project site is located approximately 11.0 miles south of the Hesperia Airport and approximately 25 miles northeast of the Ontario International Airport. The Project site is not located within an Airport Safety Review Area and does not have the potential to expose people residing or working in the Project area to excessive noise associated with aviation. (Draft Revised EIR, pg. 3.E-8)

## 9. Transportation and Traffic

**Congestion Management Plan:** The Project's traffic study area included 18 intersections, three of which are under the jurisdiction of the County. The remaining 15 intersections are under the jurisdiction of Caltrans. The Project would impact several intersections under the jurisdiction of Caltrans. The Project would not result in significant impacts to intersections under the jurisdiction of the County as part of the San Bernardino County Congestion Management Program (CMP). (Draft Revised EIR, pgs. 3.I-14 to 3.I-15)

**Air Traffic Patterns:** The Project does not include an air travel component; therefore, air traffic volumes would not be changed as a result of the Project. The Project is not located within the vicinity of an airport, airstrip, or helipad. (Draft Revised EIR, pg. 3.I-15)

**Design Feature Hazard:** The Project proposes a signalized driveway along SR-18 that would accommodate ingress and egress from the Project site. All improvements proposed by the Project within public rights-of-ways would be installed in conformance with Caltrans and County design standards. The County Public Works Department reviewed the Project's application materials and determined that no hazardous transportation design features would be introduced by the Project. The Project would be consistent with the existing "Community Industrial (IC)" General Plan land use designation applicable to the Project site, and would also be compatible with existing and planned commercial, residential, and resource conservation land uses located adjacent to the Project site. (Draft Revised EIR, pgs. 3.I-15 to 3.I-16)

**Emergency Access:** The Project would provide a driveway to the east of the Project driveway on SR-18 that would be restricted to emergency access vehicles. Furthermore, the County would review all future Project construction drawings to ensure that adequate

emergency access is maintained along abutting public streets during temporary construction activities. (Draft Revised EIR, pg. 3.I-16)

**Alternative Transportation Policies:** Under existing conditions, there is no transit route that serves the Project site; however, the Rim of the Mountain bus route runs along SR-18 to the immediate south of the Project site. The nearest bus stop is located approximately 500 feet to the west-southwest of the Project site. The proposed Project does not include any components that would impede operation of bus service. There are no existing or planned pedestrian facilities in the vicinity of the Project site. The proposed Project is designed to encourage pedestrian movement and enhance connectivity within the Project site through the incorporation of pedestrian facilities that includes the construction of sidewalks throughout the Project site. The County Planning Department conducted a review of the proposed Project, and determined that the Project would comply with, or otherwise would not conflict with, policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities. (Draft Revised EIR, pgs. 3.I-16 to 3.I-17)

## **B. POTENTIALLY SIGNIFICANT IMPACTS WHICH CAN BE MITIGATED BELOW A LEVEL OF SIGNIFICANCE WITH MITIGATION MEASURES**

*Public Resources Code* Section 21081 and CEQA Guidelines Section 15091(a)(1) states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes the following finding: “changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.”

The following impacts from these environmental categories, including Air Quality, Geology and Soils, and Hydrology and Water Quality were found to be potentially significant, but can be mitigated to a less than significant level with the imposition of mitigation measures.

The Planning Commission (Commission) hereby finds pursuant to *Public Resources Code* Section 21081 and CEQA Guidelines Section 15091(a)(1) that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the Mitigation Monitoring and Reporting Program adopted by this Commission. Specific findings of this Commission for each category of such impacts are set forth in detail below.

Each mitigation measure discussed in this Section of the findings has a letter and number code correlating it with the environmental category used in the EIR and the Mitigation Monitoring and Reporting Program Plan.

## 1. Air Quality – Construction

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could impact Air Quality during construction.

**Finding:** Based on the entire record before us, this Commission finds that this impact is potentially significant but can be mitigated to a less than significant level through implementation of Mitigation Measures MM-3.B-1. This Mitigation Measure is adopted and incorporated into the Mitigation Monitoring and Reporting Program for the Project, and will be implemented as specified therein, thereby reducing this potentially significant impact to a less than significant level. The impacts related to this issue area are discussed in detail in Section 3.B.5 of the Draft Revised EIR. The following Mitigation Measures will mitigate Air Quality construction impacts:

**MM 3.B-1** *Prior to the issuance of a grading permit or a building permit, the County shall verify that the following notes are included on the construction document(s). These notes also shall be specified in bid documents issued to construction contractors. The Project’s construction contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by County of San Bernardino staff or its designee to confirm compliance.*

- *“During construction, all construction equipment (>150 horsepower) shall be Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 3 compliant or better. The construction contractor shall keep a log of all construction equipment greater than 150 horsepower demonstrating compliance with this requirement, and the log shall be made available for inspection by San Bernardino County upon request.”*
- *“Construction equipment engines (>150 horsepower) shall be maintained in good condition and in proper tune per manufacturer’s specification for the duration of construction. Maintenance records shall be made available for inspection by San Bernardino County upon request.”*
- *“All diesel-fueled trucks hauling materials to and from the construction site shall comply with CARB’s 2010 engine emission standards.”*
- *“Signs shall be posted at the construction site entry and on the construction site stating that vehicle engine idling is limited to 5 minutes or less.”*

**Facts in Support of the Finding:** Among other facts, the EIR recommends Mitigation Measure MM 3.B-1 to reduce this potentially significant impact to a less than significant level. Project-related construction would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. The Project would not result in a net increase of any criteria pollutant for which the Project region is in non-attainment

under applicable federal or State ambient air quality standard. The Project would not emit substantial concentrations of CO, SO<sub>x</sub>, NO<sub>x</sub>, ROGs, PM<sub>10</sub>, or PM<sub>2.5</sub> during long-term operation and would not cause or contribute to an existing or projected air quality violation, on either a direct or cumulatively considerable basis. The Project would not exceed the SCAQMD Regional or LST thresholds for any criteria pollutants during Project construction. Notwithstanding, and although not required by CEQA, the Project shall incorporate MM-3.B1 to reduce Project construction-related air pollution emissions. (Draft Revised EIR, pgs. 3.B-17 to 3.B-18, Final EIR Attachment C pages O-6, O-7; 3.B-23, 24)

## **2. Geology and Soils – Seismic Activity/Soil Stability**

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could expose people to impacts from seismic activity and landslides.

**Finding:** Based on the entire record before us, this Commission finds that this impact is potentially significant but can be mitigated to a less than significant level through implementation of Mitigation Measures MM 3.D-1 and 3.D-2. These Mitigation Measures are adopted and incorporated into the Mitigation Monitoring and Reporting Program for the Project, and will be implemented as specified therein, thereby reducing this potentially significant impact to a less than significant level. The impacts related to this issue area are discussed in detail in Sections 3.D.5 and 3.D.8 of the Draft Revised EIR. The following Mitigation Measures will mitigate geology and soils impacts:

***MM 3.D-1*** *Prior to issuance of any grading permit, the San Bernardino County Building Official or their designee shall confirm that the Grading Plan incorporates specific measures from the required design-level geotechnical investigation which shall, at a minimum, address landslides, liquefaction, lateral spreading, and collapsible soils. The geotechnical investigation report and the measures that shall be included as notes on the Grading Plan and shall comport with the provisions established in Chapter 87.08, Soils Reports, and Chapter 88.02, Soil and Water Conservation, of the San Bernardino County Code. Remedial measures to address landslides may include, but not be limited to: removal, repositioning, embedment, anchoring of boulders; installation of catchment fences; and construction in accordance with the recommendations of the Project geotechnical engineer, CALGreen and any County guidelines. Potential remedial measures that may be required to address collapsible soils may include, but not be limited to, over-excavation of all uncontrolled artificial fill and upper portion of the surficial soils during site grading. Remedial measures to address liquefaction may include, but not be limited to, specialized compaction techniques and cement or chemical grouting. Prior to issuance of any grading permit, the San Bernardino County Building Official shall ensure that any and all remedial measures identified in the Project-specific geotechnical investigation are incorporated as notes on all final Project construction plans so that they may be implemented during Project grading and construction activities.*

**MM 3.D-2** *Prior to the issuance of any grading permit, the San Bernardino County Building Official shall confirm that the Grading Plan incorporates specific measures from the required design-level Project-specific geotechnical investigation to address lateral spreading. The geotechnical investigation report shall comport with the provisions established in Chapter 87.08, Soils Reports, and Chapter 88.02, Soil and Water Conservation, of the San Bernardino County Code. Remedial measures shall be undertaken as recommended by the licensed geotechnical engineer and approved by the County as part of the grading operation and construction phases. Remedial measures to address lateral spreading may include, but not be limited to: removal and re-compaction of near surface soils, the use of deep foundations and/or stone columns, and deep dynamic compaction. The remedial measures undertaken shall ensure that potential lateral movements calculated as part of the geotechnical exploration and analysis can accommodate habitable structures pursuant to CALGreen requirements as well as paved roads and wet or dry utilities, and thereby safeguard habitable structures, roads, and utility lines against potential seismic hazards. The findings of the geological explorations and recommendations shall be documented in a Project-specific geotechnical investigation report prepared by a licensed geotechnical engineer. The report shall be approved by the County and the recommendations contained in the report shall be implemented and required as grading permit and building permit conditions of approval. Prior to issuance of any grading permit, the San Bernardino County Building Official shall ensure that any and all remedial measures identified in the Project-specific geotechnical investigation are incorporated as notes on all final Project construction plans so that they may be implemented during Project grading and construction activities.*

**Facts in Support of the Finding:** Among other facts, the EIR recommends Mitigation Measures MM 3.D-1 and 3.D-2 to reduce this potentially significant impact to a less than significant level. The Project site is not located within any Alquist-Priolo Earthquake Fault Zones and no known faults underlie the site. The Project site would not be exposed to fault rupture during a seismic event. The potential for liquefaction on the Project site is non-existent, although the northeasterly areas of the on-site drainage course may have some liquefaction potential. However, the Project is required to comply with current State and Local building and safety codes and the Development Code. The Project site is located within an area of “moderate to high” landslide susceptibility. Development of the Project would further disturb the subsurface environment and could potentially exacerbate the occurrence of landslides at the site. (Draft Revised EIR, pgs. 3.D-10 to 3.D-12)

Furthermore, the Project site is located in an area that is susceptible to landslides. The Project would be designed and constructed to incorporate the recommendations of the Project specific geotechnical investigation and would not create conditions that would result in the occurrence of an on-site or off-site landslide. The sloped areas of the Project

site may potentially be susceptible to lateral spreading. The Rimforest Storm Drain Project is anticipated to commence prior to the proposed Project and would remove or recompact soils susceptible to lateral spreading and liquefaction. However, it is unknown whether the Storm Drain Project would remove all the soils susceptible to lateral spreading and liquefaction. Therefore, there would be a potential for the Project site to contain soils susceptible to lateral spreading and liquefaction. The majority of the Project site is underlain by granite bedrock at shallow depths and the potential for subsidence along these areas is considered non-existent. Nonetheless, the Project would be subject to the requirements established by the State and local building and safety codes. The Project site contains older alluvial soils, which is susceptible to collapse if left in place and exposed to weight. The Project has the potential to be located on geologic soil that is unstable. (Draft Revised EIR, pgs. 3.D-14 to 3.D-16) Accordingly, implementation of these Mitigation Measures would reduce the Project's geology and soils impacts to less than significant.

#### **4. Hydrology and Water Quality - Landslides**

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could expose people to impacts from and landslides.

**Finding:** Based on the entire record before us, this Commission finds that this impact is potentially significant but can be mitigated to a less than significant level through implementation of Mitigation Measures MM 3.D-1 and 3.D-2, stated above. These Mitigation Measures are adopted and incorporated into the Mitigation Monitoring and Reporting Program for the Project, and will be implemented as specified therein, thereby reducing this potentially significant impact to a less than significant level. The impacts related to this issue area are discussed in detail in Sections 3.F.6 and 3.F.8 of the Draft Revised EIR.

**Facts in Support of the Finding:** Among other facts, the EIR recommends Mitigation Measures MM 3.D-1 and 3.D-2 to reduce this potentially significant impact to a less than significant level. The Project does not propose the construction of any large bodies of water or located near a large body of water that could be affected by a seiche. The Project site's potential to be affected by a tsunami is non-existent. The Project site is located more than 50 miles from the Pacific Ocean and is approximately 5,680 feet amsl. The Project site does contain soils that are susceptible to landslides. Therefore, the Project has the potential to expose people and structures to landslide or mudslide events.

The implementation of Mitigation Measures MM 3.D-1 and MM 3.D-2 would include excavation and design criteria to stabilize or remove the small landslide area in the southwest portion of the Project site. Additionally, the Project's storm water drainage system would allow for storm water collected to either infiltrate into the ground water basin or flow into the storm water drainage system. The drainage system is designed to handle the projected storm water volumes and does not have the potential to cause mudflows. (Draft Revised EIR, pgs. 3.F-26 to 3.F-27) As such, impacts related to mudflows and landslides would be less-than-significant with incorporation of mitigation.

## C. IMPACTS ANALYZED IN THE EIR AND DETERMINED TO BE SIGNIFICANT AND UNAVOIDABLE

This Commission finds that the following environmental impacts identified in the EIR remains significant even after all feasible mitigation measures: Biological Resources – Cumulative, Noise – Construction and Transportation and Traffic.

In accordance with CEQA Guidelines Section 15092(b)(2), this Commission cannot approve the Project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3) and CEQA Guidelines Section 15901 (a)(3), that specific economic, legal, social, technological or other considerations, including provisions of employment opportunities to workers, make infeasible the mitigation measures or project alternatives identified in the EIR; and (2) under CEQA Guidelines Section 15092(b), that the remaining significant impacts are acceptable due to overriding considerations described in CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

### 1. Biological Resources - Cumulative

**Significant and Unavoidable Impact:** The EIR concluded that the Project could result in significant cumulative biological resources impacts.

**Finding:** Based on the entire record before us, this Commission finds that this impact is potentially significant and Mitigation Measures MM-3.C1(a) and MM-3.C1(b) are incorporated into the Mitigation Monitoring and Reporting Program for the Project, and will be implemented as specified therein, thereby reducing the potentially significant impacts to the extent feasible, but not below a level of less than significant. Accordingly, cumulative biological resource impacts will remain significant and unavoidable.

**MM-3.C1(a)** *Prior to the issuance of any grading permits, the Project Applicant shall provide evidence to the Public Works Director or their designee, and the Development Services Director or their designee, that the following actions have or will be implemented.*

- *A pre-construction clearance survey for southern rubber boa, San Bernardino flying squirrel and California spotted owl shall be conducted at the Project site by an approved biologist no less than 30 days prior to any ground disturbing activities.*
- *A copy of the results of the pre-construction survey (and any additional surveys) shall be provided to the San Bernardino County Planning Department prior to the issuance of a grading permit or the granting of any authorization for any vegetation clearing and ground disturbance activities at the Project site.*
  - o *If the results are negative, the County may issue the grading permit.*



*o If southern rubber boa, San Bernardino Flying squirrel or California spotted owl are detected on-site during the preconstruction clearance survey(s), the Project Biologist shall notify the California Department of Fish and Wildlife (CDFW) immediately.*

*• An approved biologist shall be onsite during all vegetation clearing and rough grading. In the event that southern rubber boa, San Bernardino Flying squirrel or California spotted owl are detected on-site during vegetation clearing or rough grading activities, the approved biologist shall have authority to halt vegetation clearing and/or rough grading activities until remedial measures determined by the Project Biologist are implemented and until a suitable buffer has been established as identified by the Project Biologist. Vegetation clearing and/or rough grading activities shall only be allowed to commence within the buffer area once the approved biologist makes a determination that the species is no longer present.*

**MM-3.C1(b)** *Prior to the issuance of any grading permits, the Project Applicant shall provide evidence to the Public Works Director or their designee and the Development Services Director and their designee that the Project Applicant has provided for the permanent preservation and management in perpetuity of 13.40 acres of onsite habitat that supports a total of 1.65 available onsite acres of high-quality southern rubber boa habitat, 2.18 acres of moderate quality southern rubber boa habitat and 9.57 acres of low quality southern rubber boa habitat, 5.45 acres of moderate quality San Bernardino flying squirrel habitat and 7.95 acres of low-quality San Bernardino flying squirrel habitat; and 5.85 acres of moderate-quality California spotted owl habitat and 7.55 acres of low-quality California spotted owl habitat. The onsite habitat shall be permanently protected through the recordation of a CDFW-approved conservation easement, the selection of a CDFW-approved conservation management entity and by funding a “non-wasting” endowment that provides for the costs associated with any initial improvements and management actions as defined in a Long-term Management Plan. The long-term management plan shall be submitted to CDFW for review and approval.*

**Facts in Support of Finding:** The Project site is located within the boundaries of historic southern rubber boa (a State-listed threatened species) habitat. Although no sensitive reptile species were observed in the study area, the study area does support potential southern rubber boa habitat. A habitat suitability assessment which determined that the Project site contains approximately 1.65 acres of high-quality habitat in the northeast corner; approximately 2.18 acres of moderate quality habitat in the western portion; and the remaining portions of the site contain approximately 18.21 acres of low quality and approximately 5.08 acres of unsuitable habitat for the southern rubber boa. Development of the Project would result in impacts to the removal of approximately 8.64 acres of low-quality southern rubber boa habitat and impacts to 0.67 acres of low-quality habitat for the Project’s Fuel Management Zone 3 (FMZ 3). (Draft Revised EIR, pg. 3.C-20)

The San Bernardino flying squirrel (a State-listed species of concern) was observed within the boundaries of the Project site during trapping surveys conducted in 2003. In February 2018, a habitat suitability assessment determined that there is no area on-site that was determined to possess high quality San Bernardino flying squirrel habitat, however, approximately 10.07 acres of moderate quality habitat that occurs in the northern and eastern portions of the Project site. The remaining portions of the site contain approximately 10.51 acres of low-quality habitat and approximately 6.54 acres of unsuitable habitat for the species. Development of the Project would result in impacts to the removal of approximately 2.56 acres of low-quality habitat and approximately 4.61 acres of moderate quality San Bernardino flying squirrel habitat and impacts to 0.57 acre of moderate quality habitat and 0.05 acre of low-quality habitat for the Project's Fuel Management Zone 3 (FMZ 3). (Draft Revised EIR, pg. 3.C-20)

A presence/absence and reproductive survey for the California spotted owl (a State-listed species of concern) for the Project between in 2007 observed one male California spotted owl was observed foraging within the southeast portion of the Project site; however, the male was not found either roosting or nesting on the Project site. A 2018 habitat assessment for the California spotted owl determined that the Project site contains approximately 10.47 acres of moderate quality habitat located in the northeastern portion. The remainder of the Project site contains approximately 10.11 acres of low-quality habitat and approximately 7.10 acres of unsuitable habitat. Development of the Project would result in impacts to the removal of approximately 2.56 acres of low-quality habitat and approximately 4.61 acres of moderate habitat and impacts to 0.57 acre of moderate quality habitat for the Project's Fuel Management Zone 3 (FMZ 3). (Draft Revised EIR, pg. 3.C-21)

The southern rubber boa an uncommon resident in montane conifer communities and is not likely to occur within the development footprint of the Project site. The San Bernardino flying squirrel and California spotted owl have a high potential to occur within the Project site's vicinity, but are not likely to occur within the development footprint of the Project. Collectively, however, based on the known habitat requirements of the species and the proximity to known populations, these species may be present on-site and may be impacted by proposed construction and related human activities.

With the implementation of Mitigation Measures MM-3.C1(a) and MM-3.C1(b), the Project related impacts to these three species would be less than significant. At the regional level, however, impacts would remain cumulatively significant and unavoidable because the Project would be directly removing suitable habitat for these special-status species. (Draft Revised EIR, pg. 3.C-27) For these reasons, the cumulative biological resource impacts are significant and unavoidable.

## **2. Noise - Construction**

**Potential Significant Impact:** The EIR concluded that the Project could result in significant construction noise impacts.

**Finding:** Based on the entire record before us, this Commission finds that this impact is potentially significant and Mitigation Measures MM-H1 is incorporated into the Mitigation Monitoring and Reporting Program for the Project, and will be implemented as specified therein, thereby reducing the potentially significant impacts to the extent feasible, but not below a level of less than significant. Accordingly, construction noise impacts will remain significant and unavoidable.

*MM-H1: Prior to the issuance of a grading permit, the County of San Bernardino Building Official shall ensure that the following notes are included on all grading plans and shall be enforced by the construction contractor during all excavation and grading activities:*

- 1. During all site excavation and grading, the Construction Contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturer's standards.*
- 2. The Construction Contractor shall position all stationary construction equipment so that emitted noise is directed away from off-site residences nearest the Project site.*
- 3. The Construction Contractor shall locate equipment staging within portions of the Project site that shall create the greatest distance between construction-related noise sources and off-site residences nearest the Project site during all Project construction.*
- 4. Heavy construction activities, such as grading and/or compacting, that would occur within 300 feet of the western property line shall be restricted to the hours of 10:00 a.m. to 4:00 p.m.*

**Facts in Support of the Finding:** Construction of the proposed Project would be required to occur within the time restrictions identified in the County Development Code. In accordance with Section 83.01.080(g)(3), construction would be required to take place only between the hours of 7:00 A.M. and 7:00 P.M., except Sundays and Federal Holidays. The Project does not include any components that would require construction activities outside of the hours specified in the County's Development Code.

Temporary construction noise has the potential to generate excessive noise levels that have the potential to affect nearby sensitive receptors, such as residences. Construction of the proposed Project would require the use of heavy equipment that may be audible at off-site locations. Additionally, noise from construction equipment may vary depending on construction phase and equipment type and quantity at a given location. The nearest sensitive receptors to the Project site are the existing residences located west along Bear Spring Road. At its closest point, construction activities would take place within 50 feet of these land uses. Construction noise levels would reach a maximum level of 85.0 dBA  $L_{max}$  at the sensitive receptors and the average level is calculated to be 71.0 dBA  $L_{eq}$ , which would exceed the 71 dBA  $L_{max}$ /60 dBA  $L_{eq}$  exterior noise significance thresholds for sensitive receptors by more than 5 dBA at the nearest residences across Bear Springs Road,

west of the Project site and at the nearest homes located northwest of the Project site. Although Project construction activities would be in accordance with the County's Development Code, the Project would still expose sensitive noise receptors to excessive noise levels; as such, a significant short-term impact would occur during construction. (Draft Revised EIR, pg. 3.H-17)

The Project would comply with restrictions on days and hours of construction activities specified in Section 83.01.080(g)(3) of the County's Development Code to limit the exposure of sensitive land uses in the Project area to construction noise. The incorporation of Mitigation Measure MM-H1 would limit the exposure of sensitive receptors to excessive noise levels; however, the mitigation would not reduce the peak construction noise levels to a level that would be below the significance threshold. (Draft Revised EIR, pg. 3.H-24) For these reasons, the Project's temporary impacts to sensitive receptors located approximately 90 feet west of the proposed soccer field during construction would be significant and unavoidable.

### **3. Transportation and Traffic**

**Potential Significant Impact:** The EIR evaluated and concluded that the Project could have a potential impact on transportation and traffic for all traffic scenarios for operations and construction.

**Finding:** Based on the entire record before us, this Commission finds that operational traffic impacts are potentially significant and Mitigation Measures MM 3.I-1 to MM 3.I-5 are incorporated into the Mitigation Monitoring and Reporting Program for the Project, and will be implemented as specified therein, thereby reducing the potentially significant impacts to the extent feasible, but not below a level of less than significant. Specifically, all of the impacted intersections are within the responsibility and jurisdiction of another public agency and not the agency making these findings, the County. The other public agency with responsibility and jurisdiction over those intersections (Caltrans) either does not have any plans to improve the impacted intersections or if they do have plans, those plans are either not funded or on a construction schedule that would allow for those improvements to be operational by the Project's opening year. Furthermore, the County has no independent control or jurisdiction over the implementation of those mitigation measures. Accordingly, the recommended mitigation measures needed to mitigate the identified impacts are not legally feasible and, as a result, transportation and traffic impacts will remain significant and unavoidable.

Furthermore, based on the entire record before us, this Commission finds that construction traffic impacts are potentially significant and Mitigation Measures MM 3.I-3 to MM 3.I-5 are incorporated into the Mitigation Monitoring and Reporting Program for the Project, and will be implemented as specified therein, thereby reducing the potentially significant construction traffic impacts to less than significant.

**MM 3.I-1** *Prior to issuance of an occupancy permit for the Project, the San Bernardino County Director of Public Works or their assignee shall verify*

*that the Project Applicant has made a good faith effort to gain the approval of Caltrans to implement the intersection improvements identified below in accordance with the recommendations identified in the Traffic Impact Analysis (TIA) prepared by Translutions, Inc., dated September 12, 2018. If Caltrans approval is granted, the Project Applicant shall be responsible for ensuring installation of the traffic signals.*

- *Intersection #4 – Bear Springs Road/State Route 18: install a traffic signal at the intersection.*
- *Intersection #18 – Pine Avenue/State Route 18: install a traffic signal at the intersection.*

**MM 3.I-2**

*In the event that Caltrans prepares a valid study, as defined below, that identifies fair share contribution funding sources attributable to and paid from private and public development to supplement other regional and State funding sources necessary undertake improvements to intersections along SR-18 and/or SR-189 in the Project study area, then the Project Applicant shall use reasonable efforts to pay the applicable fair share amount to Caltrans.*

*The study shall include fair share contributions related to private and/or public development based on nexus requirements contained in the Mitigation Fee Act (Govt. Code § 66000 et seq.) and 14 Cal. Code of Regs. Section 15126.4(a)(4) and, to this end, the study shall recognize that impacts to Caltrans SR-18 and/or SR-189 facilities that are not attributable to development located within unincorporated San Bernardino County that are not required to pay in excess of such developments' fair share obligations. The fee study shall also be compliant with Government Code Section 66001(g) and any other applicable provisions of law. The study shall set forth a timeline and other relevant criteria for implementation of the recommendations contained within the study to the extent the other agencies agree to participate in the fee study program. Specifically, the fair share fee payment required by this Mitigation Measure shall be used by Caltrans to make the following improvements in accordance with the recommendations identified in the Traffic Impact Analysis (TIA) prepared by Translutions, Inc., dated September 12, 2018:*

- *Daley Canyon Road/State Route 189 (Intersection #8): install a traffic signal at the intersection. The Project's fair share of this improvement shall be 58.7%.*
- *Daley Canyon Road/State Route 18 (Intersection #10): install a traffic signal at the intersection. The Project's fair share of this improvement shall be 48.3%.*

- *Daley Canyon Access Road/State Route 18 (Intersection #11): install a traffic signal at the intersection. The Project's fair share of this improvement is 30.3%.*
- *State Route 173/State Route 18 (Intersection #17): install a traffic signal at the intersection. The Project's fair share of this improvement is 22.0%.*
- *Pine Avenue/State Route 18 (Intersection #18): install a traffic signal at the intersection. The Project's fair share of this improvement is 32.3%.*

**MM 3.I-3** *During the hours of 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m., construction traffic shall be minimized. No more than 50 total passenger-car-equivalent trips per hour (inbound and outbound combined) may enter or exit the construction site during these periods. The construction contractor shall be responsible for monitoring the entries and exits during these time periods to ensure compliance and permit periodic inspection of the construction site by the County of San Bernardino or its designee to further ensure compliance. A requirement to comply with this restriction shall be noted on all construction documents and also shall be specified in bid documents issued to prospective construction contractors. Passenger-car-equivalents shall be counted as follows:*

- *Passenger Vehicle – 1 PCE*
- *2 Axle Truck – 1.5 PCE*
- *3 Axle Truck – 2 PCE*
- *4+ Axle Truck – 3 PCE*

**MM 3.I-4** *Prior to the issuance of grading permits, building permits, or improvement plans for frontage improvements along SR-18, the Project Applicant shall prepare and the County of San Bernardino shall approve a temporary traffic control plan. The temporary traffic control plan shall comply with the applicable requirements of the California Manual on Uniform Traffic Control Devices. A requirement to comply with the temporary traffic control plan shall be noted on all construction documents and also shall be specified in bid documents issued to prospective construction contractors.*

**MM-3.I-5** *All heavy-duty construction equipment and vehicles shall be staged interior to the construction site. The parking or storage of construction equipment and vehicles on SR-18 is prohibited. The construction contractor shall be responsible for ensuring compliance and permit periodic inspection of the construction site by the County of San Bernardino or its designee to further ensure compliance. A requirement to comply with this provision shall be noted on all construction documents and also shall be specified in bid documents issued to prospective construction contractors.*

**Facts in Support of the Finding:** All study area intersections would operate at acceptable LOS under Existing Plus Project traffic conditions except for the following:

- Intersection #4 – Bear Springs Road/State Route 18: LOS F (Saturday peak hour), LOS E (Sunday peak hour); and
- Intersection #18 – Pine Avenue/State Route 18: LOS E (Saturday peak hour only).

Intersection #4 – Bear Springs Road/State Route 18 operates at a deficient level of service (LOS E during Saturday peak hour) under Existing (2017) Without Project conditions. As Intersection #4 operates at unsatisfactory conditions in the existing condition, the addition of Project trips would result in an increase in the severity of the unsatisfactory conditions. Therefore, the Project would result in a cumulatively considerable impact to Intersection #4 – Bear Springs Road/State Route 18.

Intersection #18 – Pine Avenue/State Route 18 would operate at an acceptable level of service (LOS D or better) under Existing (2017) traffic conditions, but the contribution of traffic generated by the proposed Project would result in Intersection #18 operating at a deficient LOS (LOS E) under Existing Plus Project Conditions. Therefore, in accordance with the significance criteria established in subsection 3.I.4.1, the Project would result in a significant direct impact to Intersection #18 – Pine Avenue/State Route 18 under the Existing Plus Project scenario.

All study area intersections would operate at acceptable LOS under the Opening Year (2018) Without Project scenario except for the following:

- Intersection #4 – Bear Springs Road/State Route 18: LOS F (Saturday peak hour), LOS E (Sunday peak hour); and
- Intersection #18 – Pine Avenue/State Route 18: LOS E (Saturday peak hour only).

Intersection #4 – Bear Springs Road/State Route 18 would operate at a deficient level of service (LOS E) during the Saturday peak hour under the Opening Year (2018) without Project scenario and would operate at a deficient level of service (LOS F and LOS E) during both peak hours under the Opening Year (2018) with Project scenario. Although the Project would not create the deficiency at the intersection, the Project would contribute additional trips which would further reduce the intersection's LOS thereby incrementally increasing the severity of the deficiency at Intersection #4. Therefore, the Project would result in a cumulatively considerable impact to Intersection #4.

Under the Opening Year (2018) Without Project scenario, Intersection #18 – Pine Avenue/State Route 18 would operate at an acceptable LOS, but the contribution of traffic generated by the proposed Project would result in Intersection #18 operating at a deficient LOS (LOS E) under the Opening Year (2018) With Project scenario. Therefore, in accordance with the significance criteria, the Project would result in a significant direct

impact to Intersection #18 – Pine Avenue/State Route 18 under the Opening Year (2018) Without Project scenario.

All study area intersections would operate at acceptable LOS under the Cumulative (2018) Without Project scenario except for the following:

- Intersection #4 – Bear Springs Road/State Route 18: LOS F (Saturday and Sunday peak hours); and
- Intersection #17 – State Route 173/State Route 18: LOS F (Saturday peak hour only);

Intersection #4 – Bear Springs Road/State Route 18 would operate at a deficient level of service (LOS E) during peak hours. Therefore, the addition of the traffic generated by the proposed Project would increase the severity of the impact at Intersection #4, resulting in a cumulatively considerable impact at Intersection #4. Additionally, under the Cumulative (2018) Without Project scenario, Intersection #17 – State Route 173/State Route 18 would operate at a deficient level of service (LOS E) during the Saturday peak hour and the addition of the traffic generated by the proposed Project would increase the severity of the impact at Intersection #17. Therefore, impacts would be cumulatively considerable at Intersection #17.

Intersection #8 – Daley Canyon Road/State Route 18 would operate at an acceptable LOS without the contribution of Project traffic. The addition of the traffic generated by the proposed Project and other cumulative projects would result in a deficiency (LOS E) at Intersection #8 during the Saturday peak hour. Accordingly, the Project would result in a cumulatively considerable impact on Intersection #8 under the Cumulative (2018) scenario.

Intersection #10 – Daley Canyon Road/State Route 18 would operate at an acceptable LOS without the contribution of Project traffic. The addition of the traffic generated by the proposed Project and other cumulative projects would result in a deficiency (LOS E) at Intersection #10 during the Sunday peak hour. Accordingly, the Project would result in a cumulatively considerable impact on Intersection #10 under the Cumulative (2018) scenario.

Intersection #18 – Pine Avenue/State Route 18 would operate at an acceptable LOS without traffic generated by the proposed Project. The addition of the traffic generated by the proposed Project and other cumulative projects would result in a deficiency (LOS E) at Intersection #18 during the Saturday peak hour. Accordingly, the Project would have a cumulatively considerable impact on Intersection #18 under the Cumulative (2018) scenario.

All study area intersections would operate at acceptable LOS under the Year 2040 Without Project scenario except for the following:



- Intersection #4 – Bear Springs Road/State Route 18: LOS F (Saturday and Sunday peak hours);
- Intersection #17 – State Route 173/State Route 18: LOS F (Saturday peak hour only); and
- Intersection #18 – Pine Avenue/State Route 18: LOS F (Saturday peak hour only).

Under the Year 2040 Without Project scenario, Intersection #4 – Bear Springs Road/State Route 18, Intersection #17 – State Route 173/State Route 18, and Intersection #18 – Pine Avenue/State Route 18 would operate at a deficient level of service during at least one of the peak hours. Therefore, the addition of the Project would contribute traffic trips that would increase the severity of the deficiencies that occur at Intersections #4, #17, and #18 under the Year 2040 scenario. Accordingly, the implementation of the Project would result in cumulatively considerable impacts to these three intersections.

Under the Year 2040 Without Project scenario, Intersection #8 – Daley Canyon Road/State Route 18 would operate at an acceptable LOS without the proposed Project. The addition the traffic generated by the proposed Project and other cumulative projects would result in a deficiency (LOS E) at Intersection #8 during the Saturday peak hour. Accordingly, the Project would have a cumulatively considerable impact on Intersection #8 under the Year 2040 scenario.

Under the Year 2040 Without Project scenario, Intersection #10 – Daley Canyon Road/State Route 18 would operate at an acceptable LOS without the proposed Project. The addition of the traffic generated by the proposed Project and other cumulative projects would result in a deficiency (LOS E during the Saturday peak hour / LOS F during the Sunday peak hour) at Intersection #10. Accordingly, the Project would have a cumulatively considerable impact on Intersection #10 under the Year 2040 scenario.

Under the Year 2040 Without Project scenario, Intersection #11 – Daley Canyon Access Road/State Route 18 would operate at an acceptable LOS without the proposed Project. The addition of the traffic generated by the proposed Project and other cumulative projects would result in a deficiency (LOS E) during the Saturday peak hour at Intersection #11. Accordingly, the Project would have a cumulatively considerable impact on Intersection #11 under the Year 2040 scenario. (Draft Revised EIR, pgs. 3.I-12 to 3.I-14)

The implementation of Mitigation Measures MM 3.I-1 to MM 3.I-5 would address the Project specific and cumulative traffic impacts to less than significant. However, each of the impacted facilities is under the jurisdiction of Caltrans and are, therefore, legally infeasible. As such, the County cannot assure the construction of improvements to State Highway facilities that may be needed to improve traffic flows at the impacted intersections. Furthermore, Caltrans does not have a funding mechanism in place to allow development projects to contribute a fair-share payment to contribute to future improvements and off-set cumulatively considerable traffic impacts. Although Mitigation Measure MM 3.I-2 requires the Project Applicant to make fair share fee contributions to Caltrans to fund improvements to State Highway facilities in the Project study area (in the

event that Caltrans establishes a fair share funding program that is applicable to the Project), there is no assurance that planned improvements would be in place prior to the time that the Project begins to contribute traffic to the affected facilities. Accordingly, the project specific and cumulative traffic impacts are significant and unavoidable.

#### 4. Land Use

**Potential Significant Impact:** The EIR concluded that the Project could result in significant land use impacts due to a conflict with policies in the General Plan that relate to environmental effects of traffic.

**Finding:** Based on the entire record before us, this Commission finds that this impact is potentially significant and Mitigation Measures MM 3.I-1 to MM 3.I-5 are incorporated into the Mitigation Monitoring and Reporting Program for the Project, and will be implemented as specified therein, thereby reducing the potentially significant impacts to the extent feasible, but not below a level of less than significant. Specifically, all of the impacted intersections are within the responsibility and jurisdiction of another public agency and not the agency making these findings, the County. The other public agency with responsibility and jurisdiction over those intersections (Caltrans) either does not have any plans to improve the impacted intersections or if they do have plans, those plans are either not funded or on a construction schedule that would allow for those improvements to be operational by the Project's opening year. Furthermore, the County has no independent control or jurisdiction over the implementation of those mitigation measures. Accordingly, the recommended mitigation measures needed to mitigate the identified impacts are not legally feasible and, as a result, transportation and traffic impacts will remain significant and unavoidable.

**Facts in Support of Finding:** The Project is consistent with all applicable land use policies of the County General Plan and the Lake Arrowhead Community Plan. By preserving 50% of the Project site as natural open space, providing extensive mountain-appropriate landscaping and establishing a less intensive land use than would otherwise be permitted under the IC land use designation, the Project will be compatible with surrounding land uses. The Project will also provide a space for public assembly to meet the needs of the community.

The potential conflict relates to impacts of traffic on the circulation system. CEQA evaluates conflicts with plans or policies adopted for the purposes of avoiding or mitigating environmental effects. The proposed Project would conflict with Policies M/CI 1.1 and LA/CI 1.1, which states that the County shall ensure new development proposals do not degrade Levels of Service(LOS) on State Routes and Major Arterials below LOS C during non-peak hours or below LOS D during peak-hours. The Project would contribute to non-Peak Hour and LOS deficiencies (below LOS D) during Project operation. Mitigation measures are incorporated in the EIR to require traffic and road improvements consistent with roadway level of service (LOS) policies in the General Plan. While the Project would result in direct and cumulatively significant impacts to the Project area roadways under

CEQA, the Project is consistent with the County General Plan and the Lake Arrowhead Community Plan.

The Project would also be consistent with the Development Code, the San Bernardino National Forest Land Management Plan and would not conflict with any other policies in the General Plan. The Project also would be consistent with the 2016-2040 RTP/SCS policies, strategies, and objectives.

## **E. PROJECT ALTERNATIVES**

The EIR analyzed the following two alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. CEQA also requires evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the Project." Thus, in order to develop a range of reasonable alternatives, the Project objectives must be considered when this Commission is evaluating the alternatives.

### **1. No Project /No Build Alternative**

Three alternatives to the Project were identified, including a No Project Alternative, a No Project/Feasible Development Alternative, and a Reduced Project/Alternative Site Design Alternative. Based on an analysis of these alternatives, an environmentally superior alternative is identified. The three identified alternatives, as well as the identified environmentally superior alternative, are summarized below. As required by the CEQA Guidelines, alternative locations were identified but rejected because the applicant owns the Project site and, due to economic and time constraints, it would not be feasible for the applicant to acquire, control, or otherwise have access to other alternative properties.

**No Project/No Build Alternative:** The No Project/No Build Alternative assumes that no development/discretionary actions, which are subject to CEQA review, would occur pertaining to the Project site beyond that which occurs under existing conditions. Under this primary assumption, the Project would not be constructed and the Project site would remain as undeveloped forested land.

Although the No Project/No Build Alternative would not result in any significant environmental impacts and would eliminate significant and unavoidable biological resources, construction noise and traffic impacts associated with the proposed Project, it would not achieve any of the Project objectives. Specifically, the No Project/No Build Alternative would not relieve deficiencies at the existing Church of the Woods facilities; provide a new facility for worship services, meetings, and recreational activities; provide spiritual, educational, and recreational activities in a natural setting; nor provide meeting, classroom, and recreational facilities for the community. (Draft Revised EIR, pgs. 4-3 to 4-5)

**No Project/Feasible Development Alternative:** In accordance with CEQA Guidelines Section 15126.6(e)(3)(B), the No Project Alternative may discuss “predictable actions by others, such as some other Project if disapproval of the Project under consideration were to occur.” CEQA Guidelines Section 15126.6(e)(3)(C) further states that the No Project Alternative should anticipate “what would reasonably be expected to occur in the foreseeable future if the Project were not approved based on current plans and consistent with available infrastructure and community services.”

Therefore, the No Project/Feasible Development Alternative assumes the potential development of 10,000 square feet of manufacturing or warehouse use due to the site’s physical constraints. This alternative would be constructed on approximately 5 acres of the Project site and is based on the provisions for development within the Community Industrial (IC) District.

The No Project/Feasible Development Alternative would reduce or eliminate significant and unavoidable impacts from construction noise, and cumulatively considerable significant and unavoidable impacts on the southern rubber boa and the San Bernardino flying squirrel compared to the proposed Project. This alternative would also reduce less than significant impacts of the proposed Project associated with biological resources, geology and soils, hazards, hydrology, transportation and traffic, and global climate change. Although this alternative would result in an incremental reduction in the severity of cumulatively considerable traffic noise impacts, these impacts could potentially remain significant and unavoidable.

Even though this alternative would eliminate some significant and unavoidable impacts associated with the proposed Project, it would not achieve any of the Project objectives. Specifically, the No Project/Feasible Development Alternative would not relieve deficiencies at the existing Church of the Woods facilities; provide a new facility for worship services, meetings, and recreational activities; provide spiritual, educational, and recreational activities in a natural setting; and provide meeting, and recreational facilities for the community. (Draft Revised EIR, pgs. 4-5 to 4-9)

**Reduced Project/Alternative Site Design Alternative:** The Reduced Project/Alternative Site Design Alternative would reduce the major components and capacity of the Project by approximately 25% while avoiding grading and disturbance of natural vegetation within an approximately 200-foot setback along Highway 18. Grading and clearance of vegetation along the highway would be limited to what is required to construct the entry and emergency access roads. This alternative would also minimize disturbance of natural vegetation and increase the setback between proposed playfields and existing residential uses located along the Project’s southwestern boundary while also substantially avoiding alteration of the natural drainage that runs from the southwest to the northeast corner of the site.

The Reduced Project/Alternative Site Design Alternative would reduce the less-than-significant impacts related to aesthetics, air quality, land use, operational noise, global climate change, hydrology, and hazards and hazardous materials compared to the proposed

Project. This alternative would also incrementally reduce the severity of the significant and unavoidable impacts associated with construction noise, habitat for sensitive species and operational traffic. Although this alternative would result in reduced construction noise, direct and cumulatively considerable traffic impacts, and cumulative impacts on the southern rubber boa, California spotted owl, and San Bernardino flying squirrel, these impacts could potentially remain significant and unavoidable.

Even though this alternative would eliminate or reduce the severity of some significant and unavoidable impacts associated with the proposed Project, this alternative would not fulfill the Project objectives to the same degree as the proposed Project. Specifically, the Reduced Project/Alternative Site Design Alternative may not be able to fully accommodate present and future congregational needs for worship services and other related programs and activities, which may result in the need to lease or build additional facilities elsewhere. (Draft Revised EIR, pgs. 4-9 to 4-13)

**Environmentally Superior Alternative:** The Reduced Project/Alternative Site Design would be the environmentally superior alternative. This alternative would reduce impacts on aesthetics, air quality, land use, and noise to a greater extent than the No Project/Feasible Development Alternative and the proposed Project. The rest of the impacts would be similar to the proposed Project. (Draft Revised EIR, pg. 4-13)

## **VI. GROWTH INDUCING IMPACTS**

CEQA Guidelines Section 15126.2(d) requires that growth-inducing impacts of a proposed Project be considered. Growth-inducing impacts are characteristics of a project that could directly or indirectly foster economic or population growth or the construction of additional housing in the area or region. According to the CEQA Guidelines, growth-inducing impacts can include impacts associated with the removal of obstacles to growth as well as the development of facilities that encourage and facilitate growth.

The proposed Project would expand the existing Church of the Woods facilities to meet present and anticipated congregational needs for worship services, bible study, social gatherings, and recreational activities. The proposed Project would accommodate the Church of the Woods programs, which would take place throughout the week. The proposed facilities would also support the activities of the community by providing meeting, and recreational facilities for local public and private organizations. The proposed Project would not result in economic or population growth in the Rim Forest area as the facilities are intended to serve existing residents of the area. While the Project may also accommodate new congregants that move into the area over time, the Project itself is not expected to draw new residents to the mountain area. Overall, no significant growth-inducing impacts would occur as a result of this Project. (Draft Revised EIR, pg. 5-3)

## **VII. STATEMENT OF OVERRIDING CONSIDERATIONS**

In accordance with CEQA Guidelines Section 15093 and other applicable law, the County has, in determining whether or not to approve the proposed project, balanced the economic, social, technological, and other project benefits against its unavoidable environmental

risks. The County has determined that the significant unavoidable adverse project impacts related to cumulative biological resources, construction noise transportation and traffic, and land use are acceptable and are outweighed by specific social, economic and other benefits of the project. In making this determination, the following factors and public benefits were considered as overriding considerations to the identified unavoidable significant adverse impacts of the proposed project:

- To construct a new church campus that would include worship facilities, a youth center gymnasium, children's ministry, sports courts, and a sports field.
- To relieve space constraints and address operational deficiencies at the existing Church of the Woods facilities.
- To provide a new Church of the Woods facility that adequately accommodates present and anticipated future congregational needs for worship services, bible study, social gatherings, and recreational activities.
- To develop a church campus in a natural setting within the San Bernardino National Forest which provides facilities to accommodate spiritual, educational, and recreational activities.
- To develop church facilities where community activities can occur, including meeting rooms, classrooms, and recreational facilities available for use by local public and private organizations.
- To develop a church facility in such a manner that approximately 50% of its site is retained as natural open space.
- To the extent feasible, develop the Project site in such a manner that is coordinated with the Rimforest Storm Drain project.
- To incorporate energy reduction, environmentally sustainable building practices, and water conservation into the Project's design and operational characteristics.

Each benefit set forth above constitutes an overriding consideration warranting approval for the Project, independent of the other benefits, despite each and every unavoidable impact. The County, as the Lead Agency and having reviewed the EIR and public records, adopts this Statement of Overriding Considerations, which has balanced the benefits of the Project against its significant unavoidable adverse impacts in reaching a decision to approve the Project.

## **VIII. CERTIFICATION OF EIR**

The County finds that it has reviewed and considered the EIR evaluating the proposed Project; that the EIR is an accurate and objective statement that fully complies with CEQA and the State CEQA Guidelines; and that the EIR reflects the independent judgment of the County. The County declares that no new significant information as defined by the State

CEQA Guidelines section 15088.5 has been received by the County after circulation of the Draft EIR that would require recirculation. The County certifies the Environmental Impact Report based on the following findings and conclusions:

**1. Findings:**

**a) CEQA Compliance:** As the decision-making body for the Project, the County has reviewed and considered the information contained in the Findings and supporting documentation. The County determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as a complete and accurate reporting of the unavoidable impacts and benefits of the proposed Project as detailed in the Statement of Overriding Considerations. The County finds that the EIR was prepared in compliance with CEQA and that the County complied with CEQA's procedural and substantive requirements.

**b) Independent Judgment of Lead Agency:** The EIR for the Project reflects the County's independent judgment. The County has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in retaining its own environmental consultant, and directing the consultant in the preparation of the EIR. The County has independently reviewed and analyzed the EIR and accompanying studies and finds that the report reflects the independent judgment of the County.

**c) Significant Unavoidable Impacts/Statement of Overriding Considerations:** The Project would have the potential for creating significant adverse impacts. These significant adverse environmental impacts have been identified in the EIR and will require mitigation as set forth in the Findings. The County has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the County determines that the unavoidable significant adverse impacts to cumulative biological resources, construction noise, transportation and traffic and land use are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

**2. Conclusions:**

- Except as to those impacts stated above relating to cumulative biological resources, construction noise and transportation and traffic, all other significant environmental impacts from the implementation of the proposed Project have been identified in the EIR and, with implementation of the mitigation measures identified, will be mitigated to a less than significant level.
- Alternatives to the proposed Project, which could potentially achieve the basic objectives of the proposed Project, have been considered and rejected in favor of the proposed Project.
- Environmental, economic, social, and other considerations and benefits derived from the development of the proposed Project override and make infeasible any

alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

**IX. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM**

Pursuant to *Public Resources Code* section 21081.6, the County as the Lead Agency hereby adopts the Mitigation Monitoring and Reporting Program attached to these Findings. In the event of any inconsistencies between the mitigation measures as set forth herein and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

**X. APPROVAL OF THE PROJECT**

Based on the entire record before the County, including the above Findings and Statement of Overriding Considerations and all written and oral evidence presented to the County, the County as the Lead Agency hereby approves the Project with all the mitigation measures and the Mitigation Monitoring and Reporting Program, as set forth in these findings.

**XI. LOCATION AND CUSTODIAN OF RECORD**

These documents and other materials that constitute the record of proceedings on which the County as the Lead Agency has based the Findings contained herein are located at the County of San Bernardino, 385 North Arrowhead Avenue, San Bernardino, CA 92415. The custodian for these documents is the Land Use Services Department for the County of San Bernardino. This information is provided in compliance with *Public Resources Code* Section 21081.6(a)(2) and State CEQA Guidelines Section 15091(e).



# **EXHIBIT I**

## **Mitigation Monitoring Reporting Program**



Mitigation Monitoring and Reporting Program

MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	VERIFICATION OF COMPLIANCE	TIMING	START DATE	FINISH DATE	MONITORING	
						DATE	MONITOR
<b>Air Quality</b>							
<p><b>MM-3.B1:</b> Prior to the issuance of a grading permit or a building permit, the County shall verify that the following notes are included on the construction document(s). These notes also shall be specified in bid documents issued to construction contractors. The Project's construction contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by County of San Bernardino staff or its designee to confirm compliance.</p> <ul style="list-style-type: none"> <li>• "During construction, all construction equipment (&gt;150 horsepower) shall be Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 3 compliant or better. The construction contractor shall keep a log of all construction equipment greater than 150 horsepower demonstrating compliance with this requirement, and the log shall be made available for inspection by San Bernardino County upon request."</li> <li>• "Construction equipment engines (&gt;150 horsepower) shall be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. Maintenance records shall be made available for inspection by San Bernardino County upon request."</li> </ul>	<p>Project Applicant</p> <p>Project Construction Contractors</p>	<p>County of San Bernardino Building Official</p>	<p>Prior to the issuance of a grading permit or a building permit</p>				



**Church of the Woods  
Mitigation Monitoring and Reporting Program**

MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	VERIFICATION OF COMPLIANCE	TIMING	START DATE	FINISH DATE	MONITORING	
						DATE	MONITOR
<ul style="list-style-type: none"> <li>“All diesel-fueled trucks hauling materials to and from the construction site shall comply with CARB’s 2010 engine emission standards.”</li> <li>“Signs shall be posted at the construction site entry and on the construction site stating that vehicle engine idling is limited to 5 minutes or less.”</li> </ul>							
<b>Biological Resources</b>							
<p><b>MM-3.C1(a):</b> Prior to the issuance of any grading permits, the Project Applicant shall provide evidence that the Land Use Services Director or their designee has confirmed that the following actions have or will be implemented.</p> <ul style="list-style-type: none"> <li>A pre-construction clearance survey for southern rubber boa, San Bernardino flying squirrel and California spotted owl shall be conducted at the Project site by an approved biologist no less than 30 days prior to any ground disturbing activities.</li> <li>A copy of the results of the pre-construction survey (and any additional surveys) shall be provided to the San Bernardino County Planning Department prior to the issuance of a grading permit or the granting of any authorization for any vegetation clearing and ground</li> </ul>	<p>Project Applicant</p> <p>Project Biologist</p>	<p>County of San Bernardino Land Use Services Director</p>	<p>Prior to the issuance of any grading permits</p>				



**Church of the Woods  
Mitigation Monitoring and Reporting Program**

MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	VERIFICATION OF COMPLIANCE	TIMING	START DATE	FINISH DATE	MONITORING	
						DATE	MONITOR
<p>disturbance activities at the Project site.</p> <ul style="list-style-type: none"> <li>○ If the results are negative, the County may issue the grading permit.</li> <li>○ If southern rubber boa, San Bernardino Flying squirrel or California spotted owl are detected on-site during the preconstruction clearance survey(s), the Project Biologist shall notify the California Department of Fish and Wildlife (CDFW) immediately.</li> </ul> <ul style="list-style-type: none"> <li>• An approved biologist shall be onsite during all vegetation clearing and rough grading. In the event that southern rubber boa, San Bernardino Flying squirrel or California spotted owl are detected on-site during vegetation clearing or rough grading activities, the approved biologist shall have authority to halt vegetation clearing and/or rough grading activities until remedial measures determined by the Project Biologist are implemented and until a suitable buffer has been established as identified by the Project Biologist. Vegetation clearing and/or rough grading activities shall only be allowed to commence within the buffer area once the approved biologist makes a determination that the species is no longer present.</li> </ul>							



**Church of the Woods  
Mitigation Monitoring and Reporting Program**

MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	VERIFICATION OF COMPLIANCE	TIMING	START DATE	FINISH DATE	MONITORING	
						DATE	MONITOR
<p><b>MM-3.C1(b):</b> Prior to the issuance of any grading permits, the Project Applicant shall provide evidence to the Public Works Director or their designee and the Land Use Services Director and their designee that the Project Applicant has provided for the permanent preservation and management in perpetuity of 13.40 acres of onsite habitat that supports a total of 1.65 available onsite acres of high-quality southern rubber boa habitat, 2.18 acres of moderate quality southern rubber boa habitat and 9.57 acres of low quality southern rubber boa habitat, 5.45 acres of moderate quality San Bernardino flying squirrel habitat and 7.95 acres of low-quality San Bernardino flying squirrel habitat; and 5.85 acres of moderate-quality California spotted owl habitat and 7.55 acres of low-quality California spotted owl habitat. The onsite habitat shall be permanently protected through the recordation of a CDFW-approved conservation easement, the selection of a CDFW-approved conservation management entity and by funding a “non-wasting” endowment that provides for the costs associated with any initial improvements and management actions as defined in a Long-term Management Plan. The long-term management plan shall be submitted to CDFW for review and approval.</p>	<p>Project Applicant  Project Biologist</p>	<p>County of San Bernardino Public Works Director and Land Use Services Director</p>	<p>Prior to the issuance of any grading permits</p>				
<b>Geology and Soils</b>							
<p><b>MM 3.D-1:</b> Prior to issuance of any grading permit, the San Bernardino County Building Official or their designee shall confirm that the Grading Plan incorporates specific measures from the required design-level geotechnical investigation which shall, at a minimum,</p>	<p>Project Applicant  Project Geotechnical Engineer</p>	<p>County of San Bernardino Building Official</p>	<p>Prior to issuance of any grading permit</p>				



**Church of the Woods**  
**Mitigation Monitoring and Reporting Program**

MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	VERIFICATION OF COMPLIANCE	TIMING	START DATE	FINISH DATE	MONITORING	
						DATE	MONITOR
<p>address landslides, liquefaction, lateral spreading, and collapsible soils. The geotechnical investigation report and the measures that shall be included as notes on the Grading Plan and shall comport with the provisions established in Chapter 87.08, Soils Reports, and Chapter 88.02, Soil and Water Conservation, of the San Bernardino County Code. Remedial measures to address landslides may include, but not be limited to: removal, repositioning, embedment, anchoring of boulders; installation of catchment fences; and construction in accordance with the recommendations of the Project geotechnical engineer, CALGreen and any County guidelines. Potential remedial measures that may be required to address collapsible soils may include, but not be limited to, over-excavation of all uncontrolled artificial fill and upper portion of the surficial soils during site grading. Remedial measures to address liquefaction may include, but not be limited to, specialized compaction techniques and cement or chemical grouting. Prior to issuance of any grading permit, the San Bernardino County Building Official shall ensure that any and all remedial measures identified in the Project-specific geotechnical investigation are incorporated as notes on all final Project construction plans so that they may be implemented during Project grading and construction activities.</p>							
<p><b>MM 3.D-2:</b> Prior to the issuance of any grading permit, the San Bernardino County Building Official shall confirm that the Grading Plan incorporates specific measures from the required design-level Project-specific</p>	Project Applicant	County of San Bernardino Building Official	Prior to the issuance of any grading permit				



**Church of the Woods  
Mitigation Monitoring and Reporting Program**

MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	VERIFICATION OF COMPLIANCE	TIMING	START DATE	FINISH DATE	MONITORING	
						DATE	MONITOR
<p>geotechnical investigation to address lateral spreading. The geotechnical investigation report shall comport with the provisions established in Chapter 87.08, Soils Reports, and Chapter 88.02, Soil and Water Conservation, of the San Bernardino County Code. Remedial measures shall be undertaken as recommended by the licensed geotechnical engineer and approved by the County as part of the grading operation and construction phases. Remedial measures to address lateral spreading may include, but not be limited to: removal and re-compaction of near surface soils, the use of deep foundations and/or stone columns, and deep dynamic compaction. The remedial measures undertaken shall ensure that potential lateral movements calculated as part of the geotechnical exploration and analysis can accommodate habitable structures pursuant to CALGreen requirements as well as paved roads and wet or dry utilities, and thereby safeguard habitable structures, roads, and utility lines against potential seismic hazards. The findings of the geological explorations and recommendations shall be documented in a Project-specific geotechnical investigation report prepared by a licensed geotechnical engineer. The report shall be approved by the County and the recommendations contained in the report shall be implemented and required as grading permit and building permit conditions of approval. Prior to issuance of any grading permit, the San Bernardino County Building Official shall ensure that any and all remedial measures identified in the Project-specific geotechnical investigation are incorporated as notes on all final Project construction plans so</p>	<p>Project Geotechnical Engineer</p>						



MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	VERIFICATION OF COMPLIANCE	TIMING	START DATE	FINISH DATE	MONITORING	
						DATE	MONITOR
that they may be implemented during Project grading and construction activities.							
<b>Noise</b>							
<p><b>MM-H-1:</b> Prior to the issuance of a grading permit, the County of San Bernardino Building Official shall ensure that the following notes are included on all grading plans and shall be enforced by the construction contractor during all excavation and grading activities:</p> <ol style="list-style-type: none"> <li>1. During all site excavation and grading, the Construction Contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturer's standards.</li> <li>2. The Construction Contractor shall position all stationary construction equipment so that emitted noise is directed away from off-site residences nearest the Project site.</li> <li>3. The Construction Contractor shall locate equipment staging within portions of the Project site that shall will create the greatest distance between construction-related noise sources and off-site residences nearest the Project site during all Project construction.</li> <li>4. Heavy construction activities, such as grading and/or compacting, that would occur within 300 feet of the western property line shall be restricted to the hours of 10:00 a.m. to 4:00 p.m.</li> </ol>	<p>Project Applicant</p> <p>Project Construction Contractors</p>	<p>County of San Bernardino Building Official</p>	<p>Prior to the issuance of a grading permit</p>				





MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	VERIFICATION OF COMPLIANCE	TIMING	START DATE	FINISH DATE	MONITORING	
						DATE	MONITOR
<b>Transportation and Circulation</b>							
<p><b>MM 3.I-1:</b> Prior to issuance of an occupancy permit for the Project, the San Bernardino County Director of Public Works or their assignee shall verify that the Project Applicant has made a good faith effort to gain the approval of Caltrans to implement the intersection improvements identified below in accordance with the recommendations identified in the Traffic Impact Analysis (TIA) prepared by Translutions, Inc., dated September 12, 2018. If Caltrans approval is granted, the Project Applicant shall be responsible for ensuring installation of the traffic signals.</p> <ul style="list-style-type: none"> <li>• Intersection #4 – Bear Springs Road/State Route 18: install a traffic signal at the intersection.</li> <li>• Intersection #18 – Pine Avenue/State Route 18: install a traffic signal at the intersection.</li> </ul>	Project Applicant	County of San Bernardino Director of Public Works	Prior to the issuance of an occupancy permit				
<p><b>MM 3.I-2:</b> In the event that Caltrans prepares a valid study, as defined below, that identifies fair share contribution funding sources attributable to and paid from private and public development to supplement other regional and State funding sources necessary undertake improvements to intersections along SR-18 and/or SR-189 in the Project study area, then the Project Applicant shall use reasonable efforts to pay the applicable fair share amount to Caltrans.</p> <p>The study shall include fair share contributions related to private and/or public development</p>	Project Applicant	County of San Bernardino Land Use Services Director	At all grading, building, and first occupancy permit issuances (in the event that Caltrans has prepared a fair share fee study for SR-18 and/or SR-189 that applies to development projects)				



**Church of the Woods**  
**Mitigation Monitoring and Reporting Program**

MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	VERIFICATION OF COMPLIANCE	TIMING	START DATE	FINISH DATE	MONITORING	
						DATE	MONITOR
<p>based on nexus requirements contained in the Mitigation Fee Act (Govt. Code § 66000 et seq.) and 14 Cal. Code of Regs. Section 15126.4(a)(4) and, to this end, the study shall recognize that impacts to Caltrans SR-18 and/or SR-189 facilities that are not attributable to development located within unincorporated San Bernardino County that are not required to pay in excess of such developments' fair share obligations. The fee study shall also be compliant with Government Code Section 66001(g) and any other applicable provisions of law. The study shall set forth a timeline and other relevant criteria for implementation of the recommendations contained within the study to the extent the other agencies agree to participate in the fee study program. Specifically, the fair share fee payment required by this Mitigation Measure shall be used by Caltrans to make the following improvements in accordance with the recommendations identified in the Traffic Impact Analysis (TIA) prepared by Translutions, Inc., dated September 12, 2018:</p> <ul style="list-style-type: none"> <li>• Daley Canyon Road/State Route 189 (Intersection #8): install a traffic signal at the intersection. The Project's fair share of this improvement shall be 58.7%</li> <li>• Daley Canyon Road/State Route 18 (Intersection #10): install a traffic signal at the intersection. The Project's fair share of this improvement shall be 48.3%.</li> </ul>							



MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	VERIFICATION OF COMPLIANCE	TIMING	START DATE	FINISH DATE	MONITORING	
						DATE	MONITOR
<ul style="list-style-type: none"> <li>Daley Canyon Access Road/State Route 18 (Intersection #11): install a traffic signal at the intersection. The Project's fair share of this improvement is 30.3%.</li> <li>State Route 173/State Route 18 (Intersection #17): install a traffic signal at the intersection. The Project's fair share of this improvement is 22.0%.</li> <li>Pine Avenue/State Route 18 (Intersection #18): install a traffic signal at the intersection. The Project's fair share of this improvement is 32.3%.</li> </ul>							
<p><b>MM-3.1-3:</b> During the hours of 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m., construction traffic shall be minimized. No more than 50 total passenger-car-equivalent trips per hour (inbound and outbound combined) may enter or exit the construction site during these periods. The construction contractor shall be responsible for monitoring the entries and exits during these time periods to ensure compliance and permit periodic inspection of the construction site by the County of San Bernardino or its designee to further ensure compliance. A requirement to comply with this restriction shall be noted on all construction documents and also shall be specified in bid documents issued to prospective construction contractors. Passenger-car-equivalents shall be counted as follows:</p>	Project Construction Contractors	County of San Bernardino Director of Public Works	During project construction				



**Church of the Woods  
Mitigation Monitoring and Reporting Program**

MITIGATION MEASURE (MM)	RESPONSIBLE PARTY	VERIFICATION OF COMPLIANCE	TIMING	START DATE	FINISH DATE	MONITORING	
						DATE	MONITOR
<ul style="list-style-type: none"> <li>• Passenger Vehicle – 1 PCE</li> <li>• 2 Axle Truck – 1.5 PCE</li> <li>• 3 Axle Truck – 2 PCE</li> <li>• 4+ Axle Truck – 3 PCE</li> </ul>							
<p><b>MM-3.I-4:</b> Prior to the issuance of grading permits, building permits, or improvement plans for frontage improvements along SR-18, the Project Applicant shall prepare and the County of San Bernardino shall approve a temporary traffic control plan. The temporary traffic control plan shall comply with the applicable requirements of the California Manual on Uniform Traffic Control Devices. A requirement to comply with the temporary traffic control plan shall be noted on all construction documents and also shall be specified in bid documents issued to prospective construction contractors.</p>	Project Applicant	County of San Bernardino Director of Public Works	Prior to the issuance of grading permits, building permits, or improvement plans for frontage improvements along SR-18				
<p><b>MM-3.I-5:</b> All heavy-duty construction equipment and vehicles shall be staged interior to the construction site. The parking or storage of construction equipment and vehicles on SR-18 is prohibited. The construction contractor shall be responsible for ensuring compliance and permit periodic inspection of the construction site by the County of San Bernardino or its designee to further ensure compliance. A requirement to comply with this provision shall be noted on all construction documents and also shall be specified in bid documents issued to prospective construction contractors.</p>	Project Construction Contractors	County of San Bernardino Director of Public Works	Prior to the issuance of a grading permit or a building permit				



## **EXHIBIT J**

### **Conditions of Approval**

# **CONDITIONS OF APPROVAL**

Church of the Woods  
Conditional Use Permit

## **GENERAL REQUIREMENTS** Ongoing and Operational Conditions

### **LAND USE SERVICES DEPARTMENT – Planning Division (909) 387-8311**

1. **Project Approval Description.** This Conditional Use Permit (CUP) is conditionally approved to construct a religious facility consisting of a 27,364-square foot, two-story Youth Center/Gymnasium, 41,037-square foot, two-story Assembly building with a maximum seating capacity of 600, and a 1,500-square foot two-story maintenance/caretaker unit in 2 Phases (Project) on a 13.6-acre portion of a 27.12-acre site. The Project also includes an ancillary 54,000-square foot sports field, sports courts, and a 7,838-square foot water quality bioretention basin. The Project is approved to be constructed in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the following Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations). The developer shall provide a copy of the approved conditions and the approved site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project Site with APN: 0336-101-06, 07, located on the north Side of Highway 18, 450' east of Bear Springs Road in Lake Arrowhead; Project No. P201700270.
2. **MMRP.** Implementation of the mitigation measures required for the Project shall be verified according to the methods specified in the Mitigation Monitoring and Reporting Program (MMRP) of the certified EIR (SCH #2004031114). A Mitigation Monitoring and Compliance application shall be filed with the required fee deposit with the Planning Division, which will oversee and verify compliance with the mitigation measures in the MMRP.
3. **Revisions.** Any proposed change to the approved use/activity on the site or any increase in the developed area of the site or any expansion or modification to the approved facilities, including changes to the height, location, bulk or size of structure or equipment shall require an additional land use review and application subject to approval by the County. The developer shall prepare, submit with fees and obtain approval of the application prior to implementing any such revision or modification. (SBCC §86.06.070)
4. **Indemnification.** In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its “indemnitees” (herein collectively the County’s elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer’s indemnification obligation applies to the indemnitees’ “passive” negligence but does not apply to the indemnitees’ “sole” or “active” negligence or “willful misconduct” within the meaning of Civil Code Section 2782.

5. Expiration. This project permit approval shall expire and become void if it is not “exercised” within three (3) years of the effective date of this approval, unless an extension of time is approved. The permit is deemed “exercised” when either:
- The permittee has commenced actual construction or alteration under a validly issued building permit, or
  - The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit (SBCC §86.06.060), or
  - Occupancy of approved land use occupancy of completed structures and operation of the approved and exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:
    - Construction permits for all or part of the project are not issued or the construction permits expire before the structure is completed and the final inspection is approved, or
    - The land use is determined by the County to be abandoned or non-conforming, or
    - The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.
- PLEASE NOTE: This will be the ONLY notice given of this approval's expiration date. The developer is responsible to initiate any Extension of Time application.
6. Continuous Effect/Revocation. All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner, developer or other interested party to correct the non-complying situation.
7. Extension of Time. Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)
8. Project Account. The Project number is P201700270. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works, and County Counsel). Upon notice, the “developer” shall deposit additional funds to maintain or return the account to a positive balance. The “developer” is responsible for all expense charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use.
9. Condition Compliance. In order to obtain construction permits for grading, building, final inspection and/or tenant occupancy for each approved building, the developer shall process a Condition Compliance Release Form (CCRF) for each respective building and/or phase of the development through the Planning Division in accordance with the directions stated in the Approval letter. The Planning Division shall release their holds on each phase of development by providing to County Building and Safety the following:
- Grading Permits: a copy of the signed CCRF for grading/land disturbance and two “red” stamped and signed approved copies of the grading plans.
  - Building Permits: a copy of the signed CCRF for building permits and three “red” stamped and signed approved copies of the final approved site plan.
  - Final Occupancy: a copy of the signed CCRF for final inspection of each respective building or use of the land, after an on-site compliance inspection by the Planning Division.



10. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
11. Additional Permits. The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use.
12. Continuous Maintenance. The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:
  - a. Annual maintenance and repair: The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
  - b. Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance.
  - c. Landscaping: The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying.
  - d. Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
  - e. Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
  - f. External Storage: The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
  - g. Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
  - h. Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.
  - i. Signage: The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan.
  - j. Lighting: The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.
  - k. Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires the Planning Division review and approval. The markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled space and access path of travel, directional designations and signs, stop signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations.
  - l. Fire Lanes: The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.
13. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste.

14. Lighting. Lighting shall comply with Table 83-7 “Shielding Requirements for Outdoor Lighting in the Mountain Region and Desert Region” of the County’s Development Code (i.e. “Dark Sky” requirements). All lighting shall be limited to that necessary for maintenance activities and security purposes. This is to allow minimum obstruction of night sky remote area views. No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic. All signs proposed by this project shall only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or in the case of an approved electronic message center sign, an alternating message no more than once every five seconds.
15. Clear Sight Triangle. Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic.
16. Cultural Resources. During grading or excavation operations, should any potential paleontological or archaeological artifacts be unearthed or otherwise discovered, the San Bernardino County Museum shall be notified and the uncovered items shall be preserved and curated, as required. For information, contact the County Museum, Community and Cultural Section, telephone (909) 798-8570.
17. Underground Utilities. No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.
18. Construction Hours. Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.
19. Construction Noise. The following measures shall be adhered to during the construction phase of the project:
  - All construction equipment shall be muffled in accordance with manufacturer’s specifications.
  - All construction staging shall be performed as far as possible from occupied dwellings. The location of staging areas shall be subject to review and approval by the County prior to the issuance of grading and/or building permits.
  - All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors (e.g. residences and schools) nearest the project site.
20. GHG – Operational Standards. The developer shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project:
  - a. Waste Stream Reduction. The “developer” shall provide to all tenants and project employees County-approved informational materials about methods and need to reduce the solid waste stream and listing available recycling services.
  - b. Vehicle Trip Reduction. The “developer” shall provide to all tenants and project employees County-approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include: participation in established ride-sharing programs, creating a new ride-share employee vanpool, designating preferred parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles with benches in waiting areas, and/or providing a web site or message board for coordinating rides.
  - c. Provide Educational Materials. The developer shall provide to all tenants and staff education materials and other publicity about reducing waste and available recycling services. The education and publicity materials/program shall be submitted to County Planning for review and approval. .
  - d. Landscape Equipment. The developer shall require in the landscape maintenance contract and/or in onsite procedures that a minimum of 20% of the landscape maintenance equipment shall be electric-powered.

**LAND USE SERVICES DEPARTMENT – Code Enforcement Division (909) 387-8311**

21. Enforcement. If any County enforcement activities are required to enforce compliance with the conditions of approval, the property owner and “developer” shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees. Failure to comply with these conditions of approval or the approved site plan design required for this project approval shall be enforceable against the property owner and “developer” (by both criminal and civil procedures) as provided by the San Bernardino County Code, Chapter 86.09 – Enforcement.
22. Weed Abatement. The applicant shall comply with San Bernardino County weed abatement regulations and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

**LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section (909) 387-8311**

23. Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off site - on site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed.
24. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
25. Additional Drainage Requirements. In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

**PUBLIC HEALTH - Environmental Health Services (800) 442-2283**

26. Refuse Storage/Removal. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least **1** time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least **2** times per week, or as often if necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq. For information, please call DEHS/LEA at: (800) 442-2283.
27. OWTS Maintenance. The Onsite Wastewater Treatment System (OWTS) shall be maintained so as not to create a public nuisance and shall be serviced by a DEHS permitted pumper or qualified service provider. For information, please call DEHS/Wastewater Section at: (800) 442-2283.
28. Noise. Noise level(s) shall be maintained at or below County Standards, Development Code §83.01.080. For information, please call DEHS at: (800) 442-2283

**COUNTY FIRE DEPARTMENT –Community Safety Division (909) 386-8465**

29. Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein (“Fire Department”). Prior to any construction occurring on any parcel, the developer shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.
30. Constriction Permits. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has

occurred within 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.

31. Additional Requirements. In addition to the Fire requirements stated herein, other on-site and off-site improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

#### **DEPARTMENT OF PUBLIC WORKS – Solid Waste Management – (909) 386-8701**

32. Franchise Hauler Service Area. This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area.
33. Recycling Storage Capacity. The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of Assembly Bill (AB) 2176.
34. Mandatory Commercial Recycling. Beginning July 1, 2012 all businesses defined to include a commercial or public entity that generates 4 or more cubic yards of commercial waste a week or is a multi-family residential dwelling of 5 units or more to arrange for recycling services. The County is required to monitor commercial recycling and will require businesses to provide recycling information. This requirement is to assist the County in compliance with AB 341.
35. Mandatory Trash Service. This project falls within a Uniform Handling Service area. If uniform handling is implemented in all or part of a particular franchise area, all owners or a dwelling or a commercial or industrial unit within the uniform handling area who are required to have uniform handling service shall, upon notice thereof, be required to accept uniform handling service from the grantee holding a franchise agreement and pay the rate of such services. This requirement is a stipulation of County Code Title 4, Division 6, Chapter 5, Section 46.0501.
36. Mandatory Organics Recycling. As of January 1, 2017, the State of California through AB 1826 (Enacted October 2014), requires businesses that generate four (4) cubic yards of organics per week to recycle. A business generating organic waste shall arrange for the recycling services in a manner that is consistent with state and local laws and requirements, including a local ordinance or local jurisdiction's franchise agreement, applicable to the collection, handling, or recycling of solid and organic waste or arrange for separate organic waste collection and recycling services, until the local ordinance or local jurisdiction's franchise agreement includes organic waste recycling services. A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance. Additionally, all businesses that contract for gardening or landscaping services must stipulate that the contractor recycle the resulting gardening or landscaping waste. Residential multifamily dwellings of five (5) or more units are required to recycle organics though not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County on efforts to recycle organics materials once operational.

#### **DEPARTMENT OF PUBLIC WORKS – Traffic Division – (909) 387-8186**

37. Transportation and Circulation Mitigation I-3. During the hours of 7 a.m. to 9 a.m. and 4 p.m. to 6 p.m., construction traffic shall be minimized. No more than 50 total passenger-car-equivalent trips per hour (inbound and outbound combined) may enter or exit the construction site during these periods. The construction contractor shall be responsible for monitoring the entries and exits during these time periods to ensure compliance and permit

periodic inspection of the construction site by the County of San Bernardino or its designee to further ensure compliance. A requirement to comply with this restriction shall be noted on all construction documents and also shall be specified in bid documents issued to prospective construction contractors. Passenger-car-equivalents shall be counted as follows:

- Passenger Vehicle – 1 PCE
- 2 Axle Truck – 1.5 PCE
- 3 Axle Truck – 2 PCE
- 4+ Axle Truck – 3 PCE

**PRIOR TO ISSUANCE OF GRADING PERMITS  
OR LAND DISTURBING ACTIVITIES**

The Following Shall Be Completed:

**LAND USE SERVICES DEPARTMENT – Planning Division (909) 387-8311**

37. Verification shall be provided that all components of the San Bernardino County Flood Control District's Rimforest Storm Drain project, that would materially affect either the Church of the Woods project or property, have been installed and are operational. As an alternative, the development and grading plans shall be revised to not rely on the Rimforest Storm Drain Project.
38. Air Quality Mitigation B-1. Prior to the issuance of a grading permit or a building permit, the County shall verify that the following notes are included on the construction document(s). These notes also shall be specified in bid documents issued to construction contractors. The Project's construction contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by County of San Bernardino staff or its designee to confirm compliance.
- “During construction, all construction equipment (>150 horsepower) shall be Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 3 compliant or better. The construction contractor shall keep a log of all construction equipment greater than 150 horsepower demonstrating compliance with this requirement, and the log shall be made available for inspection by San Bernardino County upon request.”
- “Construction equipment engines (>150 horsepower) shall be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. Maintenance records shall be made available for inspection by San Bernardino County upon request.”
- “All diesel-fueled trucks hauling materials to and from the construction site shall comply with CARB's 2010 engine emission standards.”
  - “Signs shall be posted at the construction site entry and on the construction site stating that vehicle engine idling is limited to 5 minutes or less.”
39. Biological Resource Mitigation C-1a. Prior to the issuance of any grading permits, the Project Applicant shall provide evidence that the Land Use Services Director or their designee has confirmed that the following actions have or will be implemented.
- A pre-construction clearance survey for southern rubber boa, San Bernardino flying squirrel and California spotted owl shall be conducted at the Project site by an approved biologist no less than 30 days prior to any ground disturbing activities.
  - A copy of the results of the pre-construction survey (and any additional surveys) shall be provided to the San Bernardino County Planning Department prior to the issuance of a grading permit or the granting of any authorization for any vegetation clearing and ground disturbance activities at the Project site.
    - If the results are negative, the County may issue the grading permit.
    - If southern rubber boa, San Bernardino Flying squirrel or California spotted owl are detected on-site during the preconstruction clearance survey(s), the Project Biologist shall notify the California Department of Fish and Wildlife (CDFW) immediately.
  - An approved biologist shall be onsite during all vegetation clearing and rough grading. In the event that southern rubber boa, San Bernardino Flying squirrel or California spotted owl are detected on-site during vegetation clearing or rough grading activities, the approved biologist shall have authority to halt vegetation clearing and/or rough grading activities until remedial measures determined by the Project Biologist are implemented and until a suitable buffer has been established as identified by the Project Biologist. Vegetation clearing and/or rough

grading activities shall only be allowed to commence within the buffer area once the approved biologist makes a determination that the species is no longer present.

40. Biological Resource Mitigation C-1b. Prior to the issuance of any grading permits, the Project Applicant shall provide evidence to the Public Works Director or their designee and the Land Use Services Director and their designee that the Project Applicant has provided for the permanent preservation and management in perpetuity of 13.40 acres of onsite habitat that supports a total of 1.65 available onsite acres of high-quality southern rubber boa habitat, 2.18 acres of moderate quality southern rubber boa habitat and 9.57 acres of low quality southern rubber boa habitat, 5.45 acres of moderate quality San Bernardino flying squirrel habitat and 7.95 acres of low-quality San Bernardino flying squirrel habitat; and 5.85 acres of moderate-quality California spotted owl habitat and 7.55 acres of low-quality California spotted owl habitat. The onsite habitat shall be permanently protected through the recordation of a CDFW-approved conservation easement, the selection of a CDFW-approved conservation management entity and by funding a "non-wasting" endowment that provides for the costs associated with any initial improvements and management actions as defined in a Long-term Management Plan. The long-term management plan shall be submitted to CDFW for review and approval.
41. Geology and Soils Mitigation D-1. Prior to issuance of any grading permit, the San Bernardino County Building Official or their designee shall confirm that the Grading Plan incorporates specific measures from the required design-level geotechnical investigation which shall, at a minimum, address landslides, liquefaction, lateral spreading, and collapsible soils. The geotechnical investigation report and the measures that shall be included as notes on the Grading Plan and shall comport with the provisions established in Chapter 87.08, Soils Reports, and Chapter 88.02, Soil and Water Conservation, of the San Bernardino County Code. Remedial measures to address landslides may include, but not be limited to: removal, repositioning, embedment, anchoring of boulders; installation of catchment fences; and construction in accordance with the recommendations of the Project geotechnical engineer, CALGreen and any County guidelines. Potential remedial measures that may be required to address collapsible soils may include, but not be limited to, over-excavation of all uncontrolled artificial fill and upper portion of the surficial soils during site grading. Remedial measures to address liquefaction may include, but not be limited to, specialized compaction techniques and cement or chemical grouting. Prior to issuance of any grading permit, the San Bernardino County Building Official shall ensure that any and all remedial measures identified in the Project-specific geotechnical investigation are incorporated as notes on all final Project construction plans so that they may be implemented during Project grading and construction activities.
42. Geology and Soils Mitigation D-2. Prior to the issuance of any grading permit, the San Bernardino County Building Official shall confirm that the Grading Plan incorporates specific measures from the required design-level Project-specific geotechnical investigation to address lateral spreading. The geotechnical investigation report shall comport with the provisions established in Chapter 87.08, Soils Reports, and Chapter 88.02, Soil and Water Conservation, of the San Bernardino County Code. Remedial measures shall be undertaken as recommended by the licensed geotechnical engineer and approved by the County as part of the grading operation and construction phases. Remedial measures to address lateral spreading may include, but not be limited to: removal and re-compaction of near surface soils, the use of deep foundations and/or stone columns, and deep dynamic compaction. The remedial measures undertaken shall ensure that potential lateral movements calculated as part of the geotechnical exploration and analysis can accommodate habitable structures pursuant to CALGreen requirements as well as paved roads and wet or dry utilities, and thereby safeguard habitable structures, roads, and utility lines against potential seismic hazards. The findings of the geological explorations and recommendations shall be documented in a Project-specific geotechnical investigation report prepared by a licensed geotechnical engineer. The report shall be approved by the County and the recommendations contained in the report shall be implemented and required as grading permit and building permit conditions of approval. Prior to issuance of any grading permit, the San Bernardino County Building Official shall ensure that any and all remedial measures identified in the Project-specific geotechnical investigation are incorporated as notes on all final Project construction plans so that they may be implemented during Project grading and construction activities.
43. Noise Mitigation H-1. Prior to the issuance of a grading permit, the County of San Bernardino Building Official shall ensure that the following notes are included on all grading plans and shall be enforced by the construction contractor during all excavation and grading activities:

1. During all site excavation and grading, the Construction Contractor shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturer's standards.
2. The Construction Contractor shall position all stationary construction equipment so that emitted noise is directed away from off-site residences nearest the Project site.
3. The Construction Contractor shall locate equipment staging within portions of the Project site that shall will create the greatest distance between construction-related noise sources and off-site residences nearest the Project site during all Project construction.
4. Heavy construction activities, such as grading and/or compacting, that would occur within 300 feet of the western property line shall be restricted to the hours of 10:00 a.m. to 4:00 p.m.

**LAND USE SERVICES DEPARTMENT – Building and Safety Division (909) 387-8311**

44. Retaining Wall Plans. Submit plans and obtain separate building permits for any required walls or retaining walls.
45. Geology Report. When earthwork quantities exceed 5,000 cubic yards, a geology report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review prior to final project approval.
46. Geotechnical (Soil) Report. When earthwork quantities exceed 5,000 cubic yards, a geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits.
47. Grading Plans. Grading plans shall be submitted to Building and Safety for review and approval prior to grading/land disturbance of more than 100 cubic yards.
48. Erosion & Sediment Control Plan. An erosion and sediment control plan and permit shall be submitted to and approved by the Building Official prior to any land disturbance.
49. Erosion Control Installation. Erosion control devices must be installed at all perimeter openings and slopes. No sediment is to leave the job site.
50. NPDES Permit. An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. [www.swrcb.ca.gov](http://www.swrcb.ca.gov)
51. Regional Board Permit Letter. CONSTRUCTION projects involving one or more acres must be accompanied by a copy of the Regional Board permit letter with the WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.

**LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section (909) 387-8311**

52. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a safety manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$550 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.



53. Drainage Easements. Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities/or concentration of runoff from the site. Proof of recordation shall be provided to the Land Development Division.
54. FEMA Flood Zone. The Project is located within Flood Zone D according to FEMA Panel Number 7955H dated 08/28/2008. Flood Hazards are undetermined in this area but possible. The requirements may change based on the most current Flood Map prior to issuance of grading permit.
55. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
56. Grading Plans. Grading plans shall be submitted for review and approval obtained, prior to construction. All Drainage improvements shall be shown on the Grading plans according to the approved Drainage study report. A deposit for grading plan review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
57. Streambed Alteration Agreement. California Department of Fish and Wildlife (CDFW) must be notified per Fish and Game Code (FGC) §1602. A streambed alteration agreement shall be provided prior to Grading permit issuance. Link to CDFW website at <https://www.wildlife.ca.gov/Conservation/LSA>.

#### **DEPARTMENT OF PUBLIC WORKS – County Surveyor (909) 387-8149**

58. If any activity on this project will disturb **any** land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying **prior** to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.
59. A Record of Survey per Section 8762 of the Business and Professions Code is required due to the Site Plan showing bearings and distances which are not of record.

#### **PUBLIC HEALTH – Environmental Health Services (800) 442-2283**

60. Vector Inspection. All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any such premises. For information, contact DEHS Vector Section at 1-800-442-2283.
61. Vector Clearance. The project area has a high probability of containing vectors. DEHS Vector Control Section will determine the need for vector survey and any required control programs. A vector clearance letter shall be submitted to DEHS/Land Use. For information, contact Vector Control at 1-800-442-2283.

#### **COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465**

62. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix IIIA of the Uniform Fire Code.
63. Fire Fee. The required fire fees are due at time of submittal; and paid to the San Bernardino County Fire Department/Community Safety Division. This fee is in addition to fire fees that are paid to other County offices. [F40] Construction : Gym: \$1190.00; Assembly Building: \$1190.00; Maintenance Bldg. \$1044.00
64. Access. The development shall have a minimum of 2 points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. Standard 902.2.1

**Single Story Road Access Width:**

All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.

**Multi-Story Road Access Width:**

Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. [F41]

**65. Surface.**

- a. All fire access roadway surfaces, except for driveways providing fire access to no more than two (2) single family dwellings or accessory structures, shall be capable of supporting a fire apparatus with a gross vehicle weight of 80,000 pounds (lbs.) For design purposes, fire apparatus weight is distributed as 60,000 lbs. on the rear dual axles and 20,000 lbs. on the front axle. When required by the fire code official, the design of fire access roadways shall bear the stamp of a registered professional engineer in order to verify that they meet this requirement.
- b. Fire access roadways shall be paved with a concrete or asphalt material in order to provide "all weather" safe driving conditions. The appropriate thickness of surface materials and base materials shall be determined by a qualified engineer and subject to the approval of the County or City Engineering Department, but shall be in all cases a minimum of four (4) inches.
- c. Planted materials that are retained by a solid system such as "Turf Block,"® or "Grass-crete"® may be used for fire apparatus access surfacing, with approval of the fire code official, for limited or isolated areas no more than fifty (50) feet in length and where road grades do not exceed two percent (2%). Such areas shall be clearly signed as Emergency Vehicle Access per SBCFD Standard A-3, Diagram A-3.1. These, as well as other alternate paving materials such as stone, concrete pavers, chip seal or slag, shall be evaluated based on their ability to support imposed load of a fire apparatus and shall be immediately recognizable to emergency responders as a drivable surface.
- d. Where no paved roadways exist and road grades do not exceed eight percent (8%), and where serving only single family dwellings or accessory buildings, roads may be constructed with approved native materials or gravel compacted to eighty-five percent (85%) compaction.

**DEPARTMENT OF PUBLIC WORKS – Traffic Division – (909) 387-8186**

66. Transportation and Circulation Mitigation I-2. In the event that Caltrans prepares a valid study, as defined below, that identifies fair share contribution funding sources attributable to and paid from private and public development to supplement other regional and State funding sources necessary undertake improvements to intersections along SR-18 and/or SR-189 in the Project study area, then the Project Applicant shall use reasonable efforts to pay the applicable fair share amount to Caltrans.

The study shall include fair share contributions related to private and/or public development based on nexus requirements contained in the Mitigation Fee Act (Govt. Code § 66000 et seq.) and 14 Cal. Code of Regs. Section 15126.4(a)(4) and, to this end, the study shall recognize that impacts to Caltrans SR-18 and/or SR-189 facilities that are not attributable to development located within unincorporated San Bernardino County that are not required to pay in excess of such developments' fair share obligations. The fee study shall also be compliant with Government Code Section 66001(g) and any other applicable provisions of law. The study shall set forth a timeline and other relevant criteria for implementation of the recommendations contained within the study to the extent the other agencies agree to participate in the fee study program. Specifically, the fair share fee payment required by this Mitigation Measure shall be used by Caltrans to make the following improvements in accordance with the recommendations identified in the Traffic Impact Analysis (TIA) prepared by Translutions, Inc., dated September 12, 2018:

- Daley Canyon Road/State Route 189 (Intersection #8): install a traffic signal at the intersection. The Project's fair share of this improvement shall be 58.7%

- Daley Canyon Road/State Route 18 (Intersection #10): install a traffic signal at the intersection. The Project's fair share of this improvement shall be 48.3%.
  - Daley Canyon Access Road/State Route 18 (Intersection #11): install a traffic signal at the intersection. The Project's fair share of this improvement is 30.3%.
  - State Route 173/State Route 18 (Intersection #17): install a traffic signal at the intersection. The Project's fair share of this improvement is 22.0%.
  - Pine Avenue/State Route 18 (Intersection #18): install a traffic signal at the intersection. The Project's fair share of this improvement is 32.3%.
67. Transportation and Circulation Mitigation I-4. Prior to the issuance of grading permits, building permits, or improvement plans for frontage improvements along SR-18, the Project Applicant shall prepare and the County of San Bernardino shall approve a temporary traffic control plan. The temporary traffic control plan shall comply with the applicable requirements of the California Manual on Uniform Traffic Control Devices. A requirement to comply with the temporary traffic control plan shall be noted on all construction documents and also shall be specified in bid documents issued to prospective construction contractors.
68. Transportation and Circulation Mitigation I-5. All heavy-duty construction equipment and vehicles shall be staged interior to the construction site. The parking or storage of construction equipment and vehicles on SR-18 is prohibited. The construction contractor shall be responsible for ensuring compliance and permit periodic inspection of the construction site by the County of San Bernardino or its designee to further ensure compliance. A requirement to comply with this provision shall be noted on all construction documents and also shall be specified in bid documents issued to prospective construction contractors.

## PRIOR TO ISSUANCE OF BUILDING PERMITS

The Following Shall Be Completed:

### **LAND USE SERVICES DEPARTMENT – Planning (909) 387-8311**

70. Architecture. Architectural elevations are considered conceptual. Final details with colors and material samples shall be submitted to the Planning Division for approval prior to building plan check submittal.
71. Lighting Plans. The developer shall submit for review and approval to County Planning a photometric study demonstrating that the project light does not spill onto the adjacent properties, or public streets. Lighting fixtures shall be oriented and focused to the onsite location intended for illumination (e.g. walkways). Lighting shall be shielded away from adjacent sensitive uses, including the adjacent residential development, to minimize light spillover. The glare from any luminous source, including on-site lighting, shall not exceed 0.5 foot-candle at the property line. This shall be done to the satisfaction of County Planning, in coordination with County Building and Safety.
72. Landscape and Irrigation Plan. Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code. The developer shall submit four copies of a landscape and irrigation plan to County Planning.
73. GHG – Design Standards. The developer shall submit for review and obtain approval from County Planning evidence that the following measures have been incorporated into the design of the project. These are intended to reduce potential project greenhouse gas (GHGs) emissions. Proper installation of the approved design features and equipment shall be confirmed by County Building and Safety prior to final inspection of each structure.
- a. Meet Title 24 Energy Efficiency requirements. The Developer shall document that the design of the proposed structures meets the current Title 24 energy-efficiency requirements. County Planning shall coordinate this review with the County Building and Safety. Any combination of the following design features may be used to fulfill this requirement, provided that the total increase in efficiency meets or exceeds the cumulative goal (100%+ of Title 24) for the entire project (Title 24, Part 6 of the California Code of Regulations; Energy Efficiency Standards for Residential and Non Residential Buildings, as amended):
- Incorporate dual paned or other energy efficient windows,
  - Incorporate energy efficient space heating and cooling equipment,
  - Incorporate energy efficient light fixtures, photocells, and motion detectors,
  - Incorporate energy efficient appliances,
  - Incorporate energy efficient domestic hot water systems,
  - Incorporate solar panels into the electrical system,
  - Incorporate cool roofs/light colored roofing,
  - Incorporate other measures that will increase energy efficiency.
  - Increase insulation to reduce heat transfer and thermal bridging.
  - Limit air leakage throughout the structure and within the heating and cooling distribution system to minimize energy consumption.
- b. Plumbing. All plumbing shall incorporate the following:
- All showerheads, lavatory faucets, and sink faucets shall comply with the California Energy Conservation flow rate standards.
  - Low flush toilets shall be installed where applicable as specified in California State Health and Safety Code Section 17921.3.
  - All hot water piping and storage tanks shall be insulated. Energy efficient boilers shall be used.
- c. Lighting. Lighting design for building interiors shall support the use of:
- Compact fluorescent light bulbs or equivalently efficient lighting.
  - Natural day lighting through site orientation and the use of reflected light.
  - Skylight/roof window systems.

- Light colored building materials and finishes shall be used to reflect natural and artificial light with greater efficiency and less glare.
  - A multi-zone programmable dimming system shall be used to control lighting to maximize the energy efficiency of lighting requirements at various times of the day.
  - Provide a minimum of 2.5 percent of the project's electricity needs by on-site solar panels.
- d. Building Design. Building design and construction shall incorporate the following elements:
- Orient building locations to best utilize natural cooling/heating with respect to the sun and prevailing winds/natural convection to take advantage of shade, day lighting and natural cooling opportunities.
  - Utilize natural, low maintenance building materials that do not require finishes and regular maintenance.
  - Roofing materials shall have a solar reflectance index of 78 or greater.
  - All supply duct work shall be sealed and leak-tested. Oval or round ducts shall be used for at least 75 percent of the supply duct work, excluding risers.
  - Energy Star or equivalent appliances shall be installed.
  - A building automation system including outdoor temperature/humidity sensors will control public area heating, vent, and air conditioning units
- e. Landscaping. The developer shall submit for review and obtain approval from County Planning of landscape and irrigation plans that are designed to include drought tolerant and smog tolerant trees, shrubs, and groundcover to ensure the long-term viability and to conserve water and energy. The landscape plans shall include shade trees around main buildings, particularly along southern and western elevations, where practical.
- f. Irrigation. The developer shall submit irrigation plans that are designed, so that all common area irrigation areas shall be capable of being operated by a computerized irrigation system, which includes either an on-site weather station, ET gauge or ET-based controller capable of reading current weather data and making automatic adjustments to independent run times for each irrigation valve based on changes in temperature, solar radiation, relative humidity, rain and wind. In addition, the computerized irrigation system shall be equipped with flow sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head. These features will assist in conserving water, eliminating the potential of slope failure due to mainline breaks and eliminating over-watering and flooding due to pipe and/or head breaks.
- g. Recycling. Exterior storage areas for recyclables and green waste shall be provided. Where recycling pickup is available, adequate recycling containers shall be located in public areas. Construction and operation waste shall be collected for reuse and recycling.
74. Signs. All proposed on-site signs shall be shown on a separate plan, including location, scaled and dimensioned elevations of all signs with lettering type, size, and copy. Scaled and dimensioned elevations of buildings that propose signage shall also be shown. The applicant shall submit sign plans to County Planning for all existing and proposed signs on this site. The applicant shall submit for approval any additions or modifications to the previously approved signs. All signs shall comply with SBCC Chapter 83.13, Sign Regulations, SBCC §83.07.040, Glare and Outdoor Lighting Mountain and Desert Regions, and SBCC Chapter 82.19, Open Space Overlay as it relates to Scenic Highways (§82.19.040), in addition to the following minimum standards:
- a. All signs shall be lit only by steady, stationary shielded light; exposed neon is acceptable.
  - b. All sign lighting shall not exceed 0.5 foot-candle.
  - c. No sign or stationary light source shall interfere with a driver's or pedestrian's view of public right-of-way or in any other manner impair public safety.
  - d. Monument signs shall not exceed four feet above ground elevation and shall be limited to one sign per street frontage.
75. Verification shall be provided to the County that all components of the San Bernardino County Flood Control District's Rimforest Storm Drain project, that would materially affect either the Church of the Woods project or property, is installed and operational.

**LAND USE SERVICES DEPARTMENT – Building and Safety (909) 387-8311**

76. Construction Plans. Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.
77. Temporary Use Permit. A Temporary Use Permit (T.U.P.) for the office trailer will be required or it must be placed on a permanent foundation per State H.C.D. guidelines. A T.U.P. is only valid for a maximum of five (5) years.

**LAND USE SERVICES DEPARTMENT – Land Development Division – Road Section (909) 387-8311**

78. Road Dedication. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications.

**Daley Canyon Road (Mt. Major Highway – 80')**

- Road Dedication. A grant of easement is required to provide a half-width right-of-way of forty (40) feet.
79. Caltrans Review. Obtain comments from Caltrans for access requirements and working within their right-of-way.

**COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465**

80. Building Plans. No less than three (3) complete sets of Building Plans shall be submitted to the Fire Department for review and approval.
81. Primary Access Paved. Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions (Fire # F-9), including width, vertical clearance and turnouts, if required.
82. Fire Flow Test. Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to either produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied or you must install an approved fire sprinkler system. This requirement shall be completed prior to combination inspection by Building and Safety. 1500GPM FOR 2 HOURS
83. Water System Commercial. A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. All fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than three hundred (300) feet from any portion of a structure.
84. Turnaround. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a twelve percent (12%) grade and have a minimum of forty five (45) foot radius for all turns. Standard 902.2.1
85. Access - 30% slope. Where the natural grade between the access road and building is in excess of thirty percent (30%), an access road shall be provided within one hundred and fifty (150) feet of all buildings. Where such access cannot be provided, a fire protection system shall be installed. Plans shall be submitted to and approved by the Fire Department. Standard 902.2.1

**DEPARTMENT OF PUBLIC WORKS – Solid Waste Management – (909) 386-8701**

86. Construction and Demolition Waste Management Plan (CDWMP) Part 1. The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 for each phase of the project. The CWMP shall list the types and weights or volumes of solid waste materials expected to be generated from construction. The CDWMP shall include options to divert from landfill disposal, materials for reuse or recycling by a minimum of 65% of total weight or volume. Forms can be found on our website at <http://cms.sbcounty.gov/dpw/solidwastemanagement.aspx>. An approved CDWMP Part 1 is required before a permit can be issued.

**PUBLIC HEALTH – Environmental Health Services (800) 442-2283**

87. Water Purveyor. Water purveyor shall be Crestline-Lake Arrowhead Water Agency (CLAWA) or DEHS approved. (i.e. approved water agency/district, water source and/or well). Applicant shall procure a verification letter from the water service provider. The letter shall state whether or not water connection and service shall be made available to the project by the water provider. The letter shall also reference the project name and Assessor's Parcel Number. For projects with a current active water connection, a copy of the water bill with project address may suffice. For more information contact Water Section at 1-800-442-2283.
88. Onsite Wells. If wells are found on-site, evidence shall be provided that all wells are: (1) properly destroyed, by an approved C57 contractor and under permit from the County OR (2) constructed to DEHS standards, properly sealed and certified as inactive OR (3) constructed to DEHS standards and meet the quality standards for the proposed use of the water (industrial and/or domestic). Evidence shall be submitted to DEHS for approval.
89. Water System Permit. Applicant shall obtain and maintain a valid water system permit with DEHS and meet Title 22, CCR requirements pertaining to the type of water system.
90. SWRCB Approval. A water system permit may/will be required and concurrently approved by the State Water Resources Control Board – Division of Drinking Water. Applicant shall submit preliminary technical report at least 6 months before initiating construction of any water-related development. Source of water shall meet water quality and quantity standards. Test results, which show source meets water quality and quantity standards shall be submitted to the Division of Environmental Health Services (DEHS). For information, contact the Water Section at 1-800-442-2283 and SWRCB-DDW at 916-449-5577.
91. Sewer Purveyor. Sewage disposal shall be Lake Arrowhead Community Services (LACSD) or EHS approved. (i.e. approved sewage/wastewater agency/district and/or Onsite Wastewater Treatment System (OWTS)). Applicant shall procure a verification letter from the sewer service provider. The letter shall state whether or not sewer connection and service shall be made available to the project by the sewer service provider. The letter shall also reference the project name and Assessor's Parcel Number.
92. OWTS. If sewer connection and/or service are unavailable, method of sewage disposal shall an EHS approved Onsite Wastewater Treatment System(s) (OWTS) and shall conform to the Local Agency Management Program May 2017. The OWTS may be allowed under the following conditions:
- A percolation report shall be submitted to DEHS for review and approval. If the percolation report cannot be approved, the project may require an alternative OWTS. For more information, contact DEHS Wastewater Section at 1-800-442-2283.
  - An Alternative Treatment Permit, if applicable, shall be required.
93. Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer service provider, submit to DEHS verification of Local Agency Formation Commission (LAFCO) approval of either:
- a. Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or,
  - b. Out-of-agency service agreement for service outside a water and/or sewer service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant to the

provisions of Government Code Section 56133. Submit verification of LAFCO authorization of said Out-of-Agency service agreement to DEHS.

94. RWB. Written clearance shall be obtained from the designated California Regional Water Quality Control Board and a copy forwarded to DEHS for projects with design flows greater than 10,000 gallons per day: Santa Ana Region, 3737 Main St., Suite 500, Riverside, CA 92501-3339, 951-782-4130.
95. Food Establishment Plan Checks. Plans for food establishments shall be reviewed and approved by DEHS. For information, call DEHS/Plan Check at: 1-800-442-2283.



**PRIOR TO FINAL INSPECTION OR OCCUPANCY**

The Following Shall Be Completed

**LAND USE SERVICES DEPARTMENT – Planning Division (909) 387-8311**

96. Fees Paid. Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number P201700270.
97. Shield Lights. Any lights used to illuminate the site shall include appropriate fixture lamp types as listed in SBCC Table 83-7 and be hooded and designed so as to reflect away from adjoining properties and public thoroughfares and in compliance with SBCC Chapter 83.07, "Glare and Outdoor Lighting" (i.e. "Dark Sky Ordinance).
98. CCRF/Occupancy. Prior to occupancy/use, all Condition Compliance Release Forms (CCRF) shall be completed to the satisfaction of County Planning with appropriate authorizing signatures from each reviewing agency.
99. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
100. Landscaping/Irrigation. All landscaping, dust control measures, all fences, etc. as delineated on the approved Landscape Plan shall be installed. The developer shall submit the Landscape Certificate of Completion verification as required in SBCC Section 83.10.100. Supplemental verification should include photographs of the site and installed landscaping.
101. Installation of Improvements. All required on-site improvements shall be installed per approved plans.
102. The applicant shall install a gate at the easterly project driveway, which shall remain closed and used for emergency access only. A sign shall be posted on the gate indicating its use for emergency access only.
103. GHG – Installation/Implementation Standards. The developer shall submit evidence that all applicable GHG performance standards have been installed, implemented properly and that specified performance objectives are being met.

**LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section (909) 387-8311**

104. Drainage Improvements. All required drainage improvements, if any, shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.

**LAND USE SERVICES DEPARTMENT – Land Development Division – Road Section (909) 387-8311**

105. LDD Requirements. All LDD requirements shall be completed by the applicant prior to occupancy.
106. Caltrans Approval. Obtain approval from Caltrans for access requirements and working within their right-of-way.
107. Phased Projects. Projects within any phase of a phased project shall have all required on-site and off-site public road and drainage improvements required for such a phase sufficiently completed by the applicant, inspected and approved for construction of that phase, prior to final inspection or occupancy for any buildings or other structures in that phase.

The term "phase" as used here shall mean the following: "The block of building permits drawn on less than the whole project" or "A plan of building construction which indicates blocks of construction of less than the whole project."

In each phase, the installation of any on-site or off-site public road improvements shall be sufficiently completed so as to assure protection from storm or drainage run off, a safe and drivable access for fire and other emergency/safety vehicles, and the ordinary and intended use of the buildings or structures. The Building Official, with the concurrence of the Land Development Division may approve any plan or approve a change to an approved plan, which complies with the intent of this policy.

#### **COUNTY FIRE DEPARTMENT – Hazardous Materials Division (909) 386-8401**

108. Haz Mat Permits. Prior to occupancy, the business operator shall be required to apply for one or more of the following permits, or apply for exemption from hazardous materials laws and regulations: Hazardous Materials Permit, Hazardous Waste Permit, Aboveground Storage Tank Permit, or Underground Storage Tank Permit. Application for one or more of these permits shall occur by submitting a hazardous materials business plan using the California Environmental Reporting System (CERS) <http://cers.calepa.ca.gov>. Additional information can be found at <http://www.sbctfire.org/ofm/Hazmat/PoliciesProcedures.aspx> or you may contact The Office of the Fire Marshal, Hazardous Materials Division at (909) 386-8401.

#### **COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465**

109. Fire Sprinkler-NFPA #13. An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans (minimum 1/8" scale) shall include hydraulic calculations and manufacture's specification sheets. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal. Standard 101.1 [F59] Only required for building exceeding 5000 sq. ft.
110. Commercial Addressing. Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum six (6) inches in height and with a three quarter (3/4) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. Standard 901.4.4
111. Street Sign. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed. Standard 901.4.4
112. Fire Alarm. An automatic monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required for 100 heads or more. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. Standard 1007.1.1FA.
113. Fire Lanes. The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. The "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan. Standard 901.4
114. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.

115. Combustible Vegetation. Combustible vegetation shall be removed as follows:
- Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less.
  - Where the average slope of the site is 15% or greater - Combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less. County Ordinance # 3586

**PUBLIC HEALTH – Environmental Health Services (800) 442-2283**

116. Public Water System Permit. A Public Water System Permit which meets Title 22, CCR requirements pertaining to the type of water system, shall be required. For information, contact DEHS at: 1-800-442-2283.
117. Alternative Treatment System Permit. Alternative Treatment System Permit, if applicable, shall be required. For information, contact DEHS at 1-800-442-2283.
118. Annual Permit – Food Facility. An annual health permit for food facility, for information, contact DEHS/Community Environmental Health at 1-800-442-2283.

**DEPARTMENT OF PUBLIC WORKS – Traffic Division – (909) 387-8186**

119. The applicant shall construct an intersection with traffic signal at the project's primary access driveway at State Route 18 (SR-18). The intersection and signal design shall be approved by Caltrans prior to installation as part of a Caltrans Intersection Control Evaluation process. The design shall accommodate the widening of SR-18 for approximately 300 feet upstream and downstream of the project driveway to include a dedicated left-turn lane from eastbound SR-18 into the project driveway and a right turn deceleration/ acceleration lane from westbound SR-18 into the project driveway.
120. Transportation and Circulation Mitigation I-1. Prior to issuance of an occupancy permit for the Project, the San Bernardino County Director of Public Works or their assignee shall verify that the Project Applicant has made a good faith effort to gain the approval of Caltrans to implement the intersection improvements identified below in accordance with the recommendations identified in the Traffic Impact Analysis (TIA) prepared by Translutions, Inc., dated September 12, 2018. If Caltrans approval is granted, the Project Applicant shall be responsible for ensuring installation of the traffic signals.

Intersection #4 – Bear Springs Road/State Route 18: install a traffic signal at the intersection.

Intersection #18 – Pine Avenue/State Route 18: install a traffic signal at the intersection.

**DEPARTMENT OF PUBLIC WORKS – Solid Waste Management – (909) 386-8701**

121. Construction and Demolition Waste Management Plan (CDWMP) Part 2. The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. This summary shall provide documentation of actual diversion of materials including but not limited to receipts, invoices or letters from diversion facilities or certification of reuse of materials on site. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 65% of total weight or volume of all construction waste.

# **EXHIBIT K**

## **Correspondence**

**From:** [Steve Wiley](#)  
**To:** [Duron, Heidi - LUS](#)  
**Subject:** Church of the Woods  
**Date:** Wednesday, January 15, 2020 12:39:12 PM

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Since we will not be able to attend the January 23<sup>rd</sup> meeting concerning the Church of the Woods final REIR we are taking this opportunity to voice our concerns. The damage this project would do to our community is out of proportion to any benefits that might be realized by a comparatively small portion of the population living here. The damage to the trees alone in our forest would be very substantial by removing so many trees in our national forest. Then there is the bulldozing of our pretty corner at Daily canyon. Instead of a forest view we would be looking at a parking lot which doesn't enhance the likelihood we will draw more visitors to our mountains and shops. We would be replacing nature with views readily seen down the hill and that is not some-thing to be aspired to. There is also the traffic issue to be considered. The addition of six stop lights in our area would be life changing and a safety concern for our residents. Consider if you will the traffic signal already going in at Sky Park and then add the impact of six more. This is an untenable project for our community and our forest. The mountains we live in and love will be no more if we don't stop this project, our home values will decrease and the reasons we all moved here for peace and quiet will be lost. Please consider the irreparable damage than would be done with no going back. With the animals being jeopardized and the pollution incumbent with this plan we oppose the approval of this proposed project.

Steve and Joy Wiley

**From:** [Tessa Dick](#)  
**To:** [Nieves, Tom](#)  
**Subject:** Church of the Woods  
**Date:** Thursday, January 16, 2020 9:55:14 AM

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Although I do believe that Church of the Woods needs to build some kind of recreational center on their property, they need to seriously downsize their plans. I am not allowed to change the slope of my back yard, yet they plan to raze an entire slope. In addition, they need to leave the creek as it is, and not fill it in. Their project as it stands will cause serious harm to wildlife, as well as inconvenience to local residents.

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Alive, Free, Happy!

**From:** [Hugh](#)  
**To:** [Rahhal, Terri](#); [Duron, Heidi - LUS](#); [Nieves, Tom](#); [Murray, Lewis](#); [Supervisor Rutherford](#); [Paule, Phil](#)  
**Cc:** [Steven Farrell](#); [Chris Del Ross-Risher](#); [Sue Walker](#); [Bob Sherman](#)  
**Subject:** Church of the Woods project SCH No. 2004031114  
**Date:** Friday, January 10, 2020 11:05:44 AM

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Good morning Terri,

Thank you for your continuing timely response to this highly controversial project.

I have been reviewing the DREIR while waiting for release of the Final REIR, expected today (not appearing on County Planning Dept website yet) and had a clarifying question to ask.

When the Planning Commission meets and there is a vote taken to Disprove or Approve this proposed project, will the project then be calendered to go before the Board of Supervisors for their review and vote ? My understanding in reading the DREIR is that it will "automatically " be sent to the Supervisors in either case.

Appreciate your clarification.

Sincerely,

Hugh A Bialecki, DMD

Pres., Save Our Forest Assoc.,

Inc.

nt from my iPhone

**From:** [Angela Moskow](#)  
**To:** [Nieves, Tom](#)  
**Cc:** [Supervisor Rutherford](#)  
**Subject:** Church of The Woods Project, SCH No. 2004031114  
**Date:** Thursday, January 16, 2020 10:56:29 AM

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Greetings, Mr. Nieves,

I am writing from the California Oaks program of California Wildlife Foundation. We were contacted by a concerned neighbor about the Church of The Woods Project, SCH No. 2004031114. Can you explain why the project is not subject to the county's Tree Removal Permit (88.01) regulations ([http://www.sbcounty.gov/uploads/lus/Handouts/Plant\\_Protection\\_Management.pdf](http://www.sbcounty.gov/uploads/lus/Handouts/Plant_Protection_Management.pdf))?

We would greatly appreciate hearing from you before the end of this week.

All the best,

Angela

Angela Moskow  
California Oaks Information Network Manager  
California Wildlife Foundation/California Oaks  
428 13th Street, Suite 10A  
Oakland, CA 94612  
[www.californiaoaks.org](http://www.californiaoaks.org)  
Office: (510) 763-0282  
Mobile: (510) 610-4685



**From:** [P & S Huckaby](#)  
**To:** [Duron, Heidi - LUS](#)  
**Subject:** Church of the Woods  
**Date:** Tuesday, January 14, 2020 10:26:05 AM

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Hi Heidi

I don't know if you are taking public comment at this time, but the **Mountain Community Alliance** would like to register its opposition to the Church of the Woods project in Skyforest because of its adverse impacts on the mountain environment and communities.

Thanks

Patrick Huckaby, President  
Mountain Community Alliance  
PO Box 8303  
Green Valley Lake, CA 92341  
909-867-7105

## Nieves, Tom

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**From:** C D K <pls10@hotmail.com>  
**Sent:** Monday, January 13, 2020 10:45 AM  
**To:** Nieves, Tom; Duron, Heidi - LUS; Rahhal, Terri; Supervisor Rutherford; Hugh Bialecki  
**Subject:** a HUGE CHURCH moving into "Your LOCAL Neighborhood" would personally ANGER YOU, EVERYTHING about your life/world would be impacted -PLEASE THINK ABOUT IT A LOT -the Mountain CAN NOT HANDLE ANY MORE CONGESTION -esp from "Newbies-to-the-Mtn Customs"-I'llHELP

**Is ANYONE on the Government Boards a LOCAL MOUNTAIN RESIDENT ? ! - If not -WHY NOT — lets WROK TOGETHER to do what is best for the County/State/Mountain Community Cities/Businesses/Churches/Mother Nature — you NEED OUR INPUT - we NEED YOUR HELP making the RIGHT DESIIONS on Hugh Issues that Relate to the Mountains — If the Mtn's BURN DOWN over the next 10-20yrs due to Foolish Laws/Permits made NOW - the \$\$\$\$\$\$ you Spend on the FIRE -will out-way any preceived short-term Improvements now ...**

**Hwy 18 and 330 and 138 are ALREADY Very Very CONGESTED with thousands of NEW-Additional weekend newbies (In part due o all the SHORT TERM RENTAL AGREEMENTS you have been aproving ! ) - Conjestion causes ACCIDENTS - Accidents cuase the Threat of a Mountain FIRE starting along the roadway .. a Mtn Fire would COST the County/State/City 10's of MILLIONS of \$\$\$\$\$\$ - and destroy the Mountain Resort Areas for the Revenue they DO BRING NOW .. and it could decrease of the Mtn Burns DOWN — right !**

- **the #1 Issue ALL Gov Leaders need to know it this ... the THREAT OF A MOUNTAIN FIRE goes WAY Waaaaaay UP with the addition of thousands of "NEWBIES" visiting every weekend.. a Serios FIRE Would COST San Bernadino County 10's of MILLIONS ! .. am I RIGHT - you bet I am .. several Small Fires would cost Milllions ... have you got EXTRA \$\$\$\$\$\$ to Spend on FIRES ? ..... Mountain Newbies ARE UNFAMILILIAR with "proper Mtn ediqute" to ensure that the Mtn doesn't BURN DOWN .... this Threat Is REAL - this Threat Is Expensive ... and WHY Allow it ?**
- **we all Love God - Most people Support our Church Activities - I Love what Churches DO ... but this HUGE PROJECT could Burn Down the Mountain and Cost 10's of MILLIONS of just ONE MISTAKE ! ! - Why RISK IT ?**
- **new people to the mountain are NOT FAMILIAR with WEATHER CONDITIONS that Influence traffic .. snow/black ice" - putting on CHAINS – have YOU EVER PUT OON CHAINS .. newbies are ROOKIES - they clog the streets/roads and make the UNSAFE - and CLOGGED-UP making LOCAL TRAVEL HORRRRRRIBLE .... how would YOU enjoy this In YOUR Neighborhood ... you would be LIVID ! - you would be very un-happy with the GOVERNMENTAL FOLKS APPROVING all this mess**
- **(I would help our Local Gov Leaders to CREATE A TRAINING COURSE TO TEACH "Newbies" visiting our Mountains on HOW TO BEHAVE PROPERLY ... regarding : Garbage - Parking - Fires/Smoking - Loud Music /Partying - TRAFFIC ISSUES -Car-Racing-using "trun-outs" on the 18-330 - Pets - Klds - Spending \$\$ to support local businesses - etc etc)**
- **many newbies SMOKE - and many throw out their cigarett-butts OUT THE WINDOW (locals up here SEE IT ALL THE TIME and talk about it online Face Book Groups)**
- **GARBAGE Is eveywhere ... horrible**
- **every aspect of MOTHER NATURE SUFFERS due to Ignorant newble behavior - Nature WILL NOT IMPROVE due to this project - it will DECLINE over time ..**
- **PARKING becomes a mess ... and Illegal parking Is rampant now already ... we have maybe 25+ local Mountain F B Groups.. and many are talking about your desislons ALL TEH TIME - read what we are saying about you Leaders**
- **pets pooping - pets running into the roads — newbies need to be EDUCATED — I will HELP YOU If you ask me to HELP YOU CREATE soem LOCAL RULES to TEACH all the newbies ...**
- **KIDS do not know how to walk SAFELY along mountain roads and are In danger running into the streets (we see it all the time up here)**

**LETS WORK TOGETHER to help**

**- all the best ... - Captain D 30yr Mountain Resident - Independant Political Views - ATP —Retired**

## Nieves, Tom

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**From:** Duron, Heidi - LUS  
**Sent:** Monday, January 06, 2020 6:15 PM  
**To:** Hugh Bialecki; Supervisor Rutherford  
**Cc:** Paule, Phil; Rahhal, Terri; Nieves, Tom; Murray, Lewis  
**Subject:** RE: Church of the Woods : completion and release of Final Revised EIR: SCH No. 2004031114. Scheduling of Planning Commission Public Hearing

Dr. Bialecki,

Thank you for your email. I have also received inquiries from Sue Walker and Bob Sherman. We understand your concerns, and appreciate your input. Although a considerable amount of time has elapsed since the release of the Draft EIR, the community has remained very engaged, based on the number of comments received and the on-going interest in next steps for the project review. The time elapsed since release of the Draft EIR last year has been utilized to consider all the public input and prepare responses and finalize the staff recommendations for the Planning Commission. The Final EIR is comprised mainly of comment letters and responses; not new analysis or information that would require extensive time to study.

We also understand that participation in the annual homeless count may be a schedule conflict for some residents. Please be advised that it is not necessary to be present at the Planning Commission hearing to be "heard" by the Planning Commission. People can submit comments in writing and/or send a representative to read their comments into the record. We are also providing a remote videoconference site in Twin Peaks to make this hearing more convenient for local participation.

Our staff is moving forward with final preparations to proceed with the Planning Commission hearing on January 23. I am happy to answer any additional question you may have, including further advice on how to share your concerns about timing with the Planning Commission.

Sincerely,

**Heidi Duron, MPA**

Planning Director  
**Land Use Services Department**  
Phone: [909-387-4110](tel:909-387-4110)  
Fax: [909-387-3223](tel:909-387-3223)  
[385 N. Arrowhead Ave.](#)

San Bernardino, CA 92415-0187

----- Original message -----

From: Hugh Bialecki <habialeckidmd@gmail.com>

Date: 1/6/20 12:11 AM (GMT-08:00)

To: Supervisor Rutherford <Supervisor.Rutherford@bos.sbcounty.gov>

Cc: "Paule, Phil" <Phil.Paule@bos.sbcounty.gov>, "Rahhal, Terri" <Terri.Rahhal@lus.sbcounty.gov>, "Duron, Heidi - LUS" <Heidi.Duron@lus.sbcounty.gov>, "Nieves, Tom" <Tom.Nieves@lus.sbcounty.gov>, "Murray, Lewis" <Lewis.Murray@bos.sbcounty.gov>

Subject: Church of the Woods : completion and release of Final Revised EIR: SCH No. 2004031114. Scheduling of Planning Commission Public Hearing

Dear Janice,

Happy New Year to you and your family,

Thanks for your efforts in 2019 in creating a prosperous economic and social environment for the citizens in our District and throughout San Bernardino County. Here in the San Bernardino Mountains we are thankful for an early start to our winter season with the snow and rainfall filling our lakes, nourishing our forest, and providing recreational opportunities for our snow loving visitors !

The beginning of 2020 is also bringing a highly controversial and significant long standing development proposal to our community as we expect the release of the Church of the Woods Final Revised EIR later this week on January 10 (per communication from Heidi Duron, Planning Director, January 2, 2020) with a Planning Commission Hearing on January 23.

Given the time that has elapsed since the release of the Revised Draft EIR and the additional information gathered, public input considered, and imminent release of the Final REIR, to give our community only 13 days prior to a public hearing is not reasonable.

Many community residents have requested that the Planning Commission Hearing be moved to February, at least, allowing greater awareness of the significant unavoidable impacts that the proposed project would bring (traffic and circulation, noise, biology, disruption of the County identified wildlife corridor). Additionally, the County has scheduled the Point In Time Count on the same day and time as the Planning Commission Hearing ! Sue Walker is the PITC Mountain Homeless Coalition Coordinator (and Sierra Club member) and would be unavailable to attend the hearing. Sue has related to me that there are 30-40 mountain residents involved in the count, many of which would attend the Planning Commission Hearing. Ms. Walker as a Sierra Club member has been monitoring the Church of the Woods proposed project for over ten years, in direct contact with Heidi Duron, current Director of Planning, and more recently, Tom Nieves, Contract Planner.

I am imploring you to reschedule the Planning Commission Public Hearing to February in the public interest which will allow for a thorough study of the Final REIR enabling our community to realize the scope of this project and its expected impacts. Should you wish to meet with myself and a few others who have followed this project since its inception and review our concerns, I would be happy to coordinate a meeting with Lewis Murray at your direction.

Thank you for your consideration,

Hugh A. Bialecki, DMD

Pres., Save Our Forest Assoc., Inc.

**From:** Hugh Bialecki <[habialeckidmd@gmail.com](mailto:habialeckidmd@gmail.com)>  
**Date:** December 13, 2019 at 4:52:47 PM PST  
**To:** "Nieves, Tom" <[Tom.Nieves@lus.sbcounty.gov](mailto:Tom.Nieves@lus.sbcounty.gov)>, "Murray, Lewis" <[Lewis.Murray@bos.sbcounty.gov](mailto:Lewis.Murray@bos.sbcounty.gov)>, Phil Paule <[phil.paule@bos.sbcounty.gov](mailto:phil.paule@bos.sbcounty.gov)>  
**Subject:** Fwd: Church of the Woods : completion and release of Final Revised EIR: SCH No. 2004031114

Hi Tom and Lewis,

A number of folks in the community are asking about status of Church of the Woods Final Revised EIR completion and release to public. Thought a previous communication anticipated an EIR Release sometime in January. Appreciate an update relative to possible Final EIR Release, if the process is that far along. I understand there have been multiple requests to the Planning Dept for a longer review period of time prior to a Planning Commission Hearing. The significant impacts that cannot be mitigated, the large scope of this project in a very environmentally sensitive location, and the length of time that this proposed project has been in development all call for a longer review period (60-90 days) for community meetings and awareness prior to further County action.

Appreciate your feedback on where we stand as we get engaged in the Christmas Holiday and New Year activities,

Hugh A. Bialecki, DMD

Pres., Save Our Forest Association, Inc.

----- Forwarded message -----

**From:** Hugh Bialecki <[habialeckidmd@gmail.com](mailto:habialeckidmd@gmail.com)>  
**Date:** Mon, Dec 9, 2019 at 12:10 AM  
**Subject:** Church of the Woods : completion and release of Final Revised EIR: SCH No. 2004031114  
**To:** Nieves, Tom <[Tom.Nieves@lus.sbcounty.gov](mailto:Tom.Nieves@lus.sbcounty.gov)>, Sue Walker <[svwalker@gmail.com](mailto:svwalker@gmail.com)>, Trudie Blank <[blank@charter.net](mailto:blank@charter.net)>

Seasons Greetings Tom,

Hope your Thanksgiving Holiday was filled with family gatherings and joy !

Our Thanksgiving Weekend storm brought welcome snow to the area, although many travelers were met with traffic challenges.

The Save Our Forest Association is hosting our Holiday Party next Saturday, and part of the evening includes an update on all current projects potentially impacting our San Bernardino Mountains Community. Would you please provide an update on what we might expect with the subject project in the next 30-90 days ?

Thanks for your feedback,

Hugh A. Bialecki, DMD

Pres., Save Our Forest Assoc., Inc.

## Nieves, Tom

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**From:** Harry Bradley <hbradley@mountain-news.com>  
**Sent:** Wednesday, January 08, 2020 10:38 AM  
**To:** Duron, Heidi - LUS; Nieves, Tom; Rahhal, Terri; Supervisor Rutherford; Murray, Lewis  
**Cc:** Harry Bradley; Hugh Bialecki; Sue Walker; Bob Sherman; Steve Loe; Steve Farrell; dmcallis@csusb.edu; Sandi and Pat Huckaby; fsellis67@gmail.com; Sherry Noone; slongvil@gmail.com; Angela Yap; Maureen Mann  
**Subject:** Re: Oppose....Church of the Woods : completion and release of Final Revised EIR: SCH No. 2004031114. Scheduling of Planning Commission Public Hearing

1/8/2020

Re: **Oppose....Church of the Woods : completion and release of Final Revised EIR: SCH No. 2004031114. Scheduling of Planning Commission Public Hearing**

**Heidi Duron, MPA**

Planning Director  
**Land Use Services Department**  
Phone: [909-387-4110](tel:909-387-4110)  
Fax: [909-387-3223](tel:909-387-3223)  
[385 N. Arrowhead Ave.](http://www.ci.sanbernardino.ca.us)

[San Bernardino, CA 92415-0187](http://www.ci.sanbernardino.ca.us)

RE: Jan 23, Thursday, Planning Commission Hearing for Church of the Woods development

**I Oppose....Church of the Woods development at this location.**

The project serves no purpose. Since the project's inception the full-time population of Lake Arrowhead has been cut in half. Less than 2,000 homes are occupied. Who would it serve?

The School District has been cut in half. The COW plea for the sake of children doesn't add up.

Lake Arrowhead has been in a drought for over a decade. A normal winter weather would flood Agua Fria and Blue Jay if this property was developed.

Camping at Dogwood Campground would be ruined by the COW project light pollution and unsightly buildings. Dogwood overlooks the COW proposed development.

The "Scenic Corridor" and entrance into our community would be devastated by brick and mortar ugliness and look like San Bernardino.

There are 13 other churches competing to serve our shrinking community and several have already gone out of business. There is no reason to build a mega-church in the heart of our mountain community.

**Solution:** Give Church of the Woods the vacated Grandview School; which already has ball fields, parking and buildings. It is a logical land swap.

*Property rights do not trump human & animal rights.*

Presented a a private citizen. It is does not represent the opinion of the company which employees me.

Harry Bradley  
(909) 337-7588 cell

**Nieves, Tom**

---

**From:** Jonathan Burnette <burnette.jonathan@gmail.com>  
**Sent:** Sunday, January 12, 2020 4:24 PM  
**To:** Toothaker, Sarah  
**Subject:** Re: Notice of Hearing - Church of the Woods

I strongly support Church of the Woods.  
Sincerely,  
Jonathan Burnette

On Fri, Jan 10, 2020 at 2:13 PM Toothaker, Sarah <[Sarah.Toothaker@lus.sbcounty.gov](mailto:Sarah.Toothaker@lus.sbcounty.gov)> wrote:

Good afternoon,

Please see the attached Notice of Hearing for the Church of the Woods Project.

Thank you,

**Sarah Toothaker**

**Administrative Assistant I**  
**Land Use Services Department**  
Phone: (909) 387-4111  
Fax: (909) 387-3223  
385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, CA 92415-0187



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

**[www.SBCounty.gov](http://www.SBCounty.gov)**

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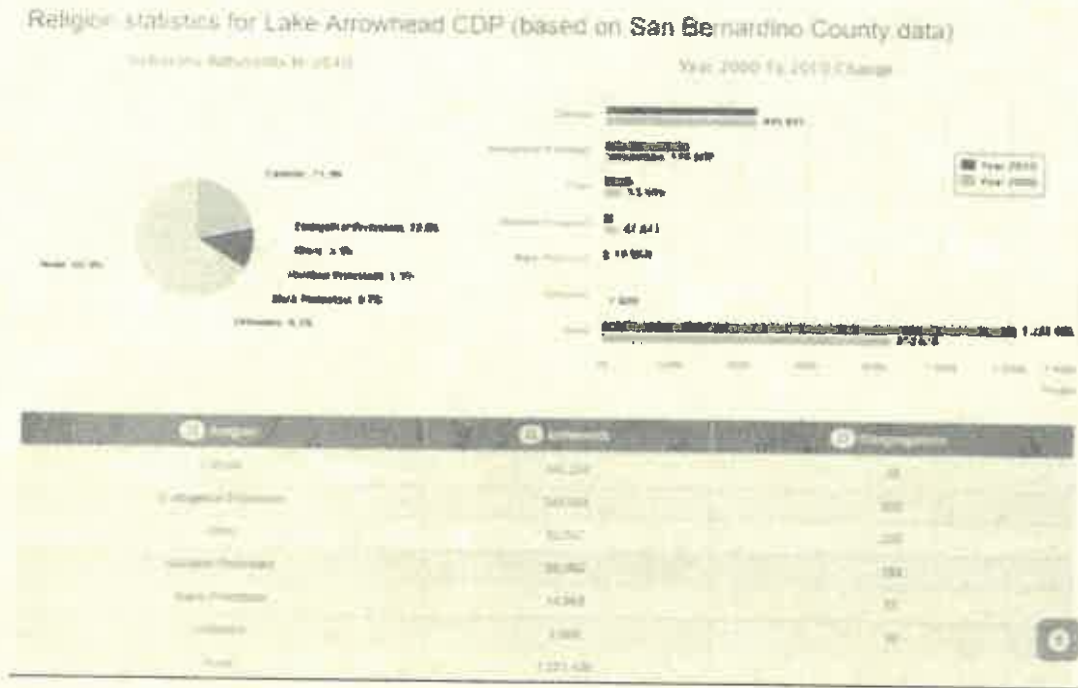
My family has owned property in Lake Arrowhead since 1978, and I'm adamantly opposed to the development of Sunrise by Church of the Woods, an already established church in Lake Arrowhead. I'll keep this message as straight-forward as I can.

According to the most recent U.S. Census Bureau statistic, there are 12,424 people living in "Lake Arrowhead CDP, California." Lake Arrowhead as listed with the Census Bureau is 17.7 square miles. I do not consider Lake Arrowhead a large community - in fact, many if not most the homes here are second-homes owned by part-timers AND in my area of Lake Arrowhead many of those part-timers visit once or twice a year.

With over a dozen churches/conference centers located within the Lake Arrowhead Metropolitan Area (LAMA), I do not feel that the proposed Sunrise location is as necessary as Church of the Woods would have you believe. The following is a list of churches and religious based conference centers within/and/serving the LAMA - for purposes of this letter I include Rimforest, Twin Peaks, Agua Fria, Blue Jay, Cedar Glen, Sky Forest in the LAMA. Pali Retreat is 2.7 miles outside the LAMA and included because of its popularity and close proximity. Chart #1

	Name	Street Address	City	Church (Y/N)	Conf Ctr (Y/N)
1	<b>Church of the Woods - THIS IS SONRISE</b>	1410 Calgary Dr	Lake Arrowhead	Y	N
2	Church of Jesus Christ LDS	1160 CA-173	Lake Arrowhead	Y	N
3	Sandals Church Lake Arrowhead	1103 CA-173	Cedar Glen	Y	N
4	Lake Arrowhead Community Church	351 CA-173	Lake Arrowhead	Y	N
5	St. Richard's Episcopal Church	28708 CA-1-8	Skyforest	Y	N
6	Our Lady of the Lake Parish	27627 Rim of the World Drive	Lake Arrowhead	Y	N
7	Mt Calvary Lutheran Church	27415 School Rd	Lake Arrowhead	Y	N
8	Alpine Camp & Conference Ctr	415 Clubhouse Dr	Lake Arrowhead		Y
9	Calvary Chapel Lake Arrowhead	101 Grandview Rd	Twin Peaks	Y	N
10	Twin Peaks Community Church	26032 CA-189	Twin Peaks	Y	N
11	Twin Peaks Christian Conf Ctr	26409 CA-189	Twin Peaks	N	Y
12	Pinecrest Christian Conference Ctr	1140 Pinecrest Rd	Twin Peaks	N	Y
13	Pali Retreat	30778 CA-18	Running Springs	N	Y

Based upon information from San Bernardino County data, 60% of the population of the LAMA do not adhere to any religion (Chart #2 below from [www.city-data.com/city/Lake-Arrowhead-California.html](http://www.city-data.com/city/Lake-Arrowhead-California.html) ) This chart suggests that of the 12,424 residents of the LAMA, approximately 7,450 will not be interested in the proposed "new church campus that includes worship facilities for spiritual impact of biblical truths, ... with ... children's ministry rooms ..."



I found this statement on the Sonrise website - <https://www.sonriseinthewoods.org/>

**THE DEVELOPMENT WILL INCLUDE:**

- Worship Center | Community Meeting Rooms | Library
- Soccer and Recreational Fields | Basketball and Volleyball Courts
- Playgrounds | Picnic Areas | Youth Center with Gymnasium
- Nature Trails | Wildlife Sanctuaries | Coffee Shop | Juice Bar

Let me go one by one why I feel we don't "NEED" this development - understand, these are my opinions:

1. **Worship Center** - Chart 1 addresses this - with a dozen other worship centers in the LAMA, I don't feel this is a community "NEED" AND this church is already established in Lake Arrowhead.
2. **Community Meeting Rooms** - currently established churches, the senior center, firehouses, our library - all provide community meeting rooms. While this *would be a nice feature...* I don't feel it is a "NEED" that warrants this massive development
3. **Library** - San Bernardino County Library - Lake Arrowhead Branch, 27235 CA-189, Blue Jay - less than 2 miles from the proposed development - definitely not a "NEED"
4. **Soccer and Recreational Fields** - We have three schools here in the LAMA, all with soccer and recreational fields. We have a fourth school - currently unoccupied - with a huge field area. We have Harich Field (baseball) at Rotary Centennial Park in Twin Peaks. Fields may sound attractive but I don't believe more fields are a "NEED"
5. **Basketball and Volleyball Courts** - Again, we have four schools with these style courts; and Lake Arrowhead has plans for these types of courts at the already established McKay Park over in the North Shore district of Lake Arrowhead - I don't feel we "NEED" more
6. **Playgrounds** - the LAMA has McKay Park, complete with playgrounds, Lake Arrowhead Village with not only a playground but with a carnival style area next to it. The Senior Center in Twin Peaks has a playground. While a playground is always welcome in a community I can't consider a playground a "NEED" when we already have many and rarely see any children using them
7. **Picnic Areas** - we have several parks within the LAMA: USFS Bayliss, USFS Crest Forest, Heaps Peak Arboretum, Rotary Centennial, Grass Valley and McKay parks - all located around Lake

Arrowhead. In addition we have USFS Dogwood Campground, USFS Lake Arrowhead Green Valley Campground, and Pine Mountain Camp a 40acre forest retreat with hiking trails all within the LAMA. While an additional community picnic area would be nice, I rather suppose the proposed Sonrise picnic area would be used by the guests of the "new church campus" rather than by the "community" – and so we don't "NEED" it

8. Youth Center with Gymnasium – this is truly the only item proposed in this development which we don't have in this small community that would be a nice addition for all – IF it were made available to "ALL" of the community and not just the church congregation
9. Nature Trails – well... we live abreast the National forest; we have trails EVERYWHERE – Bayliss Park, Crest Forest Park, Dogwood Campground, Heaps Peak Arboretum, The Nature Conservancy; even Strawberry Peak Fire Lookout facility also has many hiking trails along its road. This definitely is not a "NEED".
10. Wildlife Sanctuaries – 29453 Pineridge, Cedar Glen... Wildhaven Wildlife Sanctuary. How many wildlife sanctuaries does any one community really "NEED"
11. Coffee Shop – This area is riddled with restaurants – from coffee shops like Billis Villager in Blue Jay to the rustic Tudor House in Lake Arrowhead, Hortencia's at the Cliff Hanger or one of the newest Pugllas in Agua Fria. We have plenty of places to eat, and rarely need to wait for a table as the locale is saturated with eateries. We don't "NEED" another eatery.
12. Juice Bar – Well we don't have one of these; this is a rather small market for a "juice bar" but no, we don't have one

Let me address #4 above – Soccer and Recreational Fields. First to be done – remove all the natural landscaping in a very large area; Second – level the area, flat; Third – fill the area with grass, a non-native species to the mountains; Fourth – water the grass to keep it alive. EVERY YEAR we struggle with water conservation in order to prevent our main tourist attraction – the lake – from becoming too low. EVERY YEAR we hope the drought will be less; In 2019 we're getting snow and rain, thankfully. As a resident of Lake Arrowhead I'm forbidden to put in a lawn of grass and now Sonrise intends to put in a massive field area with grass??? As a homeowner I'm asked to sparingly use water 24/7/365 and now Sonrise wants carte blanche to put in a water-drinking-hog field of grass??? Does anyone see how inherently wrong that is??? AND... we don't "NEED" a field as we already have several.

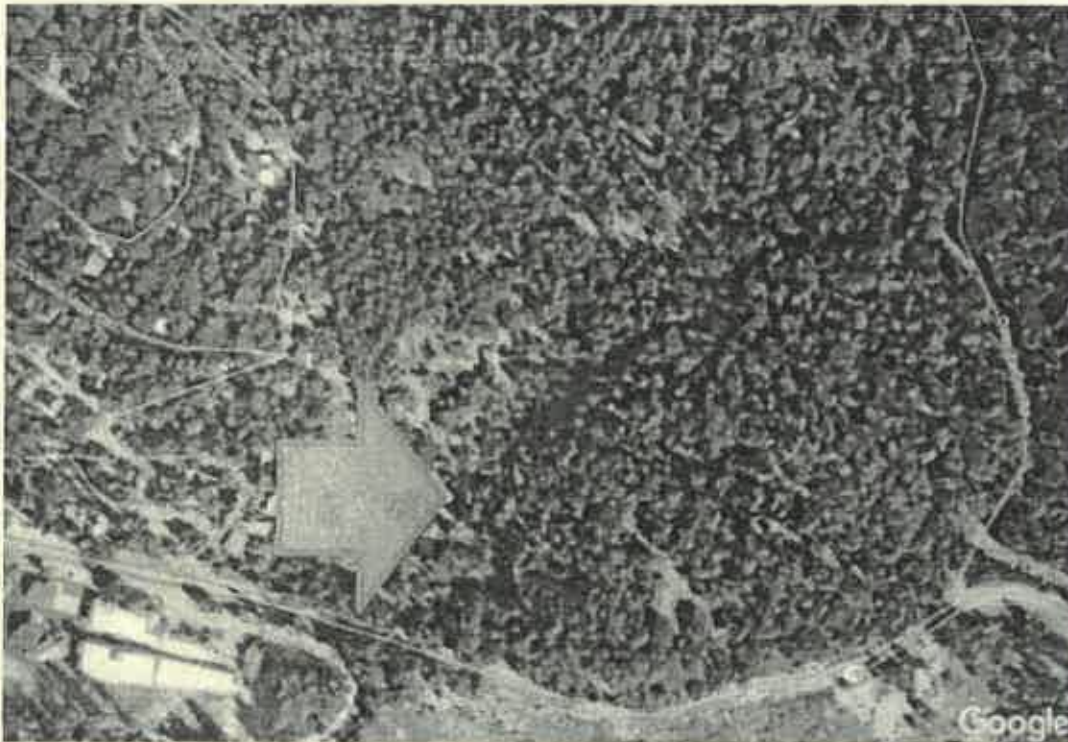
The entrance to Sonrise would be from CA-18 – a two-lane highway which is the main connector of all metropolitan areas on the mountain. The location on CA-18 which appears to be earmarked as the entrance is very close to a blind curve; during periods of poor visibility – common on CA-18 – an entrance here would establish a location where accidents could/and/likely/would become prevalent. I wish people drove better but the fact is they don't. Common sense tells us this should not be approved.

There's been talk of a traffic signal OR TWO! I feel confident in saying none of the mountain residents want a traffic signal along CA-18. The dynamics of the road are NOT conducive to traffic signals – and signals could become more of a detriment than a help. How can there be time to stop at a red light when you cannot see the light until you round the blind curve – then it might be too late. Again, I wish people drove better but the fact is they don't. In my opinion, signals would also be a blight on the beauty of our natural landscape. Common sense tells us this should not be approved.

There's been talk of widening the road; the road at the proposed entrance site cannot be widened to accommodate any substantial traffic into the proposed development without changing the landscape dramatically – literally taking out the mountainside, trees, earth and all. I'm absolutely opposed to changing the landscape in this manner. Residents of the area moved here for the natural landscape beauty. I don't want large developments to take over our small town atmosphere; I don't want our landscape to look like I'm back in the city; I moved out of the city to get away from traffic, propaganda, and frankly to get away from cement covering every square inch of earth.

There's been talk of changing the flow of natural streams in the area, leveling various areas over the 15 acres of development, and obviously a huge number of trees would need to be cut down in order to build this new church campus. I'm opposed to changing our natural environment in this way. We "NEED" to live with nature, not destroy local habitats and ecosystems for an oversized church campus, and especially not to destroy them for a church campus we don't "NEED."

Sonrise is the child of Church of the Woods in Lake Arrowhead. This church has an established location here in Lake Arrowhead, and I'm against this expansion/move into/and/destruction/of our wooded area in Rimforest. They've possibly outgrown their current site, but that's not reason enough to approve this project. This development may seem wonderful and exciting to the congregation of Church of the Woods - but the 15 acres earmarked for development in Rimforest is a living ecosystem whose animal kingdom residents would be displaced by their new church campus and facilities. As you can see from this photo, the area proposed is densely wooded - and 15 acres of that densely wooded ecosystem would be lost.



In its "sample letter" to the County Planner, the last sentence suggested by Church of the Woods reads, "Overall, this project would greatly benefit not only the Church, but also the entire San Bernardino mountain area." I believe there's very little proposed by this development that this community doesn't already have. I believe the new church campus benefits mostly the Church, and not the LAMA nor the San Bernardino mountain area. I believe this project should be halted; and I believe the loss of habitat proposed by this development is not justified by the benefits the LAMA would actually realize.

Thank you for taking the time to carefully consider this matter and listen to the residents - listen to me - asking that you halt this development and preserve the natural beauty of our mountains.



*Jen Horton*  
*POB 4639, Blue Jay CA 92317*  
*310.415.1685 cel & text*

*Lake Arrowhead property owner since 1978*

## Nieves, Tom

---

**From:** Steven Farrell <stevencfarrell@gmail.com>  
**Sent:** Thursday, January 09, 2020 10:46 PM  
**To:** Nieves, Tom  
**Cc:** Bob Sherman; Supervisor Rutherford; Murray, Lewis; LUS - Customer Service; Karla Kellems; Sherry Donr; Dave & Mary Barrie; Chris Del Ross-Risher; Deborah McAllister; Hugh Bialecki; Peter Jorris; Sue Walker; Duron, Heidi - LUS; Rahhal, Terri  
**Subject:** Church of the Woods - Request for review of admin record, and some thoughts about timing

Hello, Mr. Nieves,

With both appreciation for your, and your department's continuing communications, and a parallel disappointment that the Planning Department apparently feels there is now an overriding need for speed on this nearly two-decade-long proposal, I ask that you assist in arranging for an onsite visit at the Land Use Services Department on Wednesday next week, Jan 15, at 1pm, for an in-person review of the Church of the Woods complete project files by a few of our local community members. *Teamwork 1:00-2:30*

As has been the practice in the past (with similar projects in our area), I think it would be appropriate to reserve a room that might accommodate 3-5 of us for the entire afternoon.

Thank you for your help. Under this pressing timeline you are holding to, our need for accurate information and background on this project is critical to providing and informing our broader community with reliable, objective data and perspective.

Regards,

Steven Farrell  
San Bernardino Mountains Group, Sierra Club

(cc'ing many here, who have included me on several other email communications about this project, and probably missing several as well.)

PS: Something you may not be considering in your email's assumption (below) that "the community has remained engaged in the projects' processing", is that a significant percentage of our mountain community, (likely well over half now), is currently completely unaware of this project's imminence, in spite of the notoriety and past saturation of awareness in the 2000's. Yes a few of us have tracked this project for many years (I have since 2003, for example), but perhaps you don't appreciate that our mountain communities experience a remarkable 20% turnover in population each year. This project has been essentially inactive (from the broader public's view, at least) since 2010, and that has created a considerable erosion of our populace's attention on this important land use decision.

Yes, the DREIR was released a year ago. But with little public promotion. And realistically, most would understandably regard that as a rather arcane inside-baseball type of event that would not normally trigger broad community interest after 9 years of inaction. Rather, it is the current situation, the release of a "final" EIR with the imminent approval of a project that galvanizes our more typical and numerous residents to actually study pending planning events enough to take personal action.

Surely, as a planner, don't you feel a responsibility to not just the project applicant's due process, but also to the needs for time and process of the broader community who's *most* affected by the project proposal, but *not* engaged, day to day with the process as you? This short timeline between the long-awaited release of the Final EIR and the Planning Commission hearing does not at all respect the time needed to adequately notice and inform the broader community of mountain residents who have not been aware of this project, much less tracking it, for close to 10 years, now.

I suggest to you that the reasoning behind at least some of the requests you have received for a delay of the Planning Commission hearing is very likely no more than a basic concern for fairness: for a reasonable opportunity and timeframe to educate the community about the now-final details and impacts of the project, and to encourage more active and extensive citizen review and analysis by those who may for many years now, have been unaware of the significant impacts and character of this longstanding proposal.

If this makes any sense to you, please do reconsider the decision to rush the Planning Commission hearing based solely on an argument that "some" citizens have been continuously engaged. In my view, after nearly 20 years of pressing for the acceptance of this project application, fighting ongoing citizen objections and repetitive County requests of the applicant for more extensive analysis and review, that allowing for no more than 3 days beyond the absolute legal minimum requirement of 10 days is a disservice to the community.

On 1/9/2020 3:34 PM, Nieves, Tom wrote:

Mr. Sherman,

As you are aware, the community has remained engaged in the project's processing, including the review and comment on the Draft EIR distributed last year. The Final EIR, a PDF of which will be emailed to you tomorrow January 10, is comprised primarily of comments received on the Draft EIR, the County responses to said comments, and the relatively minor adjustments and revisions to the document based and the comments received.

No significant new information or analysis is included in the Final EIR that would require extensive time to study and evaluate.

Although the formal public review period, as established by CEQA, took place last year with the Draft EIR, the County will certainly fully consider all comments and input received leading up to and including the Public Hearing on the 23<sup>rd</sup>.

County staff is moving forward with final preparations to proceed with the Planning Commission hearing on the 23<sup>rd</sup>. Please feel free to call or 'reply' with any questions you may have and I will be happy to respond as best as I can. Thank you.

**Tom Nieves**  
Contract Planner  
Land Use Services Department  
Phone: [909-387-5036](tel:909-387-5036)  
Fax: [909-387-3223](tel:909-387-3223)  
385 N. Arrowhead Avenue  
San Bernardino, CA 92415



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**From:** Bob Sherman <[silabob@gmail.com](mailto:silabob@gmail.com)>  
**Sent:** Friday, January 03, 2020 12:50 PM  
**To:** Supervisor Rutherford <[Supervisor.Rutherford@bos.sbcounty.gov](mailto:Supervisor.Rutherford@bos.sbcounty.gov)>; Murray, Lewis <[Lewis.Murray@bos.sbcounty.gov](mailto:Lewis.Murray@bos.sbcounty.gov)>; LUS - Customer Service <[luscustomerservice@lus.sbcounty.gov](mailto:luscustomerservice@lus.sbcounty.gov)>; Nieves, Tom <[Tom.Nieves@lus.sbcounty.gov](mailto:Tom.Nieves@lus.sbcounty.gov)>  
**Cc:** Steven Farrell <[stevencfarrell@gmail.com](mailto:stevencfarrell@gmail.com)>; Karla Kellems <[karlakellems@gmail.com](mailto:karlakellems@gmail.com)>; Sherry Donr <[sherrydonr@yahoo.com](mailto:sherrydonr@yahoo.com)>; Dave & Mary Barrie <[barriemail@mac.com](mailto:barriemail@mac.com)>; Chris Del Ross-Risher <[delrossrisher.chris@gmail.com](mailto:delrossrisher.chris@gmail.com)>; Deborah McAllister <[dmcallis@csusb.edu](mailto:dmcallis@csusb.edu)>; Hugh Bialecki <[habialeckidmd@gmail.com](mailto:habialeckidmd@gmail.com)>; Peter Jorris <[pjorris@verizon.net](mailto:pjorris@verizon.net)>; Sue Walker <[svwalker@gmail.com](mailto:svwalker@gmail.com)>  
**Subject:** Fwd: PITC & Church of the Woods Hearing

To All-

Yesterday I learned that the Church of the Woods Hearing is on Thurs. Jan. 23rd. The comment period opens on Jan. 10th. That gives the public just 13 days to prepare their comments and some won't learn about the hearing date right away. Further, the DREIR-Public Review Draft (DREIR-PRD) just appeared today as available, on-line as a PDF.

I have opined before on this project, and have been following it for over 10 years. Please note that before retiring to Lake Arrowhead, I was a Certified Professional Wetlands Scientist, and hold a B.S, Degree in Wildlife Conservation, with sixteen years of professional experience in assessing project impacts to wetland and other natural resource landscape features. The project involves massive alterations to a large, rare and uniquely significant natural resource in our mountains community. The DREIR-PRD is 376 pp. long and complex.. Previous "EIR" versions, have lacked significant, vital and accurate information and have made non-factual and unsubstantiated assertions. To expect the affected public, let alone professionally-experienced readers, to review the document and render an informed judgement in so constrained of a comment period, is patently **unconscionable** abrogation of fair public process!

I respectfully ask that the Planning Commission extend the time for the public hearing to at least Mid- February.

Thank you for your consideration,

Robert Sherman  
Member of the Executive Committee of the Mountains Group of the Sierra Club

## Nieves, Tom

---

**From:** Toothaker, Sarah  
**Sent:** Friday, January 10, 2020 3:49 PM  
**To:** Nieves, Tom  
**Subject:** FW: Notice of Hearing - Church of the Woods

**Categories:** Red Category

FYI

**Sarah Toothaker**  
Administrative Assistant I  
*Land Use Services Department*  
Phone: (909) 387-4111  
Fax: (909) 387-3223  
385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, CA 92415-0187



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**From:** Yolanda Trujillo <classyyola@yahoo.com>  
**Sent:** Friday, January 10, 2020 3:46 PM  
**To:** Toothaker, Sarah <Sarah.Toothaker@lus.sbcounty.gov>  
**Subject:** Re: Notice of Hearing - Church of the Woods

Hello Sarah,

I am very concerned about this project, that once again has reared it head. I was on of many that signed a petition to squelch the building of this mega church...we do not need it! I live on Bearspring Road, and at the bottom of the road is HWY 18, aka, The Rim. I believe this project is eyeing the land that sits behind the Veterinarian's building on Bearspring Rd, and HWY 189, that goes into Blue Jay. Not a good idea. There is so much traffic at the turn off from 18 to 189, there seriously needs to be a traffic light there. I can't tell you how many times people make a left from 189 to 18, when it is clearly posted, NO LEFT TURN. Maybe this is off subject, but it is relevant to the proposed project. There are enough churches on this mountain, I don't believe Church of the Woods has the fellowship to necessitate a mega church. It is bad enough that most of the housing is being bought up by people that don't intend on living up here full time, and turning them into rentals, like VBRO's. I live up here, and intend to live out the rest of my life here. It is about quality of life.

Thank You!

~Yolanda Lyons  
909-337-5603  
[classyyola@yahoo.com](mailto:classyyola@yahoo.com)



On Friday, January 10, 2020, 2:13:59 PM PST, Toothaker, Sarah <[sarah.toothaker@lus.sbcounty.gov](mailto:sarah.toothaker@lus.sbcounty.gov)> wrote:

Good afternoon,

Please see the attached Notice of Hearing for the Church of the Woods Project.

Thank you,

**Sarah Toothaker**

Administrative Assistant I  
**Land Use Services Department**  
Phone: (909) 387-4111  
Fax: (909) 387-3223  
385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, CA 92415-0187



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**From:** [Sonick, Chrystale](#)  
**To:** [Nieves, Tom](#)  
**Cc:** [Duron, Heidi - LUS](#); [Rahhal, Terri](#); [Kaye, Jevin](#)  
**Subject:** FW: Church of the Woods  
**Date:** Monday, January 13, 2020 1:53:37 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

---

Tom,

Please see the correspondence that was received by Second District, please be sure it is included in the comments to go before the Planning Commission.

**Chrystale Sonick**  
Executive Assistant  
**Land Use Services Department**  
Phone: 909-387-4431  
Fax: 909-387-3223  
385 N. Arrowhead Ave  
San Bernardino, CA, 92415-0187

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**From:** Sonick, Chrystale  
**Sent:** Monday, January 13, 2020 1:52 PM  
**To:** Monell, Lynna <[lmonell@cob.sbcounty.gov](mailto:lmonell@cob.sbcounty.gov)>  
**Cc:** Garzaro, Denise <[Denise.Garzaro@cob.sbcounty.gov](mailto:Denise.Garzaro@cob.sbcounty.gov)>; Young, Donna <[dyoung@cob.sbcounty.gov](mailto:dyoung@cob.sbcounty.gov)>  
**Subject:** RE: Church of the Woods

Thank you Lynna, we will add this to the correspondence that have been received.

Have a great afternoon.

**Chrystale Sonick**  
Executive Assistant  
**Land Use Services Department**  
Phone: 909-387-4431  
Fax: 909-387-3223  
385 N. Arrowhead Ave  
San Bernardino, CA, 92415-0187

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**From:** Monell, Lynna <[lmonell@cob.sbcounty.gov](mailto:lmonell@cob.sbcounty.gov)>  
**Sent:** Monday, January 13, 2020 11:49 AM  
**To:** Sonick, Chrystale <[Chrystale.Sonick@lus.sbcounty.gov](mailto:Chrystale.Sonick@lus.sbcounty.gov)>  
**Cc:** Garzaro, Denise <[Denise.Garzaro@cob.sbcounty.gov](mailto:Denise.Garzaro@cob.sbcounty.gov)>; Young, Donna <[dyoung@cob.sbcounty.gov](mailto:dyoung@cob.sbcounty.gov)>  
**Subject:** FW: Church of the Woods

Good morning Chrystale, please see the email below received from Second District. Thank you.

Lynna

---

**From:** Vanhorne, Scott <[svanhorne@sbcounty.gov](mailto:svanhorne@sbcounty.gov)>  
**Sent:** Tuesday, January 7, 2020 8:42 AM  
**To:** Monell, Lynna <[lmonell@cob.sbcounty.gov](mailto:lmonell@cob.sbcounty.gov)>  
**Subject:** FW: Church of the Woods

If Tessa hasn't already emailed COB this same email, can you add it to the Planning Commission's packet on Church of the Woods?

Thanks  
Scott

---

**From:** Tessa Dick <[tuffy777@gmail.com](mailto:tuffy777@gmail.com)>  
**Date:** Saturday, January 4, 2020 at 9:51 AM  
**To:** Supervisor Rutherford <[Supervisor.Rutherford@bos.sbcounty.gov](mailto:Supervisor.Rutherford@bos.sbcounty.gov)>  
**Subject:** Church of the Woods

The project that Church of the Woods proposes, even with the modifications, still needs to be seriously downsized. It will disrupt the lives of residents, and it will have a huge negative impact on the wildlife.

--  
Alive, Free, Happy!

**From:** [Duron, Heidi - LUS](#)  
**To:** [Nieves, Tom](#)  
**Subject:** FW: Comments on Church of the Woods project  
**Date:** Wednesday, January 15, 2020 8:53:28 AM

---

**From:** Supervisor Rutherford <Supervisor.Rutherford@bos.sbcounty.gov>  
**Sent:** Wednesday, January 15, 2020 8:49 AM  
**To:** Duron, Heidi - LUS <Heidi.Duron@lus.sbcounty.gov>  
**Subject:** FW: Comments on Church of the Woods project

Can you please include these comments in the PC's packet on this?

SV

---

**From:** Steve Jones <[kazumman@aol.com](mailto:kazumman@aol.com)>  
**Date:** Tuesday, January 14, 2020 at 4:30 PM  
**To:** Supervisor Rutherford <[Supervisor.Rutherford@bos.sbcounty.gov](mailto:Supervisor.Rutherford@bos.sbcounty.gov)>  
**Subject:** Comments on Church of the Woods project

January 14, 2020

Dear Supervisor Rutherford,

I attended the open Monday night meeting hosted by the Sierra Club regarding the recent release of the Church of the Woods (COW) project Environmental Impact Report where COW representatives were in attendance. I left the meeting very concerned about the future of our mountain communities.

During the meeting it quickly became abundantly clear that the COW project is overly ambitious and the EIR extremely flawed. How can it not be overly ambitious when:

- This is a major earthmoving project that will bulldoze a mountain top to fill in a valley moving over 250,000 cubic yards of earth and topsoil.
- Cut down hundreds, maybe thousands, of trees and remove native plants on all 17 acres if parking lots, buildings and playing fields in the process.
- Disrupt and disturb precious wetlands and headwaters of Little Bear Creek which supplies 50% of the water feeding Lake Arrowhead.
- Build a project that totally compromises the County sponsored Lake Arrowhead Communities Plan.

Now it will be up to our governing officials to see if they will do the right thing.

Will the San Bernardino County Supervisor recognize that the EIR is flawed and the damage the COW project will do will not be worth what it harms? Will the County recognize that the hillsides in the area are too steep for such a major excavation project and the property owners in Daley Canyon will be the bearers of erosion and flooding with the increased water runoff from the steep hillsides along Little Bear Creek? Will the County recognize that its tax-payers will need to absorb most of the costs of the 4 (One other stoplight paid by COW) additional stoplights? (Especially since as a tax exempt "church" project, it will not generate tax income for the County.) Will the County recognize the burden to the residence of the additional traffic and the increased danger such traffic will cause in the event of a wildfire evacuation? Will the County recognize this project directly violates many of the covenants of the recently adopted

Lake Arrowhead Communities Plan? Will the County stick up for its citizens .... Or will it be complicit?

Will the Arrowhead Lake Association recognize and take appropriate legal action with this project when the water experts show it will bring additional sediment and chemicals into Lake Arrowhead robbing the lake of its purity, clarity and dramatically increase the chances of Algae Blooms? Or will the ALA not take action and increase its dredging and algae removal efforts passing these costs onto its members? Is it acceptable for Lake Arrowhead, arguably the "gem" of the San Bernardino Mountains, to take on the appearance and water quality of Lake Silverwood? Will the ALA stand up for its members ... Or will it be complicit?

Will the Lake Arrowhead Community Service District recognize and take appropriate legal action when the experts indicate the COW project will disturb the natural water absorption processes and that the water from Little Bear Creek will have many more dangerous solids, chemicals, E coli and maybe even uranium into the residences' of Lake Arrowhead drinking water? Will the LACSD stand up for its customers ... Or will it be complicit?

Will the Sierra Club stand up for its members when the COW project is set to destroy one of the few remaining wetlands in the area, is in the middle of a wildlife migration route and will destroy the home of numerous endangered and other wildlife species? Will the Sierra Club take action ... Or will it be complicit?

And finally, will the good folks at Church of the Woods finally recognize that this is an extremely costly, overambitious project and if it goes through, it will destroy forever one of the few remaining untouched forested areas of our mountain? Will the church recognize that project goes against its neighbor's intentions when the citizenry developed the Lake Arrowhead Communities Plan as drafted in 2017? Will the Church in the Woods' parishioners be a good neighbors or just an extension of the world "down the hill" the lovers of our mountain lifestyle are trying to avoid?

**Steve Jones – 663Brentwood Drive – Lake Arrowhead, CA 92352 – [kazumman@aol.com](mailto:kazumman@aol.com) – 909.336.4050**

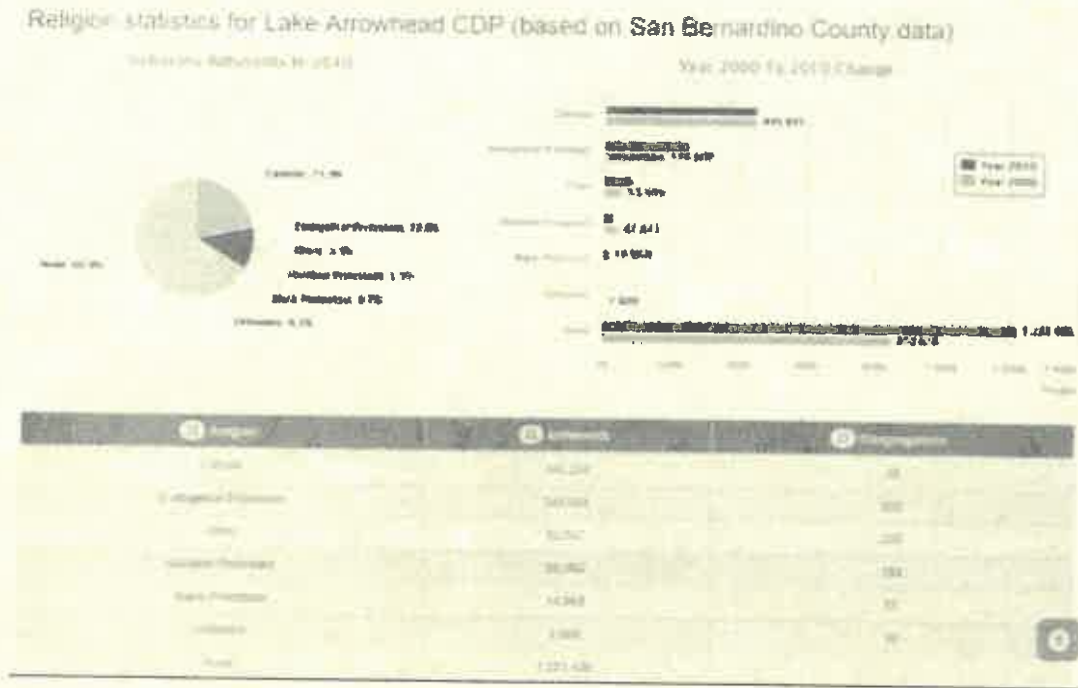
My family has owned property in Lake Arrowhead since 1978, and I'm adamantly opposed to the development of Sunrise by Church of the Woods, an already established church in Lake Arrowhead. I'll keep this message as straight-forward as I can.

According to the most recent U.S. Census Bureau statistic, there are 12,424 people living in "Lake Arrowhead CDP, California." Lake Arrowhead as listed with the Census Bureau is 17.7 square miles. I do not consider Lake Arrowhead a large community - in fact, many if not most the homes here are second-homes owned by part-timers AND in my area of Lake Arrowhead many of those part-timers visit once or twice a year.

With over a dozen churches/conference centers located within the Lake Arrowhead Metropolitan Area (LAMA), I do not feel that the proposed Sunrise location is as necessary as Church of the Woods would have you believe. The following is a list of churches and religious based conference centers within/and/serving the LAMA - for purposes of this letter I include Rimforest, Twin Peaks, Agua Fria, Blue Jay, Cedar Glen, Sky Forest in the LAMA. Pali Retreat is 2.7 miles outside the LAMA and included because of its popularity and close proximity. Chart #1

	Name	Street Address	City	Church (Y/N)	Conf Ctr (Y/N)
1	<b>Church of the Woods - THIS IS SONRISE</b>	1410 Calgary Dr	Lake Arrowhead	Y	N
2	Church of Jesus Christ LDS	1160 CA-173	Lake Arrowhead	Y	N
3	Sandals Church Lake Arrowhead	1103 CA-173	Cedar Glen	Y	N
4	Lake Arrowhead Community Church	351 CA-173	Lake Arrowhead	Y	N
5	St. Richard's Episcopal Church	28708 CA-1-8	Skyforest	Y	N
6	Our Lady of the Lake Parish	27627 Rim of the World Drive	Lake Arrowhead	Y	N
7	Mt Calvary Lutheran Church	27415 School Rd	Lake Arrowhead	Y	N
8	Alpine Camp & Conference Ctr	415 Clubhouse Dr	Lake Arrowhead		Y
9	Calvary Chapel Lake Arrowhead	101 Grandview Rd	Twin Peaks	Y	N
10	Twin Peaks Community Church	26032 CA-189	Twin Peaks	Y	N
11	Twin Peaks Christian Conf Ctr	26409 CA-189	Twin Peaks	N	Y
12	Pinecrest Christian Conference Ctr	1140 Pinecrest Rd	Twin Peaks	N	Y
13	Pali Retreat	30778 CA-18	Running Springs	N	Y

Based upon information from San Bernardino County data, 60% of the population of the LAMA do not adhere to any religion (Chart #2 below from [www.city-data.com/city/Lake-Arrowhead-California.html](http://www.city-data.com/city/Lake-Arrowhead-California.html) ) This chart suggests that of the 12,424 residents of the LAMA, approximately 7,450 will not be interested in the proposed "new church campus that includes worship facilities for spiritual impact of biblical truths, ... with ... children's ministry rooms ..."



I found this statement on the Sonrise website - <https://www.sonriseinthewoods.org/>

**THE DEVELOPMENT WILL INCLUDE:**

- Worship Center | Community Meeting Rooms | Library
- Soccer and Recreational Fields | Basketball and Volleyball Courts
- Playgrounds | Picnic Areas | Youth Center with Gymnasium
- Nature Trails | Wildlife Sanctuaries | Coffee Shop | Juice Bar

Let me go one by one why I feel we don't "NEED" this development - understand, these are my opinions:

1. **Worship Center** - Chart 1 addresses this - with a dozen other worship centers in the LAMA, I don't feel this is a community "NEED" AND this church is already established in Lake Arrowhead.
2. **Community Meeting Rooms** - currently established churches, the senior center, firehouses, our library - all provide community meeting rooms. While this *would be a nice feature...* I don't feel it is a "NEED" that warrants this massive development
3. **Library** - San Bernardino County Library - Lake Arrowhead Branch, 27235 CA-189, Blue Jay - less than 2 miles from the proposed development - definitely not a "NEED"
4. **Soccer and Recreational Fields** - We have three schools here in the LAMA, all with soccer and recreational fields. We have a fourth school - currently unoccupied - with a huge field area. We have Harich Field (baseball) at Rotary Centennial Park in Twin Peaks. Fields may sound attractive but I don't believe more fields are a "NEED"
5. **Basketball and Volleyball Courts** - Again, we have four schools with these style courts; and Lake Arrowhead has plans for these types of courts at the already established McKay Park over in the North Shore district of Lake Arrowhead - I don't feel we "NEED" more
6. **Playgrounds** - the LAMA has McKay Park, complete with playgrounds, Lake Arrowhead Village with not only a playground but with a carnival style area next to it. The Senior Center in Twin Peaks has a playground. While a playground is always welcome in a community I can't consider a playground a "NEED" when we already have many and rarely see any children using them
7. **Picnic Areas** - we have several parks within the LAMA: USFS Bayliss, USFS Crest Forest, Heaps Peak Arboretum, Rotary Centennial, Grass Valley and McKay parks - all located around Lake

Arrowhead. In addition we have USFS Dogwood Campground, USFS Lake Arrowhead Green Valley Campground, and Pine Mountain Camp a 40acre forest retreat with hiking trails all within the LAMA. While an additional community picnic area would be nice, I rather suppose the proposed Sonrise picnic area would be used by the guests of the "new church campus" rather than by the "community" – and so we don't "NEED" it

8. Youth Center with Gymnasium – this is truly the only item proposed in this development which we don't have in this small community that would be a nice addition for all – IF it were made available to "ALL" of the community and not just the church congregation
9. Nature Trails – well... we live abreast the National forest; we have trails EVERYWHERE – Bayliss Park, Crest Forest Park, Dogwood Campground, Heaps Peak Arboretum, The Nature Conservancy; even Strawberry Peak Fire Lookout facility also has many hiking trails along its road. This definitely is not a "NEED".
10. Wildlife Sanctuaries – 29453 Pineridge, Cedar Glen... Wildhaven Wildlife Sanctuary. How many wildlife sanctuaries does any one community really "NEED"
11. Coffee Shop – This area is riddled with restaurants – from coffee shops like Billis Villager in Blue Jay to the rustic Tudor House in Lake Arrowhead, Hortencia's at the Cliff Hanger or one of the newest Pugllas in Agua Fria. We have plenty of places to eat, and rarely need to wait for a table as the locale is saturated with eateries. We don't "NEED" another eatery.
12. Juice Bar – Well we don't have one of these; this is a rather small market for a "juice bar" but no, we don't have one

Let me address #4 above – Soccer and Recreational Fields. First to be done – remove all the natural landscaping in a very large area; Second – level the area, flat; Third – fill the area with grass, a non-native species to the mountains; Fourth – water the grass to keep it alive. EVERY YEAR we struggle with water conservation in order to prevent our main tourist attraction – the lake – from becoming too low. EVERY YEAR we hope the drought will be less; In 2019 we're getting snow and rain, thankfully. As a resident of Lake Arrowhead I'm forbidden to put in a lawn of grass and now Sonrise intends to put in a massive field area with grass??? As a homeowner I'm asked to sparingly use water 24/7/365 and now Sonrise wants carte blanche to put in a water-drinking-hog field of grass??? Does anyone see how inherently wrong that is??? AND... we don't "NEED" a field as we already have several.

The entrance to Sonrise would be from CA-18 – a two-lane highway which is the main connector of all metropolitan areas on the mountain. The location on CA-18 which appears to be earmarked as the entrance is very close to a blind curve; during periods of poor visibility – common on CA-18 – an entrance here would establish a location where accidents could/and/likely/would become prevalent. I wish people drove better but the fact is they don't. Common sense tells us this should not be approved.

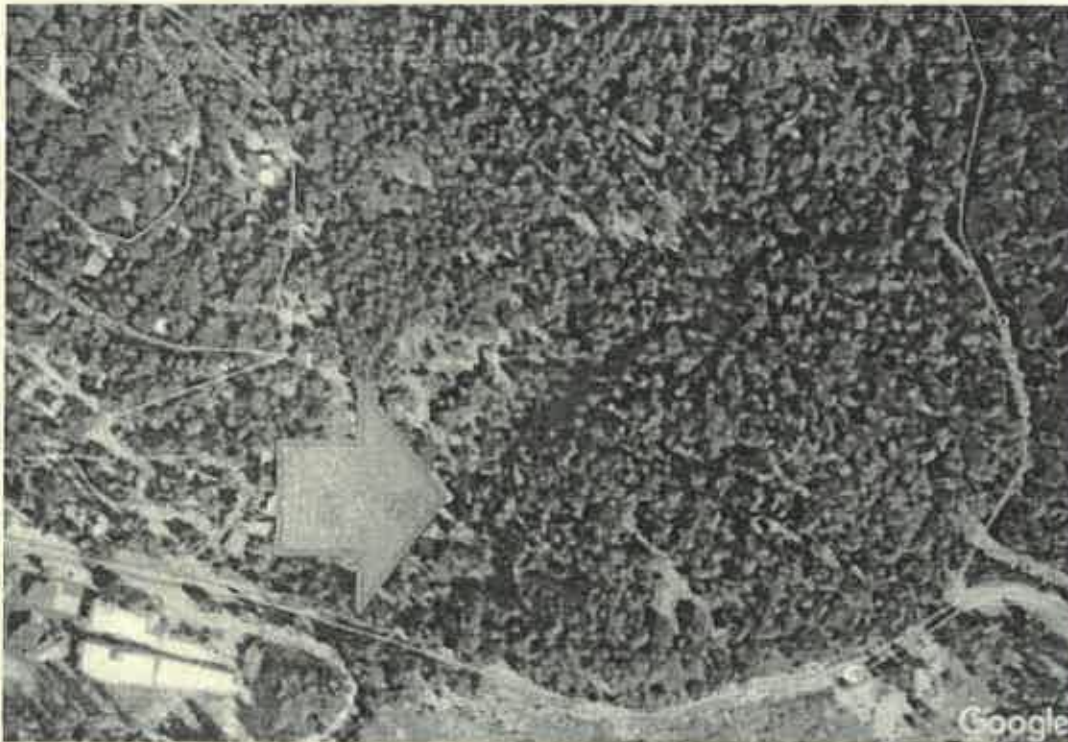
There's been talk of a traffic signal OR TWO! I feel confident in saying none of the mountain residents want a traffic signal along CA-18. The dynamics of the road are NOT conducive to traffic signals – and signals could become more of a detriment than a help. How can there be time to stop at a red light when you cannot see the light until you round the blind curve – then it might be too late. Again, I wish people drove better but the fact is they don't. In my opinion, signals would also be a blight on the beauty of our natural landscape. Common sense tells us this should not be approved.

There's been talk of widening the road; the road at the proposed entrance site cannot be widened to accommodate any substantial traffic into the proposed development without changing the landscape dramatically – literally taking out the mountainside, trees, earth and all. I'm absolutely opposed to changing the landscape in this manner. Residents of the area moved here for the natural landscape beauty. I don't want large developments to take over our small town atmosphere; I don't want our landscape to look like I'm back in the city; I moved out of the city to get away from traffic, propaganda, and frankly to get away from cement covering every square inch of earth.



There's been talk of changing the flow of natural streams in the area, leveling various areas over the 15 acres of development, and obviously a huge number of trees would need to be cut down in order to build this new church campus. I'm opposed to changing our natural environment in this way. We "NEED" to live with nature, not destroy local habitats and ecosystems for an oversized church campus, and especially not to destroy them for a church campus we don't "NEED."

Sonrise is the child of Church of the Woods in Lake Arrowhead. This church has an established location here in Lake Arrowhead, and I'm against this expansion/move into/and/destruction/of our wooded area in Rimforest. They've possibly outgrown their current site, but that's not reason enough to approve this project. This development may seem wonderful and exciting to the congregation of Church of the Woods - but the 15 acres earmarked for development in Rimforest is a living ecosystem whose animal kingdom residents would be displaced by their new church campus and facilities. As you can see from this photo, the area proposed is densely wooded - and 15 acres of that densely wooded ecosystem would be lost.



In its "sample letter" to the County Planner, the last sentence suggested by Church of the Woods reads, "Overall, this project would greatly benefit not only the Church, but also the entire San Bernardino mountain area." I believe there's very little proposed by this development that this community doesn't already have. I believe the new church campus benefits mostly the Church, and not the LAMA nor the San Bernardino mountain area. I believe this project should be halted; and I believe the loss of habitat proposed by this development is not justified by the benefits the LAMA would actually realize.

Thank you for taking the time to carefully consider this matter and listen to the residents - listen to me - asking that you halt this development and preserve the natural beauty of our mountains.



*Jen Horton*  
*POB 4639, Blue Jay CA 92317*  
*310.415.1685 cel & text*

*Lake Arrowhead property owner since 1978*

**From:** [Rene Lagler](#)  
**To:** [Duron, Heidi - LUS](#); [Nieves, Tom](#); [Rahhal, Terri](#); [Supervisor Rutherford](#); [Murray, Lewis](#)  
**Subject:** Objection to Church of the Woods  
**Date:** Friday, January 17, 2020 10:43:13 AM

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Dear Government folks in charge of all our good being.

I recently went to a meeting to hear what is the latest in what The Church of the Woods is wishing to do with their project.

I was made aware and shocked as to what impact this construction will have to all our lives.

First the removal of 16.5 acres of forest, are you hearing this ...and then the removal and redistribution of an entire hillside, in order to have a level area to pour thousands of cubic yards of cement, are you OK with that?

Then hearing that the water runoff coming down this area into our Lake Arrowhead is 60% of all water into the lake.

I learned that this construction would change the quality of the runoff with sediment and only God knows what else.

My guess if you ask God I think he would say a big NO to my forest!

All this is unseen by most of us, but the most blatant change is the visual to the Highway 18 as we approach our community. Then, for how many years will be facing heavy rolling equipment for this grading and building. Trust me it is not fun I lived across the street where there was building for four years and all I saw was Trucks and heavy equipment coming and going.

I heard there are proposed up to six Street Lights ...are you OK with that? I'm NOT!  
Should you want to see what a plethora of street lights might be like, go to Big Bear and you get the feeling for the strip mall look.

My main other objection is that all these lights so close together will definitely become a traffic mess for many hours of every day for the rest of time.

Also I question as to who will pay for all these lights and curbs etc, I'm told the church will contribute some and then I guess for the rest of time it will be the taxpayer that will maintain it all... If I understand Churches they are tax exempt but have all the benefits of all services that the government provides....

To sum up I think the Church of the Woods should be ashamed to keep insisting on wanting this doomed project and use their money to help families in the community and just improve what they have, which I believe is also tax free.

Again I fear if this project possibly goes through, it will become "The Church of the Concrete" and I'm sure God will not like it and have a different opinion.

Cheer, Rene

**René Lagler FFY**

**From:** [Rene Lagler](#)  
**To:** [Duron, Heidi - LUS](#); [Nieves, Tom](#); [Rahhal, Terri](#); [Supervisor Rutherford](#); [Murray, Lewis](#)  
**Subject:** Objection to Church of the Woods  
**Date:** Friday, January 17, 2020 10:43:13 AM

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Again I fear if this project possibly goes through, it will become "The Church of the Concrete" and I'm sure God will not like it and have a different opinion.

Cheer, Rene

René Lagler FFY

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Lake Arrowhead CA 92352

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**For US Mail use:**

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**For FedEx/UPS use:**

28742 North Shore Road

Lake Arrowhead CA 92352

**From:** [Sherry Noone](#)  
**To:** [Duron, Heidi - LUS](#); [Nieves, Tom](#); [Rahhal, Terri](#); [Supervisor Rutherford](#); [Murray, Lewis](#); [Cc: Harry Bradley](#); [Hugh Bialecki](#); [Sue Walker](#); [Bob Sherman](#); [Steve Loe](#); [Steve Farrell](#); [Debby McAllister](#); [Sandi and Pat Huckaby](#); [Ellis, Frank & Sandy](#); [Sherry Noone](#); [Susan Lien Longville](#); [Angela Yap](#); [Maureen Mann](#)  
**Subject:** Opposition to Church of the Woods Project  
**Date:** Thursday, January 09, 2020 8:11:02 AM

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I have watched this project almost from its inception. I worked on the analysis and comments on the original Draft EIR, and I find that very little has changed in the years since.

There are many well-reasoned, well-researched comments which oppose this development. I would like to argue for the aesthetic. We offer something fairly unique in a metropolitan area -- a forest with wildlife. It is not paved, it is not replete with sprinklers, streetlights, street signs, traffic signals, kiosks, planned communities, and the like.

We don't have a Wal-Mart, a mega-mall, or a Segerstrom Center for the Arts. Our population simply doesn't support such. And, the point of this letter, our purpose up here in the San Bernardino Mountains is to offer natural settings where people can remember that not everything is manmade.

The Church of the Woods development is manmade. It makes no sense to chop off a hill, fill a valley, encroach upon the campground experience, place so many traffic signals that there are traffic backups, endanger the lives of many due to limited evacuation routes, and the many other reasons enumerated by others.

I oppose this project as I would any other that does not preserve the spirit of a National Forest.

Sherry Noone  
Big Bear City  
Former Crestline Resident

**From:** [Hugh Bialecki](#)  
**To:** [Supervisor Rutherford](#)  
**Cc:** [Nieves, Tom](#); [Bob Sherman](#); [Murray, Lewis](#); [LUS - Customer Service](#); [Karla Kellems](#); [Sherry Donr](#); [Dave & Mary Barrie](#); [Chris Del Ross-Risher](#); [Deborah McAllister](#); [Peter Jorris](#); [Sue Walker](#); [Duron, Heidi - LUS](#); [Rahhal, Terri](#); [Trudie Blank](#); [stevenccfarrell@gmail.com](mailto:stevenccfarrell@gmail.com); [Steve Loe](#)  
**Subject:** Re: Church of the Woods - Request for review of admin record, and some thoughts about timing  
**Date:** Friday, January 10, 2020 12:34:42 AM

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Dear Janice,

With all due respect, I am deeply disappointed in the current decision to move ahead with the scheduled Planning Commission Public Hearing on January 23, for the Church of the Woods proposed project, SCH No. 2004031114.

I read your letter of January 7, in response to mine on January 6. What particularly struck me was the sentence “The Draft Revised Environmental Impact Report was released last year for comments, and the final EIR includes responses to comments, not new analysis of the project.” Many of the comments were technical in nature and a rigorous response would call for new analysis; in the absence of that analysis, it is hard to fathom why completing and releasing the Final REIR would take a year since release of the DREIR. Nevertheless, the January 9 letter from Mr. Steve Farrell, seen below, makes the critical points that I most strongly agree with. That is, the vast majority of current mountain residents are not aware that this project is still being considered. I spoke earlier this week with a general contractor, Lake Arrowhead resident for over forty years, very involved with a variety of community organizations, who thought the project had ceased any activity and was no longer viable. Yes, there are several community members who have “...remained engaged in the project’s processing..”, because we are focused on maintaining the quality of life here in the San Bernardino Mountains in the face of multiple threats to the few remaining riparian areas, the low levels of traffic and noise, the lack of stoplights, the inspirational forest environment, the scenic vistas, including Highway 18 as a designated Scenic Byway.

Our Lake Arrowhead MAC was prevented from having this project presented as an agenda item where a greater public awareness could have taken place over the last several months.

Now we have a “rush to judgement” for no apparent reason, which severely limits the opportunity for our community to see the Final REIR and have an open public discussion prior to a Planning Commission Hearing. The Joint Lake Arrowhead and Crestline MAC meeting is taking place on January 23, in the evening AFTER the Planning Commission Hearing.

This project, if approved and built, will FOREVER change the traffic and circulation patterns on Hwy 18 through Rimforest, affecting local residents and visitors alike, and not in a positive way. It will FOREVER change wildlife migratory patterns through the County identified wildlife corridor. It will require moving three times the amount of soil that was involved in rebuilding the Lake Gregory Dam and is simply unprecedented in scope especially given the small population of church members it will serve. On May 31, 2019, at my initiation, myself and another community member met with Pastor Rod Akins, Pat Hopkins and Glenn Goodwin (all Church of the Woods members) to explore how we might be able to work together and create the best possible project. We discussed the DREIR and the many areas of concern, especially the significant unavoidable impacts in the areas of cumulative biological resources, noise and traffic/circulation. I came away from that meeting with the understanding that the church had addressed all of those concerns fully and was completely prepared to continue moving forward as planned.

I will greatly appreciate having Tom Nieves, Contract Planner, provide me with an electronic copy of the Final REIR tomorrow when released, and trust that our three public libraries in

Crestline, Lake Arrowhead and Running Springs, as well as the Building and Safety Office in Twin Peaks will also have hard copies delivered tomorrow to meet the legal minimum requirement. I also support Mr. Steve Farrell's request for an on-site visit to the Land Use Services Department on Wednesday, January 15, at 1 pm, to allow for the in-person review of all Church of the Woods Project files.

Again I would request in the public interest that the Planning Commission Hearing be rescheduled to the February 20 meeting.

Sincerely,  
Hugh A Bialecki, DMD  
Pres., Save Our Forest Association, Inc.

Sent from my iPad

On Jan 9, 2020, at 10:46 PM, Steven Farrell <[stevencfarrell@gmail.com](mailto:stevencfarrell@gmail.com)> wrote:

Hello, Mr. Nieves,

With both appreciation for your, and your department's continuing communications, and a parallel disappointment that the Planning Department apparently feels there is now an overriding need for speed on this nearly two-decade-long proposal, I ask that you assist in arranging for an onsite visit at the Land Use Services Department on Wednesday next week, Jan 15, at 1pm, for an in-person review of the Church of the Woods complete project files by a few of our local community members.

As has been the practice in the past (with similar projects in our area), I think it would be appropriate to reserve a room that might accommodate 3-5 of us for the entire afternoon.

Thank you for your help. Under this pressing timeline you are holding to, our need for accurate information and background on this project is critical to providing and informing our broader community with reliable, objective data and perspective.

Regards,

Steven Farrell  
San Bernardino Mountains Group, Sierra Club

(cc'ing many here, who have included me on several other email communications about this project, and probably missing several as well.)

PS: Something you may not be considering in your email's assumption (below) that "the community has remained engaged in the projects' processing", is that a significant percentage of our mountain community, (likely well over half now), is currently completely unaware of this project's imminence, in spite of the notoriety and past saturation of awareness in the 2000's. Yes a few of us have tracked this



project for many years (I have since 2003, for example), but perhaps you don't appreciate that our mountain communities experience a remarkable 20% turnover in population each year. This project has been essentially inactive (from the broader public's view, at least) since 2010, and that has created a considerable erosion of our populace's attention on this important land use decision.

Yes, the DREIR was released a year ago. But with little public promotion. And realistically, most would understandably regard that as a rather arcane inside-baseball type of event that would not normally trigger broad community interest after 9 years of inaction. Rather, it is the current situation, the release of a "final" EIR with the imminent approval of a project that galvanizes our more typical and numerous residents to actually study pending planning events enough to take personal action.

Surely, as a planner, don't you feel a responsibility to not just the project applicant's due process, but also to the needs for time and process of the broader community who's *most* affected by the project proposal, but *not* engaged, day to day with the process as you? This short timeline between the long-awaited release of the Final EIR and the Planning Commission hearing does not at all respect the time needed to adequately notice and inform the broader community of mountain residents who have not been aware of this project, much less tracking it, for close to 10 years, now.

I suggest to you that the reasoning behind at least some of the requests you have received for a delay of the Planning Commission hearing is very likely no more than a basic concern for fairness: for a reasonable opportunity and timeframe to educate the community about the now-final details and impacts of the project, and to encourage more active and extensive citizen review and analysis by those who may for many years now, have been unaware of the significant impacts and character of this longstanding proposal.

If this makes any sense to you, please do reconsider the decision to rush the Planning Commission hearing based solely on an argument that "some" citizens have been continuously engaged. In my view, after nearly 20 years of pressing for the acceptance of this project application, fighting ongoing citizen objections and repetitive County requests of the applicant for more extensive analysis and review, that allowing for no more than 3 days beyond the absolute legal minimum requirement of 10 days is a disservice to the community.

On 1/9/2020 3:34 PM, Nieves, Tom wrote:

Mr. Sherman,

As you are aware, the community has remained engaged in the project's processing, including the review and comment on the Draft EIR distributed last year. The Final EIR, a PDF of which will be emailed to you tomorrow January 10, is comprised primarily of comments received on the Draft EIR, the County responses to said comments, and the relatively minor adjustments and revisions to the document based and the comments received.

No significant new information or analysis is included in the Final EIR that would require extensive time to study and evaluate.

Although the formal public review period, as established by CEQA, took place last year with the Draft EIR, the County will certainly fully consider all comments and input received leading up to and including the Public Hearing on the 23<sup>rd</sup>.

County staff is moving forward with final preparations to proceed with the Planning Commission hearing on the 23<sup>rd</sup>. Please feel free to call or 'reply' with any questions you may have and I will be happy to respond as best as I can. Thank you.

**Tom Nieves**  
Contract Planner  
**Land Use Services Department**  
Phone: [909-387-5036](tel:909-387-5036)  
Fax: [909-387-3223](tel:909-387-3223)  
[385 N. Arrowhead Avenue](https://www.sbcounty.gov/385-N-Arrowhead-Avenue)  
[San Bernardino, CA 92415](https://www.sbcounty.gov/San-Bernardino-CA-92415)

[<image001.png>](#)

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

[www.SBCounty.gov](https://www.sbcounty.gov)

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**From:** Bob Sherman [<silabob@gmail.com>](mailto:silabob@gmail.com)

**Sent:** Friday, January 03, 2020 12:50 PM

**To:** Supervisor Rutherford [<Supervisor.Rutherford@bos.sbcounty.gov>](mailto:Supervisor.Rutherford@bos.sbcounty.gov);  
Murray, Lewis [<Lewis.Murray@bos.sbcounty.gov>](mailto:Lewis.Murray@bos.sbcounty.gov); LUS - Customer Service [<luscustomerservice@lus.sbcounty.gov>](mailto:luscustomerservice@lus.sbcounty.gov); Nieves, Tom [<Tom.Nieves@lus.sbcounty.gov>](mailto:Tom.Nieves@lus.sbcounty.gov)

**Cc:** Steven Farrell [<stevencfarrell@gmail.com>](mailto:stevencfarrell@gmail.com); Karla Kellems [<karlakellems@gmail.com>](mailto:karlakellems@gmail.com); Sherry Donr [<sherryndonr@yahoo.com>](mailto:sherryndonr@yahoo.com); Dave & Mary Barrie [<barriemail@mac.com>](mailto:barriemail@mac.com); Chris Del Ross-Risher [<delrossrisher.chris@gmail.com>](mailto:delrossrisher.chris@gmail.com); Deborah McAllister [<dmcallis@csusb.edu>](mailto:dmcallis@csusb.edu); Hugh Bialecki [<habialeckidmd@gmail.com>](mailto:habialeckidmd@gmail.com); Peter Jorris [<pjorris@verizon.net>](mailto:pjorris@verizon.net); Sue Walker [<svwalker@gmail.com>](mailto:svwalker@gmail.com)

**Subject:** Fwd: PITC & Church of the Woods Hearing

To All-

Yesterday I learned that the Church of the Woods Hearing is on Thurs. Jan. 23rd. The comment period opens on Jan. 10th. That gives

the public just 13 days to prepare their comments and some won't learn about the hearing date right away. Further, the DREIR-Public Review Draft (DREIR-PRD) just appeared today as available, on-line as a PDF.

I have opined before on this project, and have been following it for over 10 years. Please note that before retiring to Lake Arrowhead, I was a Certified Professional Wetlands Scientist, and hold a B.S, Degree in Wildlife Conservation, with sixteen years of professional experience in assessing project impacts to wetland and other natural resource landscape features. The project involves massive alterations to a large, rare and uniquely significant natural resource in our mountains community. The DREIR-PRD is 376 pp. long and complex.. Previous "EIR" versions, have lacked significant, vital and accurate information and have made non-factual and unsubstantiated assertions. To expect the affected public, let alone professionally-experienced readers, to review the document and render an informed judgement in so constrained of a comment period, is patently **unconscionable** abrogation of fair public process!

I respectfully ask that the Planning Commission extend the time for the public hearing to at least Mid- February.

Thank you for your consideration,

Robert Sherman  
Member of the Executive Committee of the Mountains Group of the  
Sierra Club

**From:** [Harry Bradley](#)  
**To:** [Duron, Heidi - LUS](#); [Nieves, Tom](#); [Rahhal, Terri](#); [Supervisor Rutherford](#); [Murray, Lewis](#)  
**Cc:** [Harry Bradley](#); [Hugh Bialecki](#); [Sue Walker](#); [Bob Sherman](#); [Steve Loe](#); [Steve Farrell](#); [dmcallis@csusb.edu](mailto:dmcallis@csusb.edu); [Sandi and Pat Huckaby](#); [fsellis67@gmail.com](mailto:fsellis67@gmail.com); [Sherry Noone](#); [slongvil@gmail.com](mailto:slongvil@gmail.com); [Angela Yap](#); [Maureen Mann](#)  
**Subject:** Re: Oppose....Church of the Woods : completion and release of Final Revised EIR: SCH No. 2004031114. Scheduling of Planning Commission Public Hearing  
**Date:** Wednesday, January 08, 2020 10:38:01 AM

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1/8/2020

Re: **Oppose**....Church of the Woods : completion and release of Final Revised EIR: SCH No. 2004031114. Scheduling of Planning Commission Public Hearing

**Heidi Duron, MPA**

Planning Director  
**Land Use Services Department**  
Phone: [909-387-4110](tel:909-387-4110)  
Fax: [909-387-3223](tel:909-387-3223)  
[385 N. Arrowhead Ave.](#)

[San Bernardino, CA 92415-0187](#)

RE: Jan 23, Thursday, Planning Commission Hearing for Church of the Woods development

I **Oppose**....Church of the Woods development at this location.

The project serves no purpose. Since the project's inception the full-time population of Lake Arrowhead has been cut in half. Less than 2,000 homes are occupied. Who would it serve?

The School District has been cut in half. The COW plea for the sake of children doesn't add up.

Lake Arrowhead has been in a drought for over a decade. A normal winter weather would flood Agua Fria and Blue Jay if this property was developed.

Camping at Dogwood Campground would be ruined by the COW project light pollution and unsightly buildings. Dogwood overlooks the COW proposed development.

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Solution: Give Church of the Woods the vacated Grandview School; which already has ball fields, parking and buildings. It is a logical land swap.

*Property rights do not trump human & animal rights.*

Presented a private citizen. It does not represent the opinion of the company which employees me.

Harry Bradley

(909) 337-7588 cell

**From:** [Nieves, Tom](#)  
**To:** [Sue Walker](#); [Supervisor Rutherford](#); [Murray, Lewis](#); [LUS - Customer Service](#)  
**Cc:** [Duron, Heidi - LUS](#); [Rahhal, Terri](#)  
**Subject:** RE: PITC & Church of the Woods Hearing  
**Date:** Thursday, January 09, 2020 2:44:46 PM  
**Attachments:** [image001.png](#)

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Ms. Walker,

We do appreciate your comments and concerns regarding the project, the scheduling of the Planning Commission Hearing on the 23<sup>rd</sup> and the availability of the final environmental documents.

We also appreciate and recognize that the community has remained engaged in the project's processing, including the review and comment on the Draft EIR distributed last year. The Final EIR, which will be posted tomorrow January 10, is comprised primarily of comments received on the Draft EIR, the County responses to said comments, and the relatively minor adjustments and revisions to the document based and the comments received.

No significant new information or analysis is included in the Final EIR that would require extensive time to study and evaluate.

With regard to the conflict you will experience between the PITC and the PC hearing on the 23<sup>rd</sup>, the County will fully consider all written comments submitted to staff and/or the Planning Commission.

Also, the Planning Commission will certainly enter into the record any of your comments offered and read by a representative. Additionally, the County Twin Peaks office is being offered as a remote videoconference site to make participation in the hearing more convenient for mountain area residents.

County staff is moving forward with final preparations to proceed with the Planning Commission hearing on the 23<sup>rd</sup>. Please feel free to call or 'reply' with any questions you may have and I will be happy to respond as best as I can. Thank you.

**Tom Nieves**  
Contract Planner  
**Land Use Services Department**  
Phone: [909-387-5036](tel:909-387-5036)  
Fax: [909-387-3223](tel:909-387-3223)  
[385 N. Arrowhead Avenue](#)  
[San Bernardino, CA 92415](#)



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

**[www.SBCounty.gov](http://www.SBCounty.gov)**

*County of San Bernardino Confidentiality Notice: This communication contains confidential information sent solely for the use of the intended recipient. If you are not the intended recipient of this communication, you are not authorized to use it in any manner, except to immediately destroy it and notify the sender.*

**From:** Sue Walker <svwalker@gmail.com>

**Sent:** Friday, January 03, 2020 11:06 AM

**To:** Supervisor Rutherford <Supervisor.Rutherford@bos.sbcounty.gov>; Murray, Lewis <Lewis.Murray@bos.sbcounty.gov>; LUS - Customer Service <luscustomerservice@lus.sbcounty.gov>; Nieves, Tom <Tom.Nieves@lus.sbcounty.gov>

**Subject:** PITC & Church of the Woods Hearing

Dear Supervisor Rutherford:

Yesterday I learned that the Church of the Woods Hearing is on Thurs. Jan. 23rd. The comment period opens on Jan. 10th. That gives the public just 13 days to prepare their comments and some won't learn about the hearing date right away.

This seems antithetical to the public requests that the comment period be 60 days long. This project means significant earth moving and tree destruction at the entrance to the San Bernardino Mts. Many in the public believe the project has gone away!

Now there is another significant conflict. The San Bernardino County is holding their Point In Time Count in direct conflict with the hearing. The PITC is 6 am -10 am on Thurs. Jan. 23rd. We are involving many mountain people in the count. There will be 30 - 40 people involved from the Rim communities. I am the PITC Coordinator and I have to be there for the count. I will be involved in the count from 5:30 am - 11:30 am.

I have been involved monitoring this Church of the Woods project for over 10 years. It seems unfair that the the County has scheduled this hearing in direct conflict with an annual county event required by the federal government, the PITC.

I hope you will consider rescheduling the Planning Commission Hearing in February.

Thank you for your consideration,

Susan V. Walker

Mountain Homeless Coalition, VP

Sierra Club member

## Nieves, Tom

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**From:** Harry Bradley <hbradley@mountain-news.com>  
**Sent:** Wednesday, January 08, 2020 10:38 AM  
**To:** Duron, Heidi - LUS; Nieves, Tom; Rahhal, Terri; Supervisor Rutherford; Murray, Lewis  
**Cc:** Harry Bradley; Hugh Bialecki; Sue Walker; Bob Sherman; Steve Loe; Steve Farrell; dmcallis@csusb.edu; Sandi and Pat Huckaby; fsellis67@gmail.com; Sherry Noone; slongvil@gmail.com; Angela Yap; Maureen Mann  
**Subject:** Re: Oppose....Church of the Woods : completion and release of Final Revised EIR: SCH No. 2004031114. Scheduling of Planning Commission Public Hearing

1/8/2020

**Re: Oppose....Church of the Woods : completion and release of Final Revised EIR: SCH No. 2004031114. Scheduling of Planning Commission Public Hearing**

**Heidi Duron, MPA**

Planning Director  
**Land Use Services Department**  
Phone: [909-387-4110](tel:909-387-4110)  
Fax: [909-387-3223](tel:909-387-3223)  
[385 N. Arrowhead Ave.](http://www.ci.sanbernardino.ca.us/385-N-Arrowhead-Ave)

[San Bernardino, CA 92415-0187](http://www.ci.sanbernardino.ca.us/82415-0187)

**RE: Jan 23, Thursday, Planning Commission Hearing for Church of the Woods development**

**I Oppose....Church of the Woods development at this location.**

The project serves no purpose. Since the project's inception the full-time population of Lake Arrowhead has been cut in half. Less than 2,000 homes are occupied. Who would it serve?

The School District has been cut in half. The COW plea for the sake of children doesn't add up.

Lake Arrowhead has been in a drought for over a decade. A normal winter weather would flood Agua Fria and Blue Jay if this property was developed.

Camping at Dogwood Campground would be ruined by the COW project light pollution and unsightly buildings. Dogwood overlooks the COW proposed development.

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