



San Bernardino Valley Audubon Society
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Mr. Tom Nieves, Contract Planner
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By email to: Tom.Nieves@lus.sbcounty.gov

Subject: Final Environmental Impact Report Moon Camp 50-lot Residential Subdivision, TT No. 16136 (Based on the Revised Site Plan) Big Bear Lake, San Bernardino County, California SCH No. 2002021105

Dear Mr. Nieves,

The *San Bernardino Valley Audubon Society* ("Audubon") appreciates the opportunity to comment on the Final Environmental Impact Report (FEIR) referenced above for the Moon Camp development project and marina in the Fawnskin area of Big Bear Lake.

Audubon is a nonprofit organization representing about 2,000 residents of the Inland Empire, who greatly value the public benefits of the San Bernardino National Forest, one of the outstanding natural areas of Southern California. Many Audubon members reside in the mountain area, and we regularly schedule eagle observation (and other) outings around Big Bear Lake. We've long advocated for safeguarding the unique character and natural resources of the mountain environment in compliance with all laws and policies governing the County of San Bernardino.

Many factors indicate the proposed project would be detrimental to the community of Fawnskin, to the highly prized and rare North Shore open space, to the San Bernardino National Forest and for the overall public in general. Given the known facts about recurring wildfire danger in the mountain area, general overdraft of local water resources, substandard infrastructure, serious public safety risk in regard to overdevelopment and limited evacuation capability, and adverse fragmentation of wildlife habitat and National Forest resources, there is strong local consensus that the community's best public interest would not be served by a changing the existing zoning of the project site (BV/RL-40) in order to accommodate an otherwise unpermitted and highly disruptive 50-unit subdivision development.

This is an prime example where the No Project Alternative is by far the best option for the public, the community and the National Forest, which is the majority of contiguous adjacent land use. It's long been clear that the county cannot legitimately make an honest Finding that a zone change (escalating from one unit to 50 units) would signify a community benefit in the public's best interest. Instead such a change would primarily favor the developer's own private financial interest.

In 2003 the so-called Old Fire burned 91,000 acres, and all 80,000 mountain residents were evacuated in an eight-hour harrowing experience. After that disaster, everyone realized that all prior county planning for the mountain region had been based on misunderstanding and underestimation of the true wildfire threat. Since then *individual* property owners have been forced to bear the large burden of greatly increased weed abatement and vegetation clearance responsibilities. The *federal* government has funded extensive fuel reduction projects, and CALFIRE has funded and sponsored educational and assistance programs through their Fire Safe Council citizen groups. But the county itself has made no adjustment in its land-use planning process to make mountain residents any safer. The very least that can be done is to keep the Rural-Living low density land-use zones from being eliminated --especially at a time when the county plans to impose onerous new taxes on *individual* property owners, who live in the mountain area. Everyone is working to reduce the fire hazard except the County Planning Department.

Fire protection is the most critical infrastructure service provided to mountain communities inside the San Bernardino National Forest. However, the county's share of responsibility is mainly for structure fires, not fighting wildfires, a task where CALFIRE and the Forest Service take the lead. Although wildfire is *the* major danger for mountain communities, no one in County Planning really is in a position to determine whether infrastructure for wildfire protection in the mountain region is actually adequate --even as regards the already existing level of development. The county does not bear responsibility for wildfire protection in the National Forest. CALFIRE and the Forest Service, which are responsible, are not given a voice in the fire hazard and public safety Findings by the county. For this reason a Finding of adequate infrastructure for wildfire protection cannot be justifiably made by the county regarding the Moon Camp project.

Proposed General Plan Amendment

The Moon Camp FEIR does not accurately acknowledge the detrimental effects that would result from the proposed General Plan amendment to eliminate the existing Rural-Living land use designation on the Moon Camp site. The FEIR falsely treats the zone change as an entitlement, and only evaluates impacts from the standpoint of 50 houses already being permissible. That assumption (and setting an extremely low bar for determining "significance" per the CEQA guidelines), allows the FEIR to reach greatly misleading and distorted conclusions about the Moon Camp project, without ever facing the question whether a zone change is valid.

Ever since 2004, when the first Draft EIR was circulated, the proposed amendment has been protested by the community as an unwarranted change that would open the door to extensive adverse consequences, which otherwise are wisely prevented by the existing Rural-Living-40 designation. This issue is evaded in the EIR in hope that the true criteria for the Findings will not be applied by the county and that, instead, the county itself will surreptitiously treat the zone change as an entitlement. Audubon believes the true criteria must faithfully be applied and, if done so, then the resultant Findings would automatically lead to a denial of the project.

The criteria for a General Plan amendment to change an existing land use designation is described in the Development Code as follows: (note: underlining and strike-through added to highlight relevant and irrelevant parts)

86.12.060 FINDINGS AND DECISION

An amendment to the General Plan, this Development Code, a Community Plan, or an Area Plan may be approved only if all of the following findings are made, as applicable to the type of amendment.

(a) Findings for General Plan, Community Plan, or Area Plan amendments.

~~(1) If the amendment pertains only to changing a portion of the text of the plan, the Board shall first make both of the following findings:~~

(A) The proposed amendment is internally consistent with all other provisions of the respective plan, the General Plan or an applicable specific plan; and

(B) The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County.

(2) If the General Plan amendment proposes to change a land use zoning designation from one zone to another, the Board shall first make the two findings above plus all of the following additional findings:

(A) The proposed land use zoning district change is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised;

(B) The proposed land use zoning district change will provide a reasonable and logical extension of the existing land use pattern in the surrounding area;

(C) The proposed land use zoning district change does not conflict with provisions of this Development Code;

(D) The proposed land use zoning district change will not have a substantial adverse effect on surrounding property; and

(E) The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

Public Input Should Inform a Determination of "Public Interest"

The FEIR treats the required General Plan Amendment as if the proposed zoning change were a foregone conclusion and entitlement. That definitely should not be the case in a high fire-hazard mountain region and resort community, where the surrounding National Forest is the preeminent asset. The test of the proposed zone change should rest on a proper application of the criteria for each necessary Finding. The underlined Findings highlighted above (i.e. "not be detrimental to the public interest or safety", truly be "In the public interest", "be a community benefit," ensure that "other existing and allowed uses will not be compromised," be "a reasonable and logical extension of the existing land use pattern in the surrounding area," "not have a substantial adverse effect on surrounding property," provide "public services" like "fire protection" and "not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity") ...these particular Findings cannot be validated, if the input provided by the local community itself is taken seriously. The project does not meet the criteria for a zone change, when all the factors are fully and objectively taken into account.

The project is not compatible to the surrounding area, insofar as the majority of adjacent area is predominantly National Forest and lake front. The project is not a benefit to the community and is not in the public interest, because there is no need for more houses. The National Forest already has a disproportionate and hazardous percentage of houses versus wildland. The ratio

of the wildland-urban intermix is the most hazardous of any National Forest. The FEIR tries to mask the actual detriment that this project would have on the public's best interest and its health, safety and welfare by falsely assuming that more houses automatically equates to an improvement. That might be the case in an urban environment, but definitely not in a National Forest –most especially not in a National Forest, which has the highest wildfire danger in the country. The mountain region is already overbuilt with more houses than can be protected in a major wildfire and more people than can be safely evacuated in worst case emergency. More houses are not a benefit in this case. The public and community have made that overwhelmingly clear.

Also the proposed 50 houses will cause an unwelcome loss of natural open space, forest habitat and highly valuable bald eagle roosting and foraging territory. Fawnskin is the undisputed bald eagle capital of southern California. Thousands of people around the world watched the hatching of two bald eagle chicks in Fawnskin last spring via the local online eagle-cam. They all mourned the loss of one chick in a snow storm and cheered the survival of the other. How can it be in the public's interest to jeopardize the world-famous eagle population of Fawnskin by an altogether unnecessary and inappropriate subdivision?

And the North Shore of Big Bear Lake is the one remaining lakeside jewel of natural forest open space in the San Bernardino Mountains, equivalent to a smaller replica of Lake Tahoe and an exceedingly valuable public treasure. These priceless public benefits are significantly protected by the current zoning designation and should not be sacrificed so that the out-of-state RCK development corporation can construct an otherwise impermissible and invasive subdivision.

These are the baseline existing benefits of the current zoning. But none of these big picture values are accurately characterized in the dry clinical reductionism of the FEIR. However, nothing but unwelcome losses and detrimental consequences to the public's best interest and benefit will result, if the proposed zoning change is granted. The existing baseline of irreplaceable benefits should be the true yardstick of the County's Findings on this proposal. The few remaining Rural-Living low density zoning designations in the mountain region should be kept unchanged, if true public and community interests are to be the guiding principle.

Contrary to the deceptive reasoning of the FEIR, the real issue is not whether the revised proposal (50 home sites) is less harmful than the prior proposal (90 sites), but whether it is appropriate at all to add unneeded housing at a site where multiple houses are simply not permitted. This same site happens to be a highly sensitive and scenic natural resort area inside a National Forest that's already overbuilt with more house than are safe or wanted. This fact strongly reinforces the validity of the existing low-density zoning. Therefore the No Project Alternative is the most legitimate option, because it is the only one that fully conforms to all provisions and policies of the County General Plan and also is in the public's best interest, since it does not require the unwarranted and detrimental zone change amendment.

Insofar as a General Plan Amendment for a zone change is not a guaranteed prerogative of land ownership, it should not be treated as an entitlement by the developer or the county. The decision needs to be made in the public's true best interest as distinct from the developer's own personal or corporate interest. Only then will it conform with the actual criteria from the Development Code cited above. The dismissive treatment of this issue by the FEIR unduly minimizes its importance and fails to take the public's and community's true interests as seriously as they warrant.

In many cases decision-makers feel obligated to not alienate developers, who've spent lots of money and time processing a development, and therefore feel they owe them an approval. But in the process they overlook the fact that hundreds of citizens and constituents have equally

been inconvenienced, sacrificing inordinate time and expense, while such a flawed project has been dragged out for well over a decade. It should not be forgotten that the Forest Service originally offered to purchase this property in 2002 for the benefit of both the eagles and the public, but the appraisal had to be based on the fair market value of the actual Rural-Living low density zoning. At the time, the developers believed they could persuade the county to change the zoning and thus make more money. All these years they have paid minimal property taxes based on the low density RL-40 designation of the land.

Misconception of the "Holding Zone"

The Revised Draft EIR states on page 1-2 that:

The RL-40 land use designation is identified as a "Holding Zone" within the Bear Valley Community Plan, which states: future development proposals (such as Moon Camp) within the RL-40 designation will be considered based on a demonstrated ability to provide adequate infrastructure and maintain consistency with the goals and policies of the 2007 Community Plan.

The Moon Camp project assumes all rural zoning on private land in the National Forest is only a temporary "holding zone" meant to be changed as soon as a specific project for the site is proposed. This concept was plausible 30 years ago, when the 1989 General Plan was being drafted, a time when substandard infrastructure, fire danger and forest impacts were not yet fully recognized to be the major problems they are today. Because conditions in 2018 are much different than they were 30 years ago, Rural Living zones have become all the more important to help preserve the biological integrity of the National Forest, reduce the out-of-balance wildland-urban intermix ratio and serve as vital open space community buffers.

Not eliminating the few remaining RL zones in the rural mountain area is also in keeping with General Plan Policy to have a balance mix of zoning and land use types. The Rural Living designation is especially appropriate in a National Forest, where scenic, wildlife and open space values are a critical component of the unique mountain area.

While all zoning is theoretically subject to potential amendment in general, it should not be treated as a guaranteed procedure. The context of the surrounding area and the public interest are paramount considerations, especially inside our overdeveloped San Bernardino National Forest. The long outdated and invalid holding zone concept should not affect the fundamental test required for a zoning change or diminish the meaningful basis for keeping an existing rural designation intact. In the case of the Moon Camp project, a zone change would clearly not be in the public's best interest, based on all the points discussed above.

Perspective of the Bear Valley Community Plan

It's helpful to consider the overall perspective of citizens of the Big Bear Valley, who provided input and attended meetings that now inform the content of the Bear Valley Community Plan.

B. PRESERVATION OF COMMUNITY CHARACTER

Residents feel that the high quality of life experienced in their neighborhoods today should not be degraded by growth and the subsequent impacts of traffic congestion, strains on infrastructure and threats to natural resources. The clean air, ambient quiet, dark skies, abundant wildlife and diverse natural vegetation are highly valued by residents as well as by the visitors who frequent the area. Residents are concerned about the conversion of natural open space to development, and particularly to a type of development that detracts from the natural setting and rural-mountain character currently enjoyed by the community. The preservation of the community's natural setting, smalltown atmosphere and rural mountain character becomes

Important not only from an environmental perspective but from a cultural and economic point of view.

C. INFRASTRUCTURE

The Bear Valley area is faced with the potential for significant growth. Residents are concerned with the impacts that future growth and development will have on an infrastructure system they sense is already strained. The community's primary concerns centered around water supply and traffic and circulation.

BV1.3.3 COMMUNITY PRIORITIES

The community's priorities that have influenced the goals and policies included within this community plan are: (a) environment; and (b) community character.

ENVIRONMENT

A key consideration in developing this plan has been acknowledging the potential impacts that future development will have on the area's valued natural resources. The goals and policies included in this community plan emphasize the protection of these sensitive resources, the integration of natural vegetation and open space, and development that is scaled and designed to enhance the natural surroundings. In public workshops held to develop the General Plan and the Bear Valley Community Plan, the public has identified three principle planning issues and concerns to be addressed in the plan:

- A. A community in a forest – the natural environment prevails
- B. Ensure no conflict in the interface between the national forest and adjacent land uses
- C. Conservation of natural resources and scenic beauty
- D. Acknowledge service and infrastructure capacity and limitations of the area, particularly roads and water, to serve future development.

COMMUNITY CHARACTER

The Bear Valley Community Plan area will continue to experience growth as a variety of factors continue to drive people to migrate from more urban areas to areas attractive for their rural nature. Additionally the area will continue to attract attention as a recreation destination. As the valley develops, it will be imperative that adequate services and infrastructure are provided, that all improvements reflect the needs of locals as well as visitors, that all development maintains a sense of connection to the natural environment and that the smalltown, rural-mountain character of the community is preserved.

Zone Change is Contrary to the Community Plan

If Moon Camp's zoning conflict with the General Plan gets erased by means of a special amendment, it would only provide a major benefit to the property owner (e.g. increasing allowable density to boost sales potential) in opposition to what is expressed by the public in the Community Plan. It would thereby not be in the public interest. While granting special favor to the developer, such action at the same time would result in detrimental impacts on the public by stripping away the long protected advantages of aesthetic open space, National Forest buffer area, greater fire safety, bald eagle habitat and other similar values compatible with the surrounding public lands. Is that justifiable in a National Forest?

Audubon disagrees with the erroneous opinion in the RDEIR, namely that changing the existing land use designation to accommodate a major development would merely result in a *less than significant* impact to the local community. The local community has been speaking out strongly on its own behalf for nearly two decades against eliminating the existing General Plan safeguards. Below is an excerpt from the community plan on this issue.

A. Community Character (Land Use Issues/Concerns)

During public meetings held by the County, residents expressed concerns regarding growth and the impacts of that growth on the character of their community. The recreation opportunities and the intrinsic rustic qualities of the mountain environment continue to be attractive to a variety of people. Bear Valley offers a mountain lifestyle that attracts residents who choose Bear Valley as a quiet place to retire, residents who live in Bear Valley to escape from urban environments but continue to commute off the mountain for work, residents who enjoy the rural lifestyle and make a living in the area, and part-time residents who own vacation homes in the area. The mountain character is defined by the natural surroundings, large open spaces, recreation opportunities, limited commercial and industrial uses and physical development that complement the area's natural qualities.

The character of the plan area is further defined by the predominance of single-family development. The lot sizes and densities vary within the different community sub-areas, however despite these differences, most residents want to maintain the intensity of development within their individual communities as it currently exists. Additionally, the different resident groups and even non-resident visitors share the primary concern to preserve the natural beauty and mountain character of the plan area.

Zoning is not supposed to be changed, when such change would prove detrimental to the greater public interest, health, safety, convenience, or welfare of the County. The FEIR does not address this particular Development Code requirement, instead focusing only on the limited (but also invalid) assumption that adding more houses would constitute a community benefit. To the contrary more houses would not be a positive addition within a National Forest. The San Bernardino National Forest is already the most overdeveloped National Forest in the country with the highest percentage of housing density versus wildland acreage. Given the unavoidable recurring fire danger, the California Department of Forestry and Fire Protection (CALFIRE) notes that these mountains have one of the most severe fire conditions in the world. The extreme wildfires of 2003 and 2007 demonstrated that present firefighting capabilities are insufficient to defend existing structures in the mountains much less any additional structures, especially ones not authorized by existing General Plan guidelines. Apart from the natural resource and open space values that the project would impact, these factors alone make a compelling case why more houses are a detriment rather than a community benefit. Disregarding this fact is a critical flaw in the FEIR.

Fire danger cannot be expected to decrease in the foreseeable future. These facts should fully rule out any further mountain development that is not already prescribed in the General Plan. Each additional structure added to the hazardous mountain environment worsens the already out-of-balance ratio of excess development in the wildland-urban intermix. Defending against fire in wildland terrain is the most costly and difficult firefighting condition of all. Given such circumstances, a General Plan Amendment that worsens the already hazardous situation would be an irresponsible disservice to the public. The prospect of relaxing zoning restrictions to allow 50 additional units and the accompanying increase in population would be unreasonable.

The proposed General Plan Amendment to change the land use designation from BV/RL-40 to BV/RS-20,000 is also unjustified from a deficient infrastructure standpoint (overall "strained infrastructure" as noted in the Community Plan). The general overdraft of ground water in the Big Bear Valley is another significant reason to disallow any zoning upgrades that result in higher densities. In addition, the major fire of 2003 provided substantial evidence that the mountain area lacks adequate evacuation capacity in a worst case scenario. More residents should not be added to such an already overburdened infrastructure.

Although the FEIR fails to accurately characterize the full negative impacts to the surrounding San Bernardino National Forest and the environmental quality of the public resources, it admits that the proposed project would have a significant and unavoidable impact (i.e. detrimental effect) on the bald eagle. The bald eagle is a preeminent species of Fawnskin and has become a major regional attraction as part of the unique natural environment. A zone change that would inevitably impact this species, resulting in potentially unforeseen adverse consequences, would clearly be detrimental to the public interest.

In addition, a zoning change would further imperil other important public resources such as the pebble plain habitat, flying squirrel habitat, California spotted owl habitat and southern rubber boa habitat. It would also adversely impact National Forest public lands located immediately adjacent to the site. While the FEIR dismisses these impacts as *less than significant*, using a dubious "regional threshold of significance" and a challengeable lack of evidence, there is no question such losses would be highly detrimental to the local community and the large general public that uses the North Shore area of the National Forest.

The site also borders a scenic highway and is part of the aesthetic viewshed of the largely undeveloped North Shore of Big Bear Lake, a major tourist feature of the San Bernardino Mountains.

No Benefit from More Houses

A change in the land use designation cannot be justified on the grounds that adjacent or nearby property has similar residential density as the Moon Camp proposal. On the contrary, the proposed development site is bounded on the majority of its borders by National Forest and the natural shoreline within the visual corridor of the scenic highway. Compatibility to the National Forest is an important reason to maintain the status quo and to not change the existing rural zoning. Low-density rural zoning is the ideal buffer between a developed community and the wildland National Forest and avoids compromising the public's enjoyment of the wildlife and aesthetic open space.

Contrary to the FEIR assumption, the proposed land use zoning district change will not "provide a reasonable and logical extension of the existing land use pattern in the surrounding area," which is one of the necessary findings for a General Plan amendment. In light of the serious wildland fire hazard, the danger of steep slopes, National Forest edge effects, and the need for 100-foot or more setbacks between structures, it is widely acknowledged that the prevailing urban-style zoning densities are not appropriate in forested mountain terrain (especially inside a National Forest). Existing neighboring densities can no longer be looked-upon as a responsible residential norm. It's the same as recognizing that existing neighborhood shake roofs cannot serve as legitimate model for new development anymore (because they are especially unsafe in the fire-prone mountains). So too the old style urban densities (for the same reason) must no longer be accepted as valid in a wildland National Forest setting.

There is an excess of available housing and available lots in the Big Bear Valley, averaging as much as 700 homes at a given time in this relatively small market area. The surplus further weakens any potential justification for a zone change from Rural Living to urban residential on the flawed premise that more houses represent a public benefit. While a new subdivision might be considered a beneficial attribute in an urban setting, it proves to be a significant detriment on a site adjacent to a National Forest and a scenic mountain lake.

A land use zoning district change must not be allowed if it has "a substantial adverse effect on surrounding property." In the case of Moon Camp, the project would adversely impact the scenic open space qualities as well as critical wildlife such as the bald eagle, the San Bernardino flying squirrel, California spotted owl, and southern rubber boa. Also an increased density of 50-fold would negatively impact the forest by incursions of domestic animals, additional noise, potential off-road vehicles and increased ignition sources of wildland fire. All these adverse impacts greatly affect the Forest Service's ability to manage its lands. As Forest Service staff and budgets continue to get reduced, it behooves the county not to make matters worse by adding 50 additional (and currently unpermitted) home sites adjacent to National Forest land. Also adverse impacts to rare and endangered plants adjacent to the proposed project site would thereby increase on National Forest lands as well.

Bald Eagle Issues

In clarifying the overall effect of the proposed project on the bald eagle species in the Big Bear Valley, the conclusion of the report is that the project would result in "significant and unavoidable impacts" to bald eagle populations, for which no offsetting mitigation can be provided. Nor is there any reasonable overriding consideration that would validate such a detrimental sacrifice. Given the importance of the American bald eagle in the Big Bear Valley both biologically and economically, this is tantamount to admitting that the project would be an extremely bad idea.

If the County of San Bernardino were to approve the project, it would be required to cite Findings in accordance with Section 15091 of CEQA and prepare a Statement of Overriding Considerations in accordance with section 15093. In past instances of biologically detrimental development proposals in the mountain area, where significant unmitigable impacts were present, the County has employed the Statement of Overriding Consideration to substitute housing needs and economic benefits as dubious justifications to override the particular significant biological impacts. That argument is clearly illegitimate as referenced above in respect to the wildfire conditions, but also in the general context of a project located within a National Forest and certainly in the case of a General Plan amendment, which requires even stricter Findings.

Increased development in Big Bear Valley has corresponded with a simultaneous decline in the population of wintering bald eagles that inhabit the area. In addition to being the national bird, the American bald eagle has also come to symbolize the unique wildlife values of the Big Bear Lake area in the San Bernardino National Forest. Added to its importance as a California threatened species, the presence of the bald eagle in Big Bear has become a significant attraction for the visiting public, widely featured in a variety of publications and media exposure (like the Friends of Big Bear Valley's online eagle cam) that confer extensive positive publicity for this popular tourist destination. Such attention is a major benefit to the local economy that prospers from the prominence of the surrounding National Forest and the integrity of its wildlife. The Forest Service Discovery Center on the north shore is the main visitor center for the local mountains. Eagle tours are the primary attraction in winter. The health and sustainability of the bald eagle is a critical factor for the overall natural resource values of the National Forest in the Big Bear Lake area.

The cumulative biological reports for the Moon Camp FEIR strongly confirm that the project site is a highly significant roosting and perching habitat for the remaining bald eagle population in the area. The point has been stressed that the "proposed project contains some of the most utilized bald eagle roosting and perching habitat in the Big Bear Valley." However, the overall

assessment also points out that the proposed project, which is dependent upon the granting of a special General Plan amendment by the County for a major zone change, would have an extremely adverse effect on the bald eagle, which could not be mitigated. The impacts from the development and road construction proposals would severely compromise the viability of the existing habitat and further compound the factors contributing to the significant population decline of the bald eagle throughout the Big Bear Valley.

The bald eagle is one of the most magnificent and irreplaceable natural resources of the region. It would be a tragic loss if the largest population of wintering bald eagles in Southern California were allowed to dissipate due to unwarranted zone changes for detrimental projects like this.

General Plan Factors

The American bald eagle is certainly a prime example of the kind of natural resource that the County General Plan was fully meant to protect. Some 30 years ago the 1989 General Plan recognized that, "In the Mountain region, many plant and animal species, including Bald and Golden Eagles, are losing habitat to residential land use along lake shores." (Page 11-C1-2). Wildlife values were specifically highlighted in the Preservation of Natural Resources Section of the 1989 Open Space Element as having a collection of positive factors such as aesthetic, recreational, ecological, educational and scientific values as well as economic benefits, insofar as the wintering population of the Bald Eagle in particular is a popular tourist event in the Big Bear Valley. (Page 11-C5-57). Also the San Bernardino Mountains as a whole are considered an "Area of Biotic Significance" and in particular all perennial and intermittent ("Blue-line") streams, lakes and reservoirs, conifer forests and large mammals and raptors are specifically identified as being key natural resources. It is clear that the overall context of the mountain environment requires special attention to sustain a whole system of unique natural resources.

It is evident to Audubon from monitoring development trends in the San Bernardino Mountains over the past 25 years that the full protection of the County General Plan pertaining to natural resources needs to be more strongly invoked and more strategically reinforced, if the highest and best attributes of the local National Forest and its exceptional biological resources are to be adequately sustained as a regional treasure going forward into the future.

The County General Plan has long recognized the critical value in protecting natural resources, as again from 1989:

Natural resources are distinctly different from other concerns normally dealt with in the planning process because these resources are exhaustible and can be permanently damaged. In order to ensure the continued ability of these natural resources to function in their supportive roles in maintaining the quality of life for the urbanized portions of the County, it is crucial to identify and implement strong definitive actions to assure their long term survivability. Without strong direction and controls placed upon certain lands within the County, undesirable effects will result in:

- Extinction of species
- Depletion of groundwater aquifers
- Consumption of nonrenewable resources
- Loss of interpretive data
- Conversions of natural open space

There are numerous goals and policies of the General Plan that fully emphasize these biological and natural resource priorities. A sampling of these policies strongly illustrates the special value

and protections outlined in the 2007 General Plan, while also revealing how much the proposed zone change and subdivision project fail to meet these County guidelines:

CO 1.2 The preservation of some natural resources requires the establishment of a buffer area between the resource and developed areas. The County will continue the review of the Land Use Designations for unincorporated areas within one mile of any state or federally designated scenic area, National Forest, National Monument, or similar area, to ensure that sufficiently low development densities and building controls are applied to protect the visual and natural qualities of these areas.

The current zoning of BV/RL-40 fully conforms to the intent of this policy by providing a compatible buffer area of rural open space zoning between the National Forest and the existing community. That is a logical and responsible practice to apply within a National Forest, where the fragile interface area between residential and wildland requires complex management issues. Only a superficial buffer of 100 feet between houses and National Forest wildland would remain, if the current zoning protections were to be removed by a General Plan amendment. The public forestlands would become incorporated into the backyards of private homeowners, subjecting natural resources to various abuses of encroachment, predation by domestic animals, off-road vehicle damage, tree-cutting, etc. Increasing the zoning allowance to eliminate the low-density open space buffer would not be consistent with this General Plan policy, thereby violating one of the mandatory findings for justifying a zone change.

M/LU 1.20 Closely review development projects on private land adjacent to National Forest lands to ensure that development projects are capable of meeting all development requirements within the project boundaries or other non-federal land. Provide opportunities for the U.S. Forest Service to consult with the County on development of private land that may have an adverse effect on adjoining National Forest land.

The U.S. Forest Service submitted comments on the 2010 edition of the Revised Draft EIR, identifying various adverse impacts that the project would have on the Forest Service, the public lands under its management and the sensitive species and unique environmental resources found in the forest. The letter serves as an indicator of added reasons why the project and its proposed zoning change will have a substantial adverse effect on surrounding property, one of the criteria for disallowing the change. Some of the issues noted by the Forest Service include:

- a request that the project eliminate the plan for street lighting to avoid substantial adverse impact on National Forest lands and to be consistent with the rest of Fawnskin, which has no street lighting,
- there is a need for a detailed soils erosion and sedimentation plan and geotechnical investigation of slope stability to determine whether significant impacts may affect the National Forest and Big Bear Lake (this ties in with the fact indicated above that no slope analysis has been provided in the project's environmental document),
- the professional advice that signage and CC&Rs do not provide effective mitigation in preventing abuses of dispersed recreation and impacts on adjacent Forest Service land.

(As an example, the mitigation offered for the destruction of flying squirrel habitat is merely a flier informing residents that their cats might harm this species. Such a method has no potential to reduce the actual loss of flying squirrel habitat. It is only *pro forma* paper mitigation to give the appearance of addressing this issue).

GOAL M/OS 1. Ensure the preservation and proper management of National Forest lands within the Mountain Region to maintain the alpine character of the region.

The best way to ensure the preservation and proper management of National Forest lands, while maintaining the alpine character of the Mountain Region as it exists in Fawnskin, is to avoid adopting an unnecessary zoning change amendment to the existing General Plan.

GOAL CO 2. The County will maintain and enhance biological diversity and healthy ecosystems throughout the County.

Since the FEIR indicates that adverse impacts to the bald eagle from the Moon Camp project will be significant and unavoidable in ways that cannot be mitigated, it is clear that Goal CO 2 points to another conflict between the proposed zoning change and the policies of the General Plan. While the FEIR claims that additional adverse impacts to other sensitive species and plants are "less than significant," that claim is highly contestable on the basis that the CEQA Thresholds of Significance have not been applied properly and objectively in this case. Based on Development Code criteria, these negative impacts must not constitute a detriment to the public interest or have a substantially adverse effect on surrounding property. Given the cumulative force of all these detrimental impacts on the biological resources and ecology of Fawnskin, they add up to very substantial and significantly adverse consequences.

CO 2.1 The County will coordinate with state and federal agencies and departments to ensure that their programs to preserve rare and endangered species and protect areas of special habitat value, as well as conserve populations and habitats of commonly occurring species, are reflected in reviews and approvals of development programs.

Because of faulty analysis and inadequate mitigations, the Moon Camp FEIR does not sufficiently comply with the spirit and intent of this policy. Rather than "preserve rare and endangered species and protect areas of special habitat," the project will have an overall detrimental effect on the habitats, species and unique public resource values contained on this site. By basing evaluations of rare plants and animals on an abstract and ill-defined "regional" context for justifying "less than significant" verdicts for habitat destruction and species loss at the project site, the FEIR artificially downplays and minimizes the vital forest and ecological qualities that will be sacrificed.

M/CO 1.4 Designate and protect unique habitats supporting rare and endangered species.

Although the project proposes to designate and protect unique pebble plain habitat as well as bald eagle perch trees, the mitigation measures are not realistic or adequate and do not ensure long term survival of these resources. Instead, the project will result in greater long term loss and damage by crowding up against the National Forest and greatly magnifying overall detrimental effects. The best way to protect these unique habitats is by maintaining the RL-40 zoning designation for rural open space, which will ensure that the bald eagle perch trees and overlapping rare habitats/species on adjacent National Forest will not be overrun by inappropriate urban expansion.

M/CO 1.6 Prepare guidelines for the protection of eagle perch trees and spotted owl nest trees.

One excellent guideline for the protection of eagle perch trees and spotted owl nest trees is not to allow rural open space zoning to be converted to urban densities in critical buffer areas adjacent to National Forest as exemplified by this site. As pointed out by the Forest Service, the plans for the eagle perch trees are inadequate to effectively mitigate the impacts, and there are no mitigations offered for spotted owls contrary to recommendation from the Forest Service.

GOAL M/OS 2. Improve and preserve open space corridors throughout the Mountain Region.

Much of the north shore (this site included) forms an excellent wildlife landscape linkage between the National Forest and the lake. By ignoring this mountain open space goal, the FEIR further demonstrates the project's inconsistency with the County General Plan.

LU 1.2 The design and siting of new development will meet locational and development standards to ensure compatibility of the new development with adjacent land uses and community character.

In Fawnskin, where the quality of life is defined by low-density rural living and wildland forest characteristics, unwarranted urban density would depreciate that quality. Locational standards are intended to ensure compatibility with adjacent land uses and community character. The proposed zone change would be contrary to General Plan locational standards as well as incompatible with adjacent National Forest land use and the north shore's scenic open space, which define the Fawnskin community character. The Rural Living (RL) zone is intended "to prevent inappropriate demand for urban services," and the County's locational criteria include such elements as: recreation areas, rural residences and vacation cabins; watershed, wildlife and open space uses; areas with limited, low-density development or mountainous areas with moderate slopes; areas where rural residences are the primary use of the land; and areas with limited public improvements. Such locational criteria clearly apply to the Fawnskin site and the existing RL-40 zone designation.

GOAL M/CO 1. Preserve the unique environmental features of the Mountain Region including native wildlife, vegetation and scenic vistas.

One of the best ways to meet and uphold this mountain conservation goal is to maintain rural open space land use designations in the critical interface buffer areas between mountain communities and the wildland environment of the National Forest.

M/CO 1.2 Protect scenic vistas by minimizing ridgeline development that would substantially detract from the scenic quality of major ridgeline viewsheds.

Demonstrating its indifference to this mountain policy, the proposed Moon Camp project calls for homes to be located along the ridgeline. There is no area more scenic than the north shore of Big Bear Lake. This policy is a further example of the project's inconsistency with the General Plan policy that runs contrary to the criteria for a zone change amendment.

M/CO 1.7 Encourage conservation and sound management of the mountain forest character and natural resources, including water, streams, vegetation, soils and wildlife. Require the planting of native or drought-tolerant cultivar species, capable of surviving the mountain environment and climate.

Conservation and sound management of the mountain forest character and natural resources requires that a compatible buffer of open space be maintained in the interface areas between the National Forest and mountain communities such as Fawnskin.

GOAL M/CO 2. Maintain the health and vigor of the forest environment.

The health and vigor of the forest environment is best maintained by minimizing the detrimental impacts of dispersed recreation and spill-over edge effects from urban-style densities placed too close the National Forest interface boundaries. Low-density RL buffer zones are necessary to uphold this goal. General Plan amendments for zone changes in areas such as Fawnskin should not be permitted.

GOAL M/CO 3. Conserve and protect surface and groundwater resources to meet the needs of a growing mountain population, to support the mountain environment and forest watershed and to preserve the quality of life for mountain residents and visitors.

One of the recommendations of the Forest Service was a more thorough surface and groundwater resources analysis, since water extraction associated with the project could result in potentially adverse impacts on riparian and wetland habitats. By disallowing an unwarranted zone change, these detrimental impacts to the forest watershed would be avoided.

M/CO 3.1 Utilize open space and drainage easements as well as clustering of new development as stream preservation tools.

Protecting streams and natural drainages is critical in the San Bernardino Mountains, where less than one percent of the National Forest landscape is riparian habitat but is required by 70% of all mountain wildlife for survival. The natural stream channels provide significant travel routes for wildlife. The detrimental impact of mountain development on these resources has been harmful over time. The onsite streams would be far better preserved by keeping the rural open space zoning intact.

GOAL M/CO 5. Preserve the dark night sky as a natural resource in the Mountain Region communities.

The street lighting designed into the Moon Camp project will result in significant impacts to the Fawnskin community's cherished dark skies, which are an important element of the mountain environment. Also occupants of newer modern housing demonstrate a stronger preference for urban-style security lighting. Overall this will have a negative impact on the forest and community. The best way to preserve the dark night sky is to preserve the existing open space zoning for this site.

M/CO 5.4 All outdoor lighting, including street lighting, shall be provided in accordance with the Night Sky Protection Ordinance and shall only be provided as necessary to meet safety standards.

Even if this policy is enforced, the impact of 50 new large modern houses will be significant on the adjacent National Forest. It will also impact the viewshed from across the lake. Like so many other major detriments of the proposed project, this negative impact can be avoided by keeping the existing zoning designation in the General Plan, which would also be consistent with all of the above cited goals and policies.

GOAL BV/LU 1. Retain the existing mountain character of the community.

To achieve this goal the proposed General Plan zoning change amendment should be rejected.

BV/LU 1.1 Require strict adherence to the Land Use Policy Map unless proposed changes are clearly demonstrated to be consistent with the community character.

Since the proposed project is not consistent with the community character, "strict adherence" to the existing rural zoning designation needs to be enforced.

BV/LU 1.2 In recognition of the community's desire to preserve the alpine character and protect the area's natural resources, projects that propose to increase the density of residential land uses or provide additional commercial land use districts or zones within the plan area should only be considered if the following findings can be made:

A. That the change will be consistent with the community character.

In determining consistency the entire General Plan and all elements of the community plan shall be reviewed.

The proposed zoning change is not consistent with the community character nor a large segment of the entire General Plan.

BV/CI 1.4 Preservation and protection of sensitive habitats shall have priority over road location, relocation or realignment, when other practical alternatives are available.

The road proposed to exit on the east end of the proposed development bisects sensitive plant habitat and unnecessarily separates two conservation lots.

BV/CI 1.6 Minimize the traffic load on mountain major highways and mountain secondary highways by requiring projects to minimize direct access to these main circulation roads.

Contrary to this policy, the proposed development proposes four new direct access points onto the substandard Highway 38, all within a very short distance of each other.

BV/CI 5.1 Through the development review process, permit new development only when adequate water supply exists or can be assured.

So far the evidence provided is deficient to show whether adequate water supplies exist to serve the proposed development. One option for supplying water has the potential to adversely impact groundwater supplies and draw down other private wells in the project vicinity.

BV/CO 4.5 Natural drainage courses shall not be occupied or obstructed.

The proposed project would completely occupy and obstruct the natural drainage course on the east end of the property.

All of these General Plan and Community Plan goals, policies and guidelines illustrate how tenuous the potential compliance of Moon Camp project actually is with the relevant provisions for a legitimate residential subdivision in the National Forest, even if the proposed project was not already prohibited by the existing BV/RL-40 land use designation. The inconsistencies further underscore the fact that a General Plan amendment to change the zoning is altogether unwarranted.

Wildlife Impacts

The FEIR asserts, "the loss of habitat, loss of wildlife, wildlife displacement, and habitat fragmentation that would result from construction of the 2011 Alternative Project would not be considered significant because these impacts would not substantially diminish habitat for wildlife in the region nor reduce any specific wildlife populations in the region to below self-sustaining numbers." This conclusion, however, lacks substantial evidence; there is no data or analysis accompanying it. CEQA requires that a project's conclusions be supported with evidence and analysis. What are, for example, the "self-sustaining numbers" for each of the impacted species? At what point would habitat fragmentation be considered to significantly affect an individual species? Would the loss of habitat on the project site cause the current eagle population, for example, to completely abandon the site? At what point would the site's habitat become so marginal that other sensitive wildlife species would no longer find it to be suitable and abandon the site? What are the specific impacts to the eagle and other species from some of the specific project components, such as the proposed marina? What is the definition of the

referenced "region?" How does the loss of habitat add to the cumulative impacts of habitat loss in the Big Bear Valley over the years?

The FEIR evades the obligation to conduct a species-specific evaluation when it asserts that the "loss of foraging habitat [for many species] would be considered adverse, but less than significant due to the limited amount of habitat loss relative to the availability of foraging habitat for [species]." Again, the FEIR provides no analysis or evidence to support this conclusion. Without an actual species-by-species analysis, how can the EIR authors be apprised of the "amount of habitat loss relative to habitat availability?" The Project site's important biological resources ought to mandate a clearer and more thorough evaluation of impacts to affected species.

The decline in the population of wintering bald eagles (that parallels the increase in local development of Big Bear Valley) is apparent in the statistics from the Forest Service's Bald Eagle Counts as shown in Appendix A. The project modifications in the FEIR do not materially reduce any of the significant impacts on the site or to the surrounding public resources of the San Bernardino National Forest. The FEIR states that perch trees are to be saved, however it does not provide measures that fully promote survival nor offer effective mitigation that would guarantee long term preservation. This supposed mitigation does not reduce the significant impact to the Bald Eagle in any way.

Too many of the eagle perch trees within proposed project design are located on developable lots, where they will not be adequately protected against removal during building construction or upon becoming identified as a safety hazard. The FEIR thus fails to provide adequate safeguards for these critical trees, especially the "most utilized perch tree on the North Shore" (according to the bald eagle survey in Appendix A). These trees should be fully protected in sufficiently large conservation lots. There ought to be a mitigation measure that ensures that these vital perch trees remain standing throughout their natural cycle.

Although the FEIR acknowledges on page 2-29 and 2-30 of the RDEIR that the bald eagle could potentially nest on the project site, the report does not identify, analyze or mitigate the potential impacts to nesting eagles. Because human activity within close proximity to eagles' nests interferes with successful nesting, perch trees on developable lots are ineffective for adequately mitigating impacts to the eagle. The likelihood of eagles nesting onsite would be greatly increased if the existing RL-40 zoning of the site were to be left intact. That would constitute a definitive community benefit, as emphasized in the protocol for zone change Findings.

The FEIR fails to analyze the impact on foraging habits of bald eagles when houses are located on steep slopes above the perch sites. Bald eagles were known to frequent the lakeside slopes below the Castle Glen development prior to the construction of the project, where a foraging area was set aside as a conservation easement for the bald eagle. However, after homes were built above the eagle perches, the eagle count data by the Forest Service indicated that the eagles' use of the area for foraging was greatly reduced. Since the Moon Camp project proposes home sites on the steep slopes above the perch trees, which are supposed to be preserved as mitigation, these factors should be analyzed and mitigations devised to minimize impacts of this nature.

Requiring 24-inch replacement trees for trees larger than 24-inch dbh does not reduce the significant impacts to the bald eagle. The cut trees might be many times larger than the replacement trees and already functional as bald eagle perch trees, whereas these smaller trees could take decades to grow to attain the necessary height as replacements. The only way

to effectively mitigate is to require that no trees over 24-inch dbh be cut, a measure that has not been adopted by the project proposal and can only be achieved by keeping the existing zoning designation intact.

Although the FEIR concludes that impacts to the bald eagle would be significant, it still substantially understates these impacts. It also underestimates the impacts to the ashy-gray Indian paintbrush, other pebble plain special status plants, and other biological resources, while failing as well to adequately mitigate the true impacts to these species. All of these unnecessary and devastating impacts can be avoided by an honest assessment that the whole project is simply not in the public or community's best interest. Such an assessment would mandate that the RL-40 land use designation remain unchanged and that only the "No Project Alternative" is valid, given the existing zoning and the remarkable natural resource attributes of the site.

Citizen Participation

Audubon is appreciative of the extraordinary amount of volunteer hours, research and consultation with experts that has been undertaken by the local community organization, especially the Friends of Fawnskin (now Friends of the Big Bear Valley), in opposing the misguided Moon Camp proposal. The county should take note that the testimony from the community in regard to the adverse impacts of the project represents a much more accurate perspective than what has been provided in all the compiled elements of the Moon Camp project's final environmental impact report. Enormous amounts of time, expertise and expense have been invested by citizens in placing their case before the county. This has resulted in abundant and compelling reasons why the existing General Plan guidelines ought to be maintained and not be irresponsibly overturned. Maintaining the status quo of the BV/RL-40 land use designation is clearly in the best interest of the general public, for its safety, well-being and continued protections of the American bald eagle and our priceless National Forest. The county is fortunate to have so many local concerned citizens and advocates, who have provided their valuable perspectives and insights on what constitutes the best interests of the community and the public and how the county can best serve all of their most dedicated constituents.

We thank you for your consideration of these comments.

Sincerely,



Drew Feldmann
Conservation Chair

cc: Jeff Brandt, DFW Ontario Office
James Ramos, 3rd District SB County Supervisor
Sandy Steers, Friends of Big Bear Valley
Ileene Anderson, Center for Biological Diversity
Kim Floyd, San Geronimo Chapter Sierra Club



Big Bear Group

San Gorgonio Chapter

PO Box 3048 Big Bear Lake CA. 92315

Mr. Tom Nieves, Contract Planner
County of San Bernardino
Land Use Services Department, Advanced Planning Division
385 North Arrowhead Avenue 1st Floor
San Bernardino, California 92415-0182

By email to: Tom.Nieves@lus.sbcounty.gov

RE: Final Environmental Impact Report Moon Camp 50-lot Residential Subdivision TT No.16136 (Based on Revised Site Plan) Big Bear Lake, San Bernardino County, California SCH No.2002021105

The Big Bear Group of the Sierra Club with over 200 members in the Big Bear Valley have the following comments on the Final Environmental Impact Report for the Moon Camp 50-lot residual development with a marina on the North Shore of Big Bear. We believe the planning commission and county commissioners should reject this ill-conceived project after taking the following into consideration,

Wildfire Considerations

In 2003, the Old Fire caused the evacuation of the Big Bear Valley. At times both Rt. 38 and Rt. 18 to Running Springs were closed to traffic. Fortunately, the fire never reached Big Bear. We were also fortunate that because the fire had been burning to the west of Big Bear for some time the usual tourist population was much smaller than normal, and many residents left early. Even with this reduced population the strain on our evacuation routes was painfully evident. It took hours for those that waited for the mandatory evacuation order to get down the hill via Rt 18 to Lucerne.

Consider the real possibility of a fast-moving fire coming up from the dry chaparral covered slopes from the south. This fire would most likely cause

the closure of Rt. 18 to Running Springs and Rt. 38 to Redlands leaving Rt.18 to Lucerne the only way in and out. The question for authorities is, do you evacuate the population or bring fire fighters and equipment up the hill? There are not adequate firefighting resources in the Big Bear Valley to handle this very real scenario. With in the last year according to the Big Bear Fire Authority there were 74 instances where there were no units available to take even 911 calls.

The Big Bear Valley has a resident population of around 25,000 and can expand to over four times that in the busy summer months. Any project that has the potential to expand this population base which effects our highway systems ability to evacuate that population needs to be looked at as a cumulative effect under CEQA. We, and perhaps others, asked for this during the lengthy environmental review process for this project. We were either ignored or told that it was not in the project scope. Our reading of CEQA is as follows: CEQA Guidelines require the consideration of cumulative impacts within an Environmental Impact Report (EIR) when a project's incremental effects are cumulatively considerable. Cumulatively considerable means that, the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. In identifying projects that may contribute to cumulative impacts, the CEQA Guidelines allow the use of a list of past, present, and reasonably anticipated future projects, producing related or cumulative impacts, including those that are outside of the control of the lead agency. Thus, cumulative impacts must be covered in this EIR, backed up by a current traffic study that explores the consequences of various route closure scenarios. Until such studies are done and the cumulative effects are taken into account it would seem to be irresponsible, to say the least, for the planning commission and board of supervisors to continue approving large housing tracts on land designated RL

Bald Eagle Considerations

This winter two bald eagle chicks were hatched in a nest in the forest near Fawnskin. This event was full cover and seen in country's around the world by an on-line video camera placed above the nest a few years ago by the Friends of the Big Bear Valley. The primary perch trees and foraging area used by the chick's parents was on the lake front area where the proposed marina and parking lot for this project is to be constructed. If completed as planned this area will most likely no longer used by the mating pair and they

may potential abandon the nest and move out of the area. This is a new development and its potential impact must be addressed in an addition to the EIR before this project can go forward. To do other wise would be a violation of CEQA.

Destruction of Pebble Plain Habitat

Because of ongoing development, less than 10 percent of the rare pebble plain habit that once existed in the Big Bear Valley remains. It is critically important to preserve all remaining habitat to maintain the genetic flow between the small islands of existing pebble plains.

In EIR vastly under states the amount of pebble plain contained on the project site because it ignores the definition of pebble plain habitat as defined in the U.S Forest Service Pebble Plain Habitat Management Guide,2002 Instead it use an outdated definition developed by one individual that fits the developers desires rather than the definition arrived at by combined expertise of the botanists of the Forest Service. This must be rectified so proper mitigation measures can be developed as required under CEQA.

Summary

The Big Bear Group opposes this project for the following reasons:

- The cumulative effect of continued development must be analyzed in relation to the valley's infrastructure practically in relation to evacuation from wildfire.
- The destruction of critical eagle habitat.
- The destruction of rare pebble plains.

Please acknowledge receipt of these comments for our record.
Respectfully submitted,

Ed Wallace
Conservation Chair
Big Bear Group Sierra Club

Nieves, Tom

From: Michael Perry <calcolsol@gmail.com>
Sent: Tuesday, October 02, 2018 3:05 PM
To: Rahhal, Terri
Cc: Prusch, David - LUS; Nieves, Tom; CHARLES HOLCOMBE; Steve Foulkes; Donovan Collier; Thomas J. McGill
Subject: Moon Camp - our Attorney's response to the Sierra Club

Terri,

Below is Donovan Collier's response to 2 of the 3 the Sierra Club's comments in their letter of Sept. 28, 2018. I believe the 3rd comment will be responded to by your County Fire Dept.

Please let us know if we can provide any additional information.

Michael

----- Forwarded message -----
From: Donovan Collier

2. Bald Eagle Impacts. We addressed impacts to the Bald Eagle extensively in the EIR. We noted all of the perch tree locations and have mitigation in place to prevent impacts to the perch trees and eagles to the extent feasible. Mitigation measures include preserving perch trees in place, restricting on-site construction activities during breeding season (February 1-July 30), and restricting use of the marina between December 1 and April 1. At the end, the impacts are still considered significant and unavoidable. The County is not saying there will not be an impact.

3. Destruction of Pebble Plain Habitat.

The author of the 2010 Supplement Focused Special Status Plant Survey, Dr. Krantz, the preeminent authority on pebble plain habitat and related plant species, concluded that true pebble plain habitat is characterized by the existence of clay soils with a vestiture of Saragossa quartzite pebbles and presence of indicator plant species (presence of *Eriogonum kennedyi* ssp. and *Arenaria ursina* together, as originally mapped by the author in 1983). The 2010 Supplement Focused Special Status Plant Survey concluded that the 0.69-acre area that had been previously characterized as true pebble plain habitat, was in fact not true pebble plain habitat due to the lack of the existence of the two (2) primary indicator species, *Eriogonum kennedyi* ssp. and ssp. and *Arenaria ursina*. The clay soils with a vestiture of Saragossa quartzite pebbles are the signature characteristic of the unique plant community that is called "pebble plains." In fact, Dr. Krantz was the first to actually apply the term to this plant community (Krantz 1983). To suggest that all other areas "occupied by *Castilleja cinerea*, *Ivesia argyrocoma*, and *Arabis parishii* are, by definition, pebble plains" is inappropriate and would greatly expand the definition to include much of Big Bear Valley, including all of Sugarloaf Ridge, which has *Arabis parishii* and *Castilleja cinerea*, but is in fact a lodgepole pine forest without any similar soils. Ashy-gray Indian paintbrush or *Ivesia argyrocoma* are also known to occur in meadows; *Arabis parishii* is found on limestone, and *Ivesia a.* is also found in Baja California, none of which are even remotely considered pebble plain habitats. Although the USFS Pebble Plain Habitat Management Guide purports to provide a points system for determining the existence of pebble plain habitat, according to Dr. Krantz, application of the Guide's point system results in overly inclusive results and would lead to characterization of lands that are not truly pebble plain, as pebble plain habitat, even those areas that do not have clay soils. Even by these standards, the on-site occurrence of pebble plain-like soils on the Moon Camp property would be

limited to the 0.69-acre Knoll area, largely contained within Lot A. It should be noted that the USFS definition of pebble plains describes five “strong indicators” (given 2 points each): clay soils (marginal on the Knoll), presence of *Eriogonum kennedyi* ssp. *Kennedyi* or ssp. *austromontanum* (neither on-site), *Arenaria ursina* (not on-site), and *Ivesia argyrocoma* (on site). The only good “strong indicator” on-site is the presence of pebble plain-like soils. The presence of *Ivesia argyrocoma*, which occurs on many non-pebble plain habitats in the San Bernardino Mountains and in Baja California, is not considered to be a “strong indicator” by Dr. Krantz. The other “weak indicators” are truly only weak indicators—all occurring in a wide range of non-pebble plain habitats throughout the Big Bear-Holcomb Valley areas.

Nieves, Tom

From: Judy Currier <greyhounds@cox.net>
Sent: Wednesday, October 03, 2018 6:51 AM
To: Nieves, Tom; Supervisor Ramos
Subject: Moon Camp Project

Please, please vote against the Moon Camp Project. This huge project will have detrimental affect on our wildlife including the Big Bear Eagles. We do not need more housing in Big Bear, we have plenty for sale now. We need our wildlife!!!

**Judy Currier
President, GPA Las Vegas
www.GPALV.com
Cell: 630.6390**

**Joyful, joyful, joyful as only dogs know how to be, happy with only the autonomy of their shameless spirit.
Pablo Neruda**

Nieves, Tom

From: Greg <2greggo@gmail.com>
Sent: Wednesday, October 03, 2018 6:54 AM
To: Nieves, Tom
Subject: Moon Camp Fawnskin

Tom,

As a resident/property owner of Fawnskin, CA I have heard rumors of a new development along North Shore Drive. Is there a website that I can look at proposed development Moon Camp? Rumors that I have heard is to re-direct traffic away from Lake and above the proposed Moon Camp, and this would effect the Eagle habitat. I will be attending the meeting tomorrow.

Please send link so that I can be more educated before the meeting.

Thank you

Greg Johnson
39117 Rim Of The World Drive
Fawnskin, CA 92333

Nieves, Tom

From: Kathryn Gray <kathryn@kgraymail.com>
Sent: Wednesday, October 03, 2018 6:59 AM
To: Nieves, Tom; Supervisor Ramos
Subject: Opposition to Fawnskin Development

Gentlemen:

I understand there is a vote today on the proposed large, multi-use development in Fawnskin. This development has been blocked several times for all the right reasons. Part of the draw Southern Californians have to come to Big Bear is to get away from large, urban style developments and congestion. Big Bear is seen as one of the last quaint getaways within a few hour drive of congested LA-OC. While I am sure the temptation of the potential tax revenue is appealing to elected officials who must balance budgets, but there must be some consideration for the legacy being left behind. I was born in San Bernardino and maintain a residence in Big Bear, in part so my children and grandchildren can have a beautiful, treed, open, rural place to visit. I appeal to you to stop this development.

The reasoning for defeating this measure is not just to maintain the tourist draw to the valley. The additional traffic on the north shore (where my place is), the environmental impact on the tourist-attracting bald eagles, and an additional marina on a lake that not only does not need another marina, but is in an area often first impacted by drought. There are hundreds of cabins, large houses and raw land options for sale in the valley and few sell quickly. There is no need for additional vacation housing in the valley.

Please defeat this development. It is just a bad idea that needs to be cancelled once and for all. Please listen to long time citizens wishes and not be taken in by developers who do not have the best interests of the valley in its residents in mind.

Thank you,

Kathryn Gray

Sent from my iPad

Nieves, Tom

From: Zach Wood-Doughty <zach@cs.jhu.edu>
Sent: Wednesday, October 03, 2018 7:49 AM
To: Nieves, Tom; Supervisor Ramos
Subject: Save the Big Bear Bald Eagles!

Dear Planning Commission and Board of Supervisors,

I'm writing to express my concern about the Moon Camp development project which county documents say will have a "significant detrimental effect" on Big Bear Valley bald eagles' foraging grounds. Your park and the eagles in it are a legitimate treasure -- the work the Forest Service has put in to make the nest camera an educational opportunity for people all across the country should not be canceled by an aggressive housing development project. I live in Maryland but just wanted to make sure that you all knew that folks around the country are huge fans of your park and eagles, and you are probably destroying as much value in tourism opportunities as you are gaining in development money by proposing this housing so close to the park.

Thanks,
Zach Wood-Doughty

3419 Keswick Road,
Baltimore, MD 21211
608-561-1829



September 30, 2018

County of San Bernardino
Land Use Services Department,
Advanced Planning Division
Attention: Matthew Slowik,

Dear Mr. Slowik,

I write to persuade you to stop the Moon Camp development project. My family has owned a house in Fawnskin since 1972. Since the 1990s, we have watched with apprehension as the Big Bear Valley has increased in density, services, and traffic. This latest project seems like a tipping point. It represents an intensification of the lakefront unimaginable in recent years. As a professor of history and political economy, I ask you to think not only about the specific effects of this disastrous project but also about your larger role as steward of the Big Bear Valley.

Think of the Big Bear Valley as a Persian rug. You have a sharp knife and cut the rug into one hundred squares. Now put them all back together so that when you stand back it looks like the original rug. What do you have? You have one hundred fragments, and no rug at all. Cutting up a rug approximates what happens when the landscape is divided by boundaries and barriers. It becomes a series of fragments, each a kind of "island," and the result is that all the living things on those islands is in greater danger from air and light pollution, roads and trails that further dice up their habitat, and an erosion of the things they need to live, all of which tends to drive them out altogether or cause to their extinction if the organism exists nowhere else. This is called island biogeography, and it's well studied. The effect of development is a tremendous dive in biodiversity, as human uses overwhelm and simplify the environment.

And the Big Bear Valley is an extraordinary environment. It rates the seventh highest in biodiversity in all the regions of the United States. One-third of all of California plant species can be found in less than 1 percent of the state's area. That's something to promote, not pave over.

Why should you care? You want the property taxes from additional houses, more money for schools and county services. This is *progress* or *development*, the process of converting grass and brush into fiscally fertile private property. I understand how you see it, but I ask you to question this view—not because building roads and suburbs is always a bad thing but because it is not without contradictions. You don't have to use your imagination to see what happens when development prevails over other uses. Southern California was once low rolling hills covered with willows and chaparral that supported El Segundo butterflies and peregrine falcons—both now endangered. The question is, can we have open space for butterflies and falcons as well as real estate development? Yes, but the Big Bear Valley is past that point. I will give you five reasons for stopping the project all connected with the contradictions of development.

1. *There is no such thing as land conservation surrounding a housing complex.* The developers want to convince you that they can build and conserve wildlands, but it's an illusion. The reason goes back to the Persian rug. There is a difference between quantitative and qualitative change. To reduce the number of houses from one hundred to fifty seems significant. But the *quality* of that extra space is not equal to what the same land would be like with no houses nearby. It's like cutting the rug into eighty squares not one hundred. The effect would be the same. If we could remove a lane from a freeway, would that reduce its environmental impact? It would remove 15 percent of the road, but that wouldn't change anything about living next to the 605. Regarding Moon Camp, the extra people, noise, household garbage, light, and traffic all amount to qualitative changes not accounted for in the quantitative assertion that there will be fifty fewer homes, especially if each house merely has a larger lot. Another way of saying this is,

2. *Development kills the things we love.* You yourself, I'm willing to bet, seek out the very quiet places for hiking and camping that you would approve for luxury houses and access roads. There's a paradox here, and it's built into our notion of progress. We come for the clean air but turn it foul; we come for the open space only to turn into real estate. Building this project will reduce the overall quality of life for everyone in the Big Bear Valley. At some point, the overall environmental quality of a place becomes perforated to the point that takes on an entirely different quality. If the County of San Bernardino is willing to have Big Bear Lake look like any other suburban city in Southern California, then by all means approve this project and the next one, and the next. The lake will become even more choked with algae from the careless use of fertilizers. The eagles will disappear. Smog and not fog will hang over the lake on cool mornings. The very things that brought people to the region in the first place will vanish, leading homeowners to sell and move to the next clean place while housing values fall.

A related illusion of development is that we're only talking about this one project. But we can never see environmental or economic change in isolation. Another landowner will come along next year and make the same appeal, use the same logic of progress and development. *You can tell your grandchildren that you remember Big Bear when there were bald eagles, or you can stop a process that no longer delivers the benefits it once did.*

3. *Development heightens the cost and destructiveness of wildfire.* I don't need to say much about this because you know much more about than I do. Houses near the national forest boundary are more likely to cause a fire and to be destroyed by fire. They make fire more likely and costly. And how would all those people in their luxury homes get out of the valley? Some years ago, residents estimated that it would take eight hours to leave if (when) a fire broke out. Depending on the circumstances, people could be engulfed in their cars. An eight-hour traffic jam is not an evacuation; it's a disaster. (During the Old Fire residents did, in fact, wait that long to get out when fire blocked two of the highways leading down the mountain.) The only reasonable plan—the only thing that makes any sense—is to limit development for this reason alone. Think of yourself as the fire marshal and Big Bear Valley as a new building permit. How many people can be in that “building” before there are too many to leave safely in the event of fire? But too many people in a hotel ballroom do not *increase* fire risk. More houses in the valley do just that.

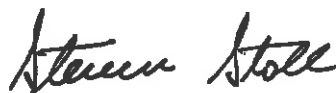
4. *An exemption to the zoning code must be in the public interest.* The Moon Camp landowner is asking to receive a bypass of the zoning laws, but such an exemption must to produce public and not merely private benefits. Consider that distinction. One writer in the report says, "A zoning change is not an automatic prerogative of land ownership and should not be considered as an entitlement by developers. It is a discretionary action on the part of the County and is governed by what best served the overall public interest." The developers have not demonstrated any public interest because there is none. Worse, it is my understanding that the developers don't live in Fawnskin, in San Bernardino County, or even in California, so they would receive private benefits while externalizing public costs. *They have no stake in the beauty or health of the region, yet their interests would prevail over all others.* That seems like madness. You know these two interests are irreconcilable. Maximizing the private good of the developers would reduce the public good of all the resident stakeholders, including the plants and animals that cannot vote or represent themselves.

5. Another way of saying all of this is, *Economic growth has become uneconomic growth*, growth that makes us all poorer. Yes, there is such a thing. It's on display all around you. Growth no longer returns what it once did. The way to turn zero growth into benefits for all is to stop new construction and then raise property taxes in the region, if necessary. Home values would increase with the limited supply and tourism would continue to bring money in. This what is happened in Marin County when they passed a zero-growth ordinance in the 1970s.

To embrace the Moon Camp plan would be a defining act for you. It would be short-term thinking that would mortgage the future cohesiveness of the region. It would represent a distorted view of progress, stressing building at any cost and private over public gain. But most of all, it would contradict the recommendations of the national forest folks, residents of Fawnskin, and all the other stakeholders who have urged you to reject it. The definition of *investment* is present sacrifice for some future gain. Limitations on development are themselves investments that deliver benefits like biodiversity and natural beauty, as well as an increase in tourism. The point is that investment, properly understood, requires long-term thinking of this kind and does not necessarily result in interest, rent, or other profits.

I understand that some of the eagles now have chicks. (I just looked at the eagle cam, but the family isn't home). Tourists are coming to the Valley, I am told, to see the eagles. Foraging and perch trees are essential to these birds. Remove those trees, and they can't hunt; if they can't hunt, they won't stay. A number of the trees are in the path of the road and parking lot planned for Moon Camp. What will you do? You can find your way out of this without abandoning your faith in progress and your commitment to development by realizing that the latter does not always equal the former, that there is more than one way to achieve progress if we have the wisdom to leave well enough alone.

Sincerely,



Steven Stoll
Professor of History

Nieves, Tom

From: Debrah Lydon <debrahlydon@yahoo.com>
Sent: Wednesday, October 03, 2018 8:53 AM
To: Nieves, Tom
Subject: Moon Camp

Hi Mr. Nieves,

I am writing to express my concern on the Moon Camp Project. I think they should also schedule an evening meeting for residents to attend that have daytime jobs and can't attend the morning meeting on this topic.

I am very much against this project being built, it will destroy the beauty of trees in Big Bear Lake.

By the time developers get finished with destroying nature's beauty. There are so many homes in BB that are unoccupied or they are boarded up and rotting. Plus I don't want the eagles to be disturbed.

Any questions feel free to give me a call, Debrah Lydon at 562-631-5625, 14 year permanent resident of Big Bear Lake.

Thank you.

Nieves, Tom

From: Ronald Perry <webeperry@gmail.com>
Sent: Wednesday, October 03, 2018 9:12 AM
To: Nieves, Tom
Subject: Moon Camp in Fawnskin

Dear Mr. Nieves, My name is Ron Perry and I am a homeowner in Big Bear and a Voter. I'm writing to you today in regards to the proposed "Moon Camp project" in Fawnskin. I'm asking that you not allow or at least drastically reduce the size of this project for several reasons.

1. This project is huge. There are currently over 200 homes for sale in the Big Bear area. There is no shortage of housing.
2. The impact to the lake (what there is left of it) and local wild life. The Eagles are a tourist selling point and to loose them could hurt the local economy.
3. The roads are already so impacted, and the air quality will suffer even more with the addition of this project.
4. Water. Where is all the extra water coming from? There is already a water shortage. This is not an issue of "Need". This is an issue of greed! Big Bear does not need nor can it sustain this kind of growth.

I understand the need for growth, but not at this scale. Please think about these issues when you vote.

Sincerely,
Ron Perry

Nieves, Tom

From: Donna Felten <feltenfamily@verizon.net>
Sent: Wednesday, October 03, 2018 9:45 AM
To: Nieves, Tom
Subject: OPPOSE Moon Camp

Please DO NOT ALLOW this project to move forward. Our bald eagle and other wildlife population “needs” to be protected. We do not “need” big, expensive housing to push wildlife out of its habitat.

Do the right thing and protect our wildlife.

Donna Felten
Granada Hills

Sent from my iPhone

Nieves, Tom

From: Pamela Walker <gmapow@yahoo.com>
Sent: Wednesday, October 03, 2018 9:50 AM
To: Supervisor Ramos; Nieves, Tom
Subject: Project Moon Camp

PROJECT MOON CAMP

NO! NO! NO! NO! NO!

Big bear does not want big expensive housing and a private marina for this housing. We have NO housing shortages especially high end houses. Look at the recent housing currently and in the process of being built - a lot of empty houses and never finished houses, most of these have been on the market for a significant amount of time. There are currently over 600 houses and lots on the market with no sales.

Besides aren't American Bald Eagles protected? Well, to protect them we MUST PROTECT THEIR ENVIRONMENT! Project Moon Camp would directly have a huge negative impact on the Bald Eagles and on Big Bear.

Pamela Walker
909-205-0912
gmapow@yahoo.com

Nieves, Tom

From: chronicquilter <chronicquilter@yahoo.com>
Sent: Wednesday, October 03, 2018 10:12 AM
To: Nieves, Tom
Subject: Moon Camp approval

I am emailing you to let you know of my strong disapproval for the county to move forward with this project. This entire area should be protected bird habitat for the eagles. We have other places to build more million-dollar homes. We need more eagles.

Catherine Harris
200 San Anselmo Dr.
Big Bear City CA 92314

Sent via the Samsung Galaxy S® 6, an AT&T 4G LTE smartphone

Nieves, Tom

From: Lee Minardi <greytdaze@gmail.com>
Sent: Wednesday, October 03, 2018 10:32 AM
To: Nieves, Tom
Subject: Big Bear & Fawnskin

Admittedly, we aren't permanent residents, however, we do spend a portion of every summer in this area, and have done for many years. We enjoy the nature as well as escaping the desert heat. I am emailing you to let you know of my strong disapproval for the county to move forward with this project. This entire area should be protected bird habitat for the eagles. We have other places to build more million-dollar homes. We need more eagles.

Thank you for your attention.

Lee and John Minardi

Nieves, Tom

From: Mary Geiger <geigermellen@gmail.com>
Sent: Wednesday, October 03, 2018 11:22 AM
To: Nieves, Tom
Subject: Big Bear Valley/Big Bear Eagle nesting area

I am part an East TN eagle preservation organization and wish to protest the plans to ruin Big Bear nesting area. Our proud symbol is being crowded out by development in many forma and it is important to be proactive to help preserve as many of their areas as possible.

Please do not allow this to happen.

Thank you.

Mary E. Geiger
Bristol, TN

Nieves, Tom

From: Terri Green <1tag@sbcglobal.net>
Sent: Wednesday, October 03, 2018 11:24 AM
To: Nieves, Tom
Subject: How our wildlife dear and keep them safe

Mr Tom Nieves- I'm sure many have expressed to you how big development will impact the Eagle (and other wildlife) habitat. I want to appeal to your humanness for the sake of the rights and beauty of our wildlife. Please place your development where it does not impact the wildlife. Let it be known that you do care for our precious animals PLEASE

...

Nieves, Tom

From: Michelle France <michelle@boweryins.com>
Sent: Wednesday, October 03, 2018 11:43 AM
To: Nieves, Tom
Subject: Big Bear Bald Eagles

I am emailing you to let you know of my strong disapproval for the county to move forward with this project. This entire area should be protected bird habitat for the eagles. We have other places to build more million-dollar homes. You all should be ashamed for even considering this.

Thanks
Michelle France

Nieves, Tom

From: Kele Omana <keleomana@gmail.com>
Sent: Wednesday, October 03, 2018 11:45 AM
To: Nieves, Tom
Subject: bald eagles

Hi Tom,

We humans could make excuses to ruin every last bit of nature and wildlife for the sake of humans needing more space (development), but that is wrong. This area is overdeveloped already. We are so lucky to have bald eagles here! Very few places are blessed with bald eagles. Please don't let them ruin that. I vote for you, and i am asking you to vote for the eagles over development.

Thanks,
Sue

Nieves, Tom

From: Monette Stevens <monette805@gmail.com>
Sent: Wednesday, October 03, 2018 11:59 AM
To: Nieves, Tom
Subject: Concerns on Fawnskin rezoning and building

Dear Supervisors Ramos,

I wanted to express my sincere concerns for the development at Moon Camp. I assumed due to the serious water conditions in Big Bear and the confirmed nesting of the bald eagles in Fawnskin would have cancelled the Moon Camp project permanently.

We strongly reject the plans for rezoning and moving forward with Moon Camp.

I hope you and others will understand that more development will only hurt the residences (people and animals) of Big Bear Valley and Fawnskin.

Kind regards,
Monette Stevens
1170 Ridge Road, Fawnskin, CA
805.491.3614

Nieves, Tom

From: Dana Roorda <danaroorda@gmail.com>
Sent: Wednesday, October 03, 2018 12:09 PM
To: Nieves, Tom
Subject: Moon Camp project in Fawnskin

Hello Tom,

I am writing to let you know of my concern for construction proposed in the Big Bear area that would negatively impact Bald Eagles who are living there. We need to protect them and their right to prosper in the mountains of Big Bear. Please move this project to an area that would not negatively affect the Eagles. I can be reached at danaroorda@gmail.com for any further questions. Dana Roorda

Nieves, Tom

From: melissa arellano <amelissa55@gmail.com>
Sent: Wednesday, October 03, 2018 12:28 PM
To: Nieves, Tom

I am emailing you to let you know of my strong disapproval for the county to move forward with this project. This entire area should be protected bird habitat for the eagles. We have other places to build more million-dollar homes. We need more eagles.

Nieves, Tom

From: Anna Laios <annalaios@hotmail.com>
Sent: Wednesday, October 03, 2018 12:49 PM
To: Nieves, Tom
Subject: RE: Protect the Big Bear Bald Eagles

Importance: High

Dear Mr Nieves

I am emailing you to let you know of my strong disapproval for the county to move forward with Moon Camp in Fawnskin project. This entire area should be protected bird habitat for the eagles. We have other places to build more million-dollar homes. We need more eagles.

I watch the live cams of your beautiful, majestic eagles from Sydney, Australia, and I felt compelled to write to you, to please reconsider this project. There are many other places to build houses, but the bald eagle considers it's nesting site very important, using it, along with the next generation to breed, and with great difficulty, getting a chick to fledge. Destroying its habitat, will destroy a lot more eagles from future expansion.

Please, Mr Nieves, reconsider your plans to build homes in this protected area. Once a species is gone, they will never come back. Bricks and mortar can be used at any time.

Thank you for your time.

Yours sincerely

Anna Laios
26 Nelson Road
North Strathfield NSW 2137
Australia

Nieves, Tom

From: Theresa Lamkin <mama_lamkin@hotmail.com>
Sent: Wednesday, October 03, 2018 1:05 PM
To: Nieves, Tom
Subject: Big bear eagles

I have watched the Big Bear eagles nest for several years. I'm emailing you to let you know of my strong disapproval for the county to move forward with the housing project. Housing in Big Bear Valley DOES NOT override the detrimental impact on the bald eagle.

The entire area should be a protected bird habitat for the eagles. I'm praying you reconsider your decision and move forward to protect the majestic bald eagle.

Sincerely,
Theresa Lamkin

Sent from my Verizon, Samsung Galaxy smartphone

Nieves, Tom

From: DELORES Porchycat <porchy42@gmail.com>
Sent: Wednesday, October 03, 2018 1:10 PM
To: Nieves, Tom
Subject: Disapproval of project

"I am emailing you to let you know of my strong disapproval for the county to move forward with this project. This entire area should be protected bird habitat for the eagles. We have other places to build more million-dollar homes. We need more eagles."

Not big development. This is horrible. Are we going to keep taking more and more land away from our wildlife? They need their home and our Beautiful Bald Eagle to create this horrible project that will effect them... please stop this project I'm begging you.

Thank you for your time I live in Florida where something like this would not be allowed with our Live stream nests we have here.. please stop this project..

Nieves, Tom

From: Theresa Lamkin <mama_lamkin@hotmail.com>
Sent: Wednesday, October 03, 2018 7:28 AM
To: tom.nieves@sbcounty.gov
Subject: Big Bear eagles

I am opposed to new housing in Big Bear Valley. Housing should never override the detrimental impact on the Bald Eagles.

Please reconsider and oppose any housing plans that would impact the established eagle nesting sites.

Sincerely,
Theresa Lamkin

Sent from my Verizon, Samsung Galaxy smartphone

Nieves, Tom

From: khk 11811 <khk11811@hotmail.com>
Sent: Wednesday, October 03, 2018 1:23 PM
To: Nieves, Tom
Subject: Moon Camp Fawnskin development letter-OPPOSE

Dear Mr. Nieves,

My husband and I are part time residents in the Snow Summit area of Big Bear Lake.

We soon plan to become permanent residents and are very much against the housing development proposed in Moon Camp, Fawnskin.

The natural beauty and sprawling areas is what drew us to this valley and we hope that this development will not get approved.

We also have been very involved in watching the Big Bear Eagle cam and it sounds like this development would have a negative impact on the Bald Eagles of this valley.

We strongly oppose this development and will hope you will consider and listen to the residents of Fawnskin and Big Bear.

Thank you for your consideration in this matter.

Sincerely,
Karen Kuehne

Nieves, Tom

From: marlovtravel@aol.com
Sent: Wednesday, October 03, 2018 1:31 PM
To: Nieves, Tom
Subject: Moon Camp in Fawnskin

I am emailing you to let you know of mg stong disapproval for the county to move forward with this project. This entire area should be protected bird habitat for the eagles. We have other places to build more million dollar homes and marinas (actually we have enough marinas for a lake this size, and it's getting smaller everyday because if our droght).

Thank you,

Marian Peyton
PO Box 296
Big Bear Lake, CA 92315

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com



Sent via electronic mail and FedEx

October 3, 2018

Mr. Tom Nieves, Contract Planner
County of San Bernardino
Land Use Services Department, Advanced Planning Division
385 North Arrowhead Avenue 1st Floor
San Bernardino, California 92415-0182
Tom.Nieves@lus.sbcounty.gov

RE: Final Environmental Impact Report - Moon Camp 50-lot Residential Subdivision, TT No. 16136 (Based on the Revised Site Plan) Big Bear Lake, San Bernardino County, California, SCH No. 2002021105

Dear Mr. Nieves:

The Center for Biological Diversity (Center) is responding to the opportunity to comment on the Final Environmental Impact Report (FEIR) for the Moon Camp 50-lot Residential Subdivision, TT No. 16136 (Based on the Revised Site Plan) proposed in Big Bear Lake. The Center has submitted comments on previous Revised and Recirculated Draft EIRs for the proposed Moon Camp Development Project, with the most recent comments submitted on January 23, 2012 on the Revised and Recirculated DEIR No. 2.

The Center is a nonprofit environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.6 million members and supporters, including members and supporters in San Bernardino County and the Big Bear Lake area who will be directly affected by the Moon Camp project.

During the intervening six years since the Revised and Recirculated Draft EIR No. 2 was available for public comment numerous aspects of the law and biology have changed. The FEIR is now woefully outdated in identifying and analyzing the direct, indirect, and cumulative impacts to biological resources, as described in further detail below. We have received a copy of the letter submitted by the San Bernardino Valley Audubon Society regarding this project as well as an email sent by Sandy Steers, the Executive Director of Friends of Big Bear Valley and concur with the points raised by both groups in their communication to the County. We will also be submitting additional comments regarding the FEIR but submit these comments now in order for them to be considered by the Planning Commission.

Bald Eagles Now Successfully Nest Adjacent to the Proposed Project.

As the County is well aware, bald eagles have now successfully been nesting near Big Bear Lake very near the proposed project site very shortly after the close of the most recent comment period on this project.¹ The population of resident bald eagles in the surrounding area has been increasing and documented to include fifteen bald eagles in 2018.² Indeed these charismatic, piscivorous raptors are now local celebrities, with one nest having its own webcam with stunning videos posted on YouTube³ and a cadre of followers from all over the globe. While the nest site is currently protected from disturbance and closed to the public, future successful nesting is reliant upon adequate resources and lack of disturbance. The proposed project's adjacency to the nest site and the roosting trees that occur on the proposed project site are critical resources that this pair of bald eagles and the chicks they fledge depend upon. While the FEIR responds to comments on the on-site roosting trees, it fails to address the new more recent issue of the adjacent nest site. This issue must be analyzed and addressed particularly in light of the fact that the bald eagle is not only subject to protection under the federal Bald and Golden Eagle Act, but under California law, it is a fully protected species.

Natural Communities Conservation Plan is Required

Up until recently, no "take" was allowed for State fully protected species including the bald eagle, but recently adopted law now allows for "take" of fully protected species if a Natural Communities Conservation Plan (NCCP) is put in place. Because of the number of listed and sensitive species, an NCCP is a good fit to provide the needed conservation, not only of bald eagles, but the other rare species that the proposed project area includes. It would provide the necessary safeguards for the conservation that is necessary if the project was to move forward and needs to be included in an updated Revised and Recirculated DEIR.

Wildland Fire Issues Need to Be Updated

While the Revised and Recirculated DEIR addressed wildland fire threats to/from development, in the intervening six years since comments were taken, southern California including the Big Bear Area has experienced significant drought which has resulted in additional dead and dying vegetation in the mountain area. This trend is accurately modeled in the scenarios for on-going climate change, so we anticipate that the drought and change in vegetation will continue into the future. The proposed project is already in the highest "very high fire hazard severity zone" as identified by the state of California.⁴

One recent study on fire in California found that while climate change is one stressor for increased wildfire in the future, a second equally important stressor is anthropogenic sources of

¹ <http://www.latimes.com/local/lanow/la-me-ln-bald-eagle-hatch-big-bear-20180212-story.html>

² <https://ktla.com/2018/03/11/15-bald-eagles-found-living-in-san-bernardino-national-forest-including-recently-hatched-chicks-watch-via-webcam/>

³ <https://www.youtube.com/watch?v=POf39I2tqBc>

⁴ http://www.fire.ca.gov/fire_prevention/fhsz_maps_sanbernardinow.php

fire.⁵ The introduction of more houses and people into an area that is already identified a “very high fire hazard severity zone” only exacerbates the threat of fire ignition, spread and threat to the landscape, people and wildlife. An even more recent study found that where “The wildland-urban interface (WUI) is the area where houses and wildland vegetation meet or intermingle, and where wildfire problems are most pronounced.”⁶ Introducing even more houses into the current open-space along the lakeshore will only increase the fire threat, not just to the proposed development but to the existing community, surrounding open space and wildlife. The Big Bear Lake areas does not need the County to increase its danger of fire by placing more houses in an area where currently no houses exist.

Water Supply Issues Need to be Updated

As noted above, southern California including the Big Bear Area has experienced significant drought in the last 6 years. Water availability and quality is a critical issue for California, with substantial implications for land use, the economy, and the environment. Since 2011, the state has been experiencing severe drought conditions, prompting a mandatory 25% reduction in municipal water use, cuts to senior agriculture water rights, and the 2014 Sustainable Groundwater Management Act.⁷ Even as surface drought conditions are alleviated by recent precipitation, there is still a deficit in groundwater, which is a critical component of the state’s water supply system. Not only are the state’s human residents vulnerable to impacts of drought, so too are its iconic plants, animals and regions. In the face of climate change, the gap between supply and demand will continue to widen as the existing water deficit is unreconciled with increased pressures from development, population growth and agriculture.⁸ California’s water supply relies heavily on snow pack in the Sierra Nevada Mountains, which has been at record lows the past few years.⁹

Since the RDEIR, California has face severe water shortfalls and some of the driest years ever recorded in state history, promoting Governor Brown to proclaim a State of Emergency and put in place new measures to encourage water conservation. Extremely dry conditions are likely to persist and continue more regularly in the future based on scientific projections on the impact of climate change.

The FEIR relies largely on studies on groundwater and water supply that are nearly 10 years old. (FEIR 4-2.) The FEIR must re-analyze the reliability and availability of water to serve the project in light of state and local water supply. The FEIR must also analyze the potential impacts of climate change and drought on local water supply as well the cumulative water demand from nearby development projects. The environmental review for the project will be adequate only after evaluating whether there is sufficient water supplies to serve the project in light of changed circumstances over the last 6 years.

⁵ Mann et al 2016.

⁶ Radloff et al 2018.

⁷ Wilson et al 2016.

⁸ Wilson et al 2016.

⁹ Weiser 2016.

Greenhouse Gas Analysis Needs to be Updated

Climate change is a catastrophic and pressing threat to California, yet in the County's Responses to Comments and the FEIR rely entirely on an outdated and incomplete analysis in the RRDEIR to address the project's potential greenhouse gas emissions (GHG). This approach violates CEQA and the FEIR must be revised.

A strong, international scientific consensus has established that human-caused climate change is causing widespread harms to human society and natural systems, and that climate change threats are becoming increasingly dangerous. The Intergovernmental Panel on Climate Change (IPCC), the leading international scientific body for the assessment of climate change, concluded in its 2014 Fifth Assessment Report that: "[w]arming of the climate system is unequivocal, and since the 1950s, many of the observed changes are unprecedented over decades to millennia. The atmosphere and ocean have warmed, the amounts of snow and ice have diminished, and sea level has risen," and further that "[r]ecent climate changes have had widespread impacts on human and natural systems."¹⁰

[B]ased on extensive evidence, it is extremely likely that human activities, especially emissions of greenhouse gases, are the dominant cause of the observed warming since the mid-20th century. For the warming over the last century, there is no convincing alternative explanation supported by the extent of the observational evidence.

In addition to warming, many other aspects of global climate are changing, primarily in response to human activities. Thousands of studies conducted by researchers around the world have documented changes in surface, atmospheric, and oceanic temperatures; melting glaciers; diminishing snow cover; shrinking sea ice; rising sea levels; ocean acidification; and increasing atmospheric water vapor.¹¹ The impacts of climate change will be felt by humans and wildlife. Climate change is increasing stress on species and ecosystems—causing changes in distribution, phenology, physiology, vital rates, genetics, ecosystem structure and processes—in addition to increasing species extinction risk.¹² In California, climate change will transform our climate, resulting in such impacts as increased temperatures and wildfires, and a reduction in snowpack and precipitation levels and water availability.

In response to inadequate action on the national level, California has taken steps through legislation and regulation to fight climate change and reduce statewide GHG emissions. Enforcement and compliance with these steps is essential to help stabilize the climate and avoid catastrophic impacts to our environment. California has a mandate under AB 32 to reach 1990 levels of GHG emissions by the year 2020, equivalent to approximately a 15 percent reduction from a business-as-usual projection. (Health & Saf. Code § 38550.) Based on the warning of the

¹⁰ IPCC 2014.

¹¹ USGCRP 2017.

¹² Warren, Rachel et al., 2011.

Intergovernmental panel on Climate Change and leading climate scientists, Governor Brown issued an executive order in April 2015 requiring GHG emission reduction 40 percent below 1990 levels by 2030. (Executive Order B-30-15 (2015).) The Executive Order is in line with a previous Executive Order mandating the state reduce emission levels to 80 percent below 1990 levels by 2050 in order to minimize significant climate change impacts. (Executive Order S-3-05 (2005).) Most recently, Governor Brown signed a new executive order to put California on the track to go carbon neutral by 2045. (Executive Order B-55-18 (2018).) The Legislature also passed S.B. 100 which requires renewables to account for 60 percent of electricity sales in 2030.

Although some sources of GHG emissions may seem insignificant, climate change is a problem with cumulative impacts and effects. (*Ctr. for Biological Diversity v. Nat'l Highway Traffic Safety Admin.*, (9th Cir. 2008) 538 F.3d 1172, 1217 (“the impact of greenhouse gas emissions on climate change is precisely the kind of cumulative impacts analysis” that agencies must conduct).) One source or one small project may not appear to have a significant effect on climate change, but the combined impacts of many sources can drastically damage California’s climate as a whole. Therefore, project-specific GHG emission disclosure, analysis and mitigation is vital to California meeting its climate goals and maintaining our climate.

Here, however, despite 6 years of new science, statutory and regulatory changes directly related to climate change, the FEIR relies on the previous GHG analysis from the RRDEIR. That analysis is outdated and does not comport with current case law or regulatory requirements. For example, the RRDEIR states “climate change analysis must be conducted on a global level, rather than the typical local or regional setting, and requires consideration of not only emissions from the project under consideration, but also the extent of the displacement, translocation, and redistribution of emissions...In fact, the approval of a new developmental plan or project does not necessarily create new automobile drivers the primary source of a land use project’s emissions. Rather, new land use projects merely redistribute existing mobile emissions.” (RRDEIR 4.2-26.) This analysis and related conclusions is completely unsupported by evidence and conflicts with relevant guidance from the California Air Resources Board and the California Supreme Court ruling in the recent holding in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal. 4th 204. It is simply no longer accurate that “there is no local, regional or statewide plan regulating global warming by which the Proposed Alternative Project can be measured.” (RRDEIR 4.2-26.)

It is clear that this project will contribute to climate change because it will convert forestland and open space to developed uses while also increasing automobile travel. The FEIR must re-analyze and potential mitigation measures to address the project’s GHG emissions. While the project’s overall contribution to climate change may be small, it cannot avoid its responsibility to address this important issue facing all Californians. The project’s shirking of its responsibility to fully address and mitigate its GHG emissions here will only hasten the impacts of climate change and further imperil California’s wildlife, water, communities and ecosystems.

Conclusion

A lead agency must revise and recirculate an EIR for further public comment under any of four circumstances:

- (1) When the new information shows a new, substantial environmental impact resulting either from the project or from a mitigation measure;
 - (2) When the new information shows a substantial increase in the severity of an environmental impact, except that recirculation would not be required if mitigation that reduces the impact to insignificance is adopted;
 - (3) When the new information shows a feasible alternative or mitigation measure that clearly would lessen the environmental impacts of a project and the project proponent declines to adopt the mitigation measure; or
 - (4) When the draft EIR was "so fundamentally and basically inadequate and conclusory in nature" that public comment on the draft EIR was essentially meaningless.
- Guidelines §15088.5.

Based on the comments above, it is clear that the EIR must be revised and recirculated again and Conditions (3) and (4) above will be met by meaningful and adequate discussion of the project description, impacts, mitigation measures, and cumulative impacts. Contrary to the FEIR's claims, the project revisions and changed circumstances in the last six years are not "minor" and require additional environmental review. The current FEIR for the Moon Camp fails to adequately disclose, analyze, avoid, minimize, and mitigate the environmental impacts of the proposed project. The FEIR fails to comply with CEQA and fails to provide necessary information about the impacts of the project in many areas including biological resources, does not consider in adequate detail new information. These defects must be corrected before the County can lawfully approve the project.

Neither decision-makers nor the public can make informed decisions about the costs to the environment of the proposed project based on this fundamentally flawed environmental review. The Center looks forward to reviewing a third revised EIR that fully takes into account the issues raised in this comment letter and in letters provided by others. Thank you for keeping the Center notified of developments regarding this project, and to that end please keep the Center on the list of interested persons for this project.

Sincerely,



Ilene Anderson
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cc via email:

Geary Hund, USFWS, Geary_Hund@fws.gov
Jeffrey Brandt, CDFG, JBrandt@dfg.ca.gov

References

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Mann, M.L, et al., “Incorporating Anthropogenic Influences into Fire Probability Models: Effects of Human Activity and Climate Change on Fire Activity in California.” *PLoS ONE* 11 (4): e0153589 (2016)

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October 3, 2018

To whom it should concern:

I live in Grand Terrace and work at Loma Linda University Medical Center. I am unable to visit the Big Bear area as often as I would like. Even though that is the reality, I have the live feed of Friends of Big Bear Valley and Big Bear Bald Eagles on every day. It started in early February of this year, when I heard about two eagles that had laid two eggs and were anticipating them hatching very soon. I accessed the live feed from an extra computer in my office and there in living color, was Jackie (Mrs. Big Bear) Mr. Big Bear and a hatchling and then another hatchling breaking out of his shell. Since that day, I have accessed the live feed every, single, day! I watched with tears streaming down my face as on a cold, wet Friday morning in late March, one of the baby eagles was lifeless (Baby Big Bear) and the hope of growing the numbers of eagles was dashed. After that devastation, all my hopes, prayers and love was placed on Stormy, the surviving eagle.

Why am I giving you all this information? I am only one of thousands of people that have shared this journey with just this one eagle family. Eagles mate for life and return to the same nest each year to have their offspring (There are at least 15 active eagles in this area alone) When I saw the posting of a potential housing development and seeing the possibility of forcing out these majestic Bald Eagles from their hunting and living habitat in the Big Bear, Fawnskin and surrounding areas, it made me physically ill and I had to share my concerns!

It is my understanding that there are plenty of properties currently for sale in the area. Quite a few have been vacant for more than two years. A new development with all the trash, equipment, disruption and chaos, would devastate this natural environment. We as human beings, are supposed to protect, honor and value the animals and birds we live with, they are only trying to live and be what they were created to be. We are taking their home away from them, how can you not see the danger in over development of natural resources and landscape. I ask that please not approve this development going forward until you have gathered all the facts and have considered all the consequences for our generation and the generations to come!

Suggestions: 1) More assertive advertising of current properties and incentives for first time buyers or investors. 2) Asking input from wildlife professionals and local conservation groups.

Thank you for your time.

Sincerely,

Cheri Moreno

Cherished60pink@gmail.com

Nieves, Tom

From: Terri <terri@artcotile.com>
Sent: Wednesday, October 03, 2018 3:00 PM
To: Nieves, Tom
Subject: Save the Eagles

No on Moon Camp, Yes on protecting our National Bird and It's rare habitat, please?

Terri McGlrr
Project Manager

Allen Ross Tile Co
1451 Edinger Ave Unit B
Tustin, CA 92780
714-464-2618 Direct Line
714-259-7660 X-227
714-259-7644 Fax

Nieves, Tom

From: Patricia Finnerty <finnshop975@gmail.com>
Sent: Wednesday, October 03, 2018 2:58 PM
To: Nieves, Tom
Subject: Proposed Moon in Fawskin

Please vote against this proposal. There are plenty of homes and vacant lots already available. This Project will have dire impact on the bald eagles' nesting and foraging grounds. Tourists come for the enjoyment of viewing our national bird. Remember, our NATIONAL bird? I'd rather visit for the view of forest, unobstructed lakes and wildlife, rather than the McMansions of greedy people. Please think of the future generations. I believe they would rather see a live eagle flying overhead, then a dead stuffed eagle in a museum.

Thank you.

Sent from my iPhone

Nieves, Tom

From: Diana Lopez <dianalopez242@gmail.com>
Sent: Wednesday, October 03, 2018 3:20 PM
To: Nieves, Tom; Supervisor Ramos
Subject: Disapproval for proposed development project, Moon Camp in Fawnskin

Tom Nieves
Supervisor Ramos
Planning Commission and Board of Supervisors

I am emailing you to let you know of my strong disapproval for the county to move forward with the proposed development project, Moon Camp in Fawnskin. This entire area should be protected bird habitat for the eagles. There are other places to build more million-dollar homes and we need more eagles. The county documents state that this project would have SIGNIFICANT DETRIMENTAL IMPACTS on these BALD EAGLES.

Diana Lopez

Nieves, Tom

From: Ellen <ecrabb53@aol.com>
Sent: Wednesday, October 03, 2018 3:33 PM
To: Nieves, Tom
Subject: BIG BEAR EAGLES PROTECTION

I am expressing my concern over the proposed building project -
NO NO NO -
Been watching the Eagle Cam since February this year and the entire area
should be a protected habitat for the Eagles.

Sincerely
Ellen Crabb

Nieves, Tom

From: Cheryl Minichilli <cminichilli@vwd.org>
Sent: Wednesday, October 03, 2018 3:36 PM
To: Nieves, Tom
Subject: Moon Camp

Mr. Nieves,

I am writing this email in strong opposition to the Moon Camp development. I live in fawnskin. No home is more important than our bald eagles. There are hundreds of homes for sale in Big Bear Lake, why do we need more? Please stop this development.

Thanks,

Cheryl Minichilli
Water Systems Operator II

Vallecitos Water District
201 Vallecitos de Oro
San Marcos, ca 92069
cminichilli@vwd.org

October 4, 2018

RE: Moon Camp Tentative Tract 16136

Ms. Terri Rahhal, Director
County of San Bernardino Land Use Services
385 N. Arrowhead Ave., First Floor
San Bernardino, CA 92415-0187
E-Mail: terri.rahhal@lus.sbcounty.gov

Dear Ms. Rahhal:

I am sorry that I cannot present these comments in person, but I am out of the country during the scheduled Planning Commission hearing on the Moon Camp project. Please allow me to submit these comments in writing with regard to the Moon Camp residential subdivision application in my absence.

By means of introduction to the members of the Planning Commission who do not know me, I am a professor of Environmental Studies at the University of Redlands for the past 21 years. Prior to that, I served on this Planning Commission from 1982-1988, representing the First District, then including the mountain communities and extending to the High Desert. At the time, I worked as an environmental consultant, with a specialization in rare and endangered species in the San Bernardino Mountains, where I lived in Big Bear during those years.

Biological Mitigation Program for the Moon Camp Project

The Moon Camp project site is comprised of 62.43 acres, proposed to be subdivided into 50 single-family lots, with average lot sizes of 0.9 acre. The project site includes occupied habitat of a formally-protected plant species, the ashy-gray Indian paintbrush (*Castilleja cinerea*), listed as a Threatened species according to Federal and State Endangered Species Acts. The ashy-gray Indian paintbrush (henceforth, simply "paintbrush") is a partial root parasite on other buckwheat and sagebrush species; in the case of Moon Camp associated with Wright's matting buckwheat (*Eriogonum wrightii subscaposum*), a closely-related variety of buckwheat to the Federal- and State-endangered Kennedy's southern mountain buckwheat (*Eriogonum kennedyi* ssp. *austromontanum*), although Wright's matting buckwheat is common in the Southern California mountains and is, therefore, not a protected species. Although the paintbrush is often associated with other rare and special-status species on pebble plains habitat, described in more detail below, the Moon Camp property lacks these species, and is not considered to represent a good example of this unique rare plant habitat.

The most dense occurrence of the paintbrush is on the western portion of the property and is proposed as an open space preserve, comprising 5.39 acres of high quality habitat. This will represent the first and only preserve dedicated solely to this unique rare plant species. The Open Space lot includes several identified bald eagle perch trees as well. The Open Space/Conservation Lot shall be fenced and protected in perpetuity by recordation of a Conservation Easement in the name of a local land trust, and by deposit of a habitat management endowment fund (amount to be determined). My recommendation is that the Conservation

Easement be recorded to the San Bernardino Mountains Land Trust—an organization based in Running Springs that manages several other large open space reserves in Big Bear Valley.

Approximately two acres of paintbrush habitat will remain outside of these protected areas and may be impacted by roads and construction of residential properties. Impacts to this paintbrush habitat will be mitigated by establishment of an off-site rare plant preserve area as described below.

Off-site Biological Mitigation

To compensate for these environmental impacts on the paintbrush, an off-site habitat area, the Dixie Lee Lane pebble plain, near the town of Sugarloaf, is proposed to be formally protected. Pebble plains are a unique ecosystem of relict alpine plants found only in the northeast San Bernardino Mountains (Krantz 1982). The indicator species of pebble plains habitat, the Southern Mountain Kennedy's buckwheat (*Eriogonum kennedyi austromontanum*) and Bear Valley sandwort (*Arenaria ursina*) are both Federal- and State-listed as Threatened species. The Dixie Lee Lane (DLL) pebble plain contains high quality habitat including all three Threatened plant species, as well as many other Big Bear endemics associated with pebble plains habitat, such as Parish's rock-cress (*Arabis parishii*), Munz's hedge-hog cactus (*Echinocereus engelmannii* var. *munzii*), and Killip's linanthus (*Linanthus killipii*).

The DLL pebble plain is part of a chain of pebble plains habitat "islands" in a "sea" of conifers, extending from north of the town of Sugarloaf to Moonridge, together called the "Sugarloaf Archipelago" (Krantz 1994). The DLL pebble plain was used as partial mitigation for construction of the Big Bear High School and Maple Hill Elementary School in 1981. The High School site included pebble plains habitat along the west side of Maple Lane. The parent parcel extended a mile to the west, from the town of Sugarloaf to Highway 18/Big Bear Boulevard, including the DLL pebble plain at the west end of the parcel, north of Baldwin Lane.

I prepared the Biological Assessment for the High School (Bio-Tech 1981) and negotiated a mitigation plan for the project in which the Big Bear school district parcels and 10-acre DLL pebble plain parcel were to be recorded via a Minor Subdivision with the County, leaving a 213-acre remainder parcel. A survey was completed by Hicks & Hartwick Engineering, although in retrospect, I am not sure if the property owner, RCK Properties, Inc., ever actually recorded the Minor Subdivision establishing the DLL pebble plain parcel.

County records and correspondences regarding the Minor Subdivision and biological mitigation for the High School indicate that the intent of the DLL minor subdivision was to mitigate for the High School's impacts to pebble plains habitat along Maple Lane by establishing a preserve at Dixie Lee Lane, **two acres of which were to compensate for the school construction and the remainder (8 acres) to be used as a "mitigation bank"** for other future projects impacting pebble plains habitats elsewhere in the valley. The DLL pebble plains preserve was gated and fenced along the southern property boundary, and a barbed wire fence was constructed around the perimeter of the 10-acre parcel. It should be noted that none of the pebble plains plants were yet listed as Threatened species at that time. I negotiated between the land developers and County to achieve what I thought was the best mitigation program I could obtain at that time under those circumstances.

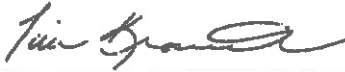
In the subsequent 37 years since then, the double-track road that extended through the DLL pebble plain from Dixie Lee Lane has largely restored itself, and the motorcycle tracks that encircled the pinyon pines in the middle of the pebble plain have recovered. However, recent tracks have been observed and the fence has not been maintained for many years, representing a current threat to the pebble plains resources.

Conclusions

I have worked closely with Michael Perry and the Moon Camp environmental consulting team (First Carbon Solutions) for the past 10 years to develop the biological mitigation program that you have before you today. The subdivision has been reduced from 100 lots to 50 residential lots. The original proposal for docks and dredging along the lakeshore have been removed and the entire 4-acre lakefront will be maintained as an open space Letter Lot that will not be built. The knoll containing the primary bald eagle perch trees and pebble plain habitat will be set aside as permanent open space, together with the high quality ashy-gray Indian paintbrush habitat at the west end of the property, and a Conservation Easement will be recorded over the entire knoll and paintbrush lots.

In addition, the formal recordation of the Minor Subdivision of the Dixie Lee Lane pebble plain preserve, recordation of a Conservation Easement over same and establishment of a non-wasting management endowment will finally consummate the conservation of this unique habitat—now 37 years after I first brokered a mitigation program for that site as a 26-year young, aspiring botanist.

Sincerely



Dr. Timothy Krantz
tim_krantz@redlands.edu