



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

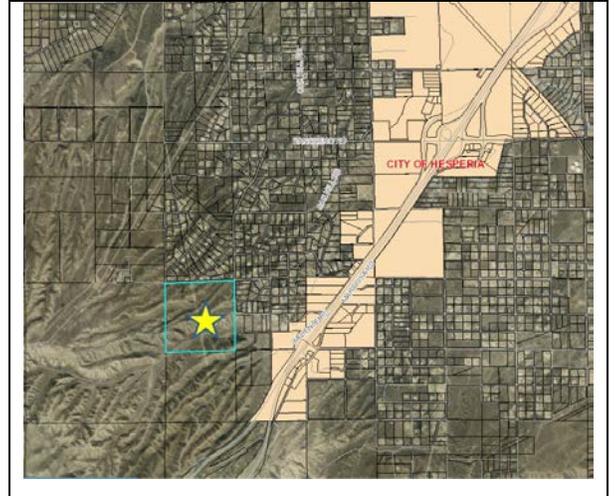
HEARING DATE: October 8, 2020

AGENDA ITEM #3

Project Description

APN:	0357-062-01
Applicant:	Bruno Mancinelli
Community:	Oak Hills
Location:	Southwest corner of Whitehaven Street and Braceo Street
Project No:	P201700742/PROJ-2020-00147
Staff:	Tom Nieves
Rep:	Ludwig Engineering
Proposal:	General Plan Amendment to change the land use designation from Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL), a Planned Development Permit (PDP) and Tentative Tract Map No. 18533 to subdivide approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

Vicinity Map - 



Hearing Notices Sent on: September 25, 2020

Report Prepared By: Tom Nieves, Contract Planner

SITE INFORMATION:

Parcel Size: Approximately 155 acres
 Terrain: Rolling terrain with undulating slopes
 Vegetation: Scattered desert scrub

TABLE 1 – SITE AND SURROUNDING LAND USES AND ZONING:

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT
SITE	Vacant	Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Community Plan Floodway (OH/FW)
North	Rural Residential	Oak Hills Community Plan Rural Living (OH/RL)
South	Vacant	Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Community Plan Floodway (OH/FW)
East	Rural Residential	Oak Hills Community Plan Rural Living (OH/RL)
West	Vacant	Oak Hills Community Plan Resource Conservation (OH/RC)

	<u>Agency</u>	<u>Comment</u>
City Sphere of Influence:	City of Hesperia	Retain existing rural character
Water Service:	Phelan Pinon Hills CSD	Will Serve
Sewer Service:	EHS	Septic system

STAFF RECOMMENDATION: That the Planning Commission recommend that the Board of Supervisors **ADOPT** the Mitigated Negative Declaration, **ADOPT** the Findings as contained in the Staff Report, **ADOPT** the General Plan Amendment, **APPROVE** the Planned Development Permit, subject to the Conditions of Approval, **APPROVE** Tentative Tract Map 18533, subject to the Conditions of Approval and **DIRECT** the Clerk of the Board to file a Notice of Determination.¹

¹ In accordance with Section 86.12.040 of the Development Code, the Planning Commission action is a recommendation to the Board of Supervisors and may only be appealed by the applicant in the event of disapproval.

EXHIBIT 1 – VICINITY MAP

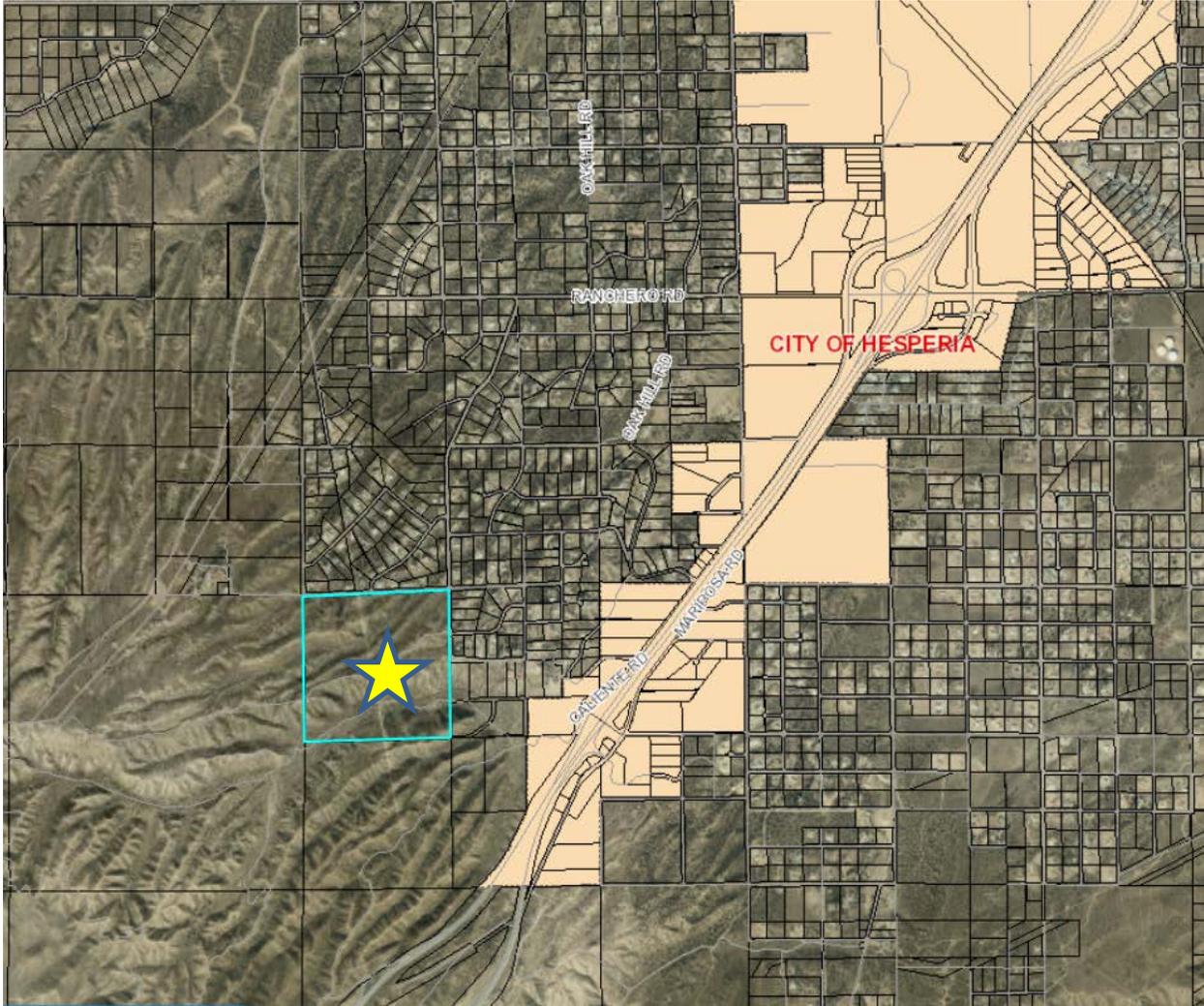


EXHIBIT 2 – PROJECT SITE: ON USGS QUAD

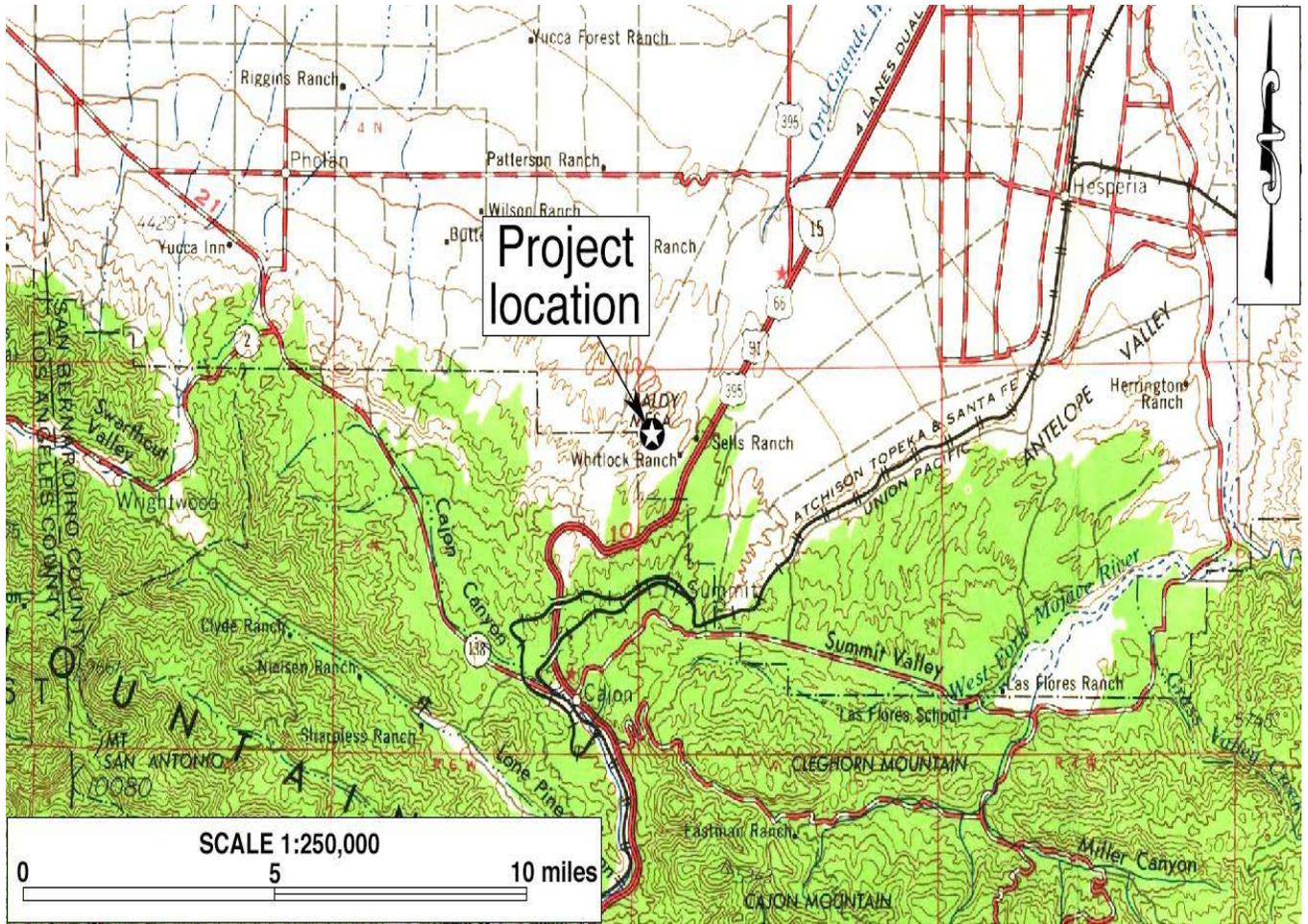


EXHIBIT 3 – AERIAL VIEW WITH PROPOSED GENERAL PLAN/ZONING DESIGNATIONS

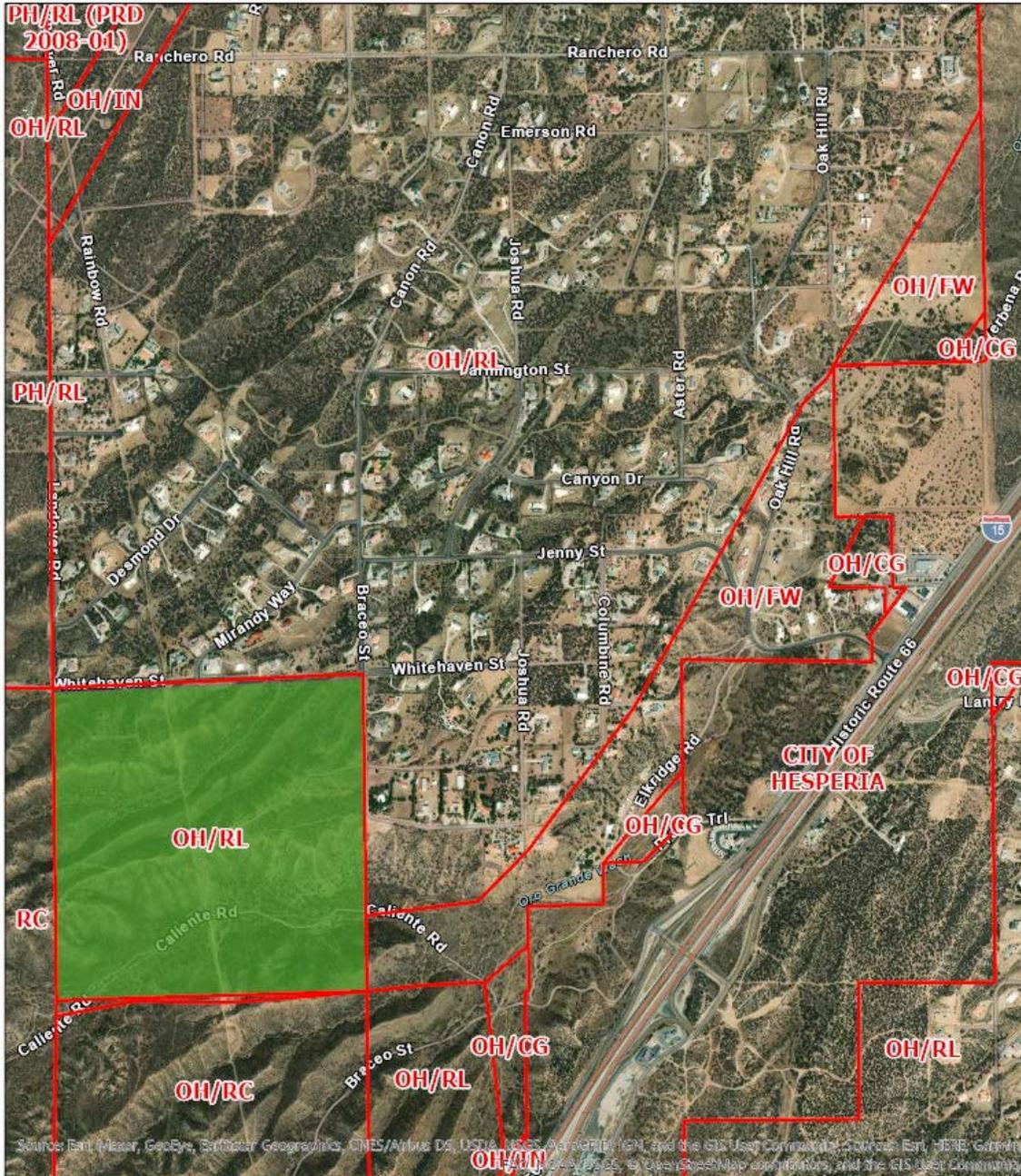


EXHIBIT 4 – EXISTING GENERAL PLAN/ZONING DESIGNATIONS WITH TRACT 18533

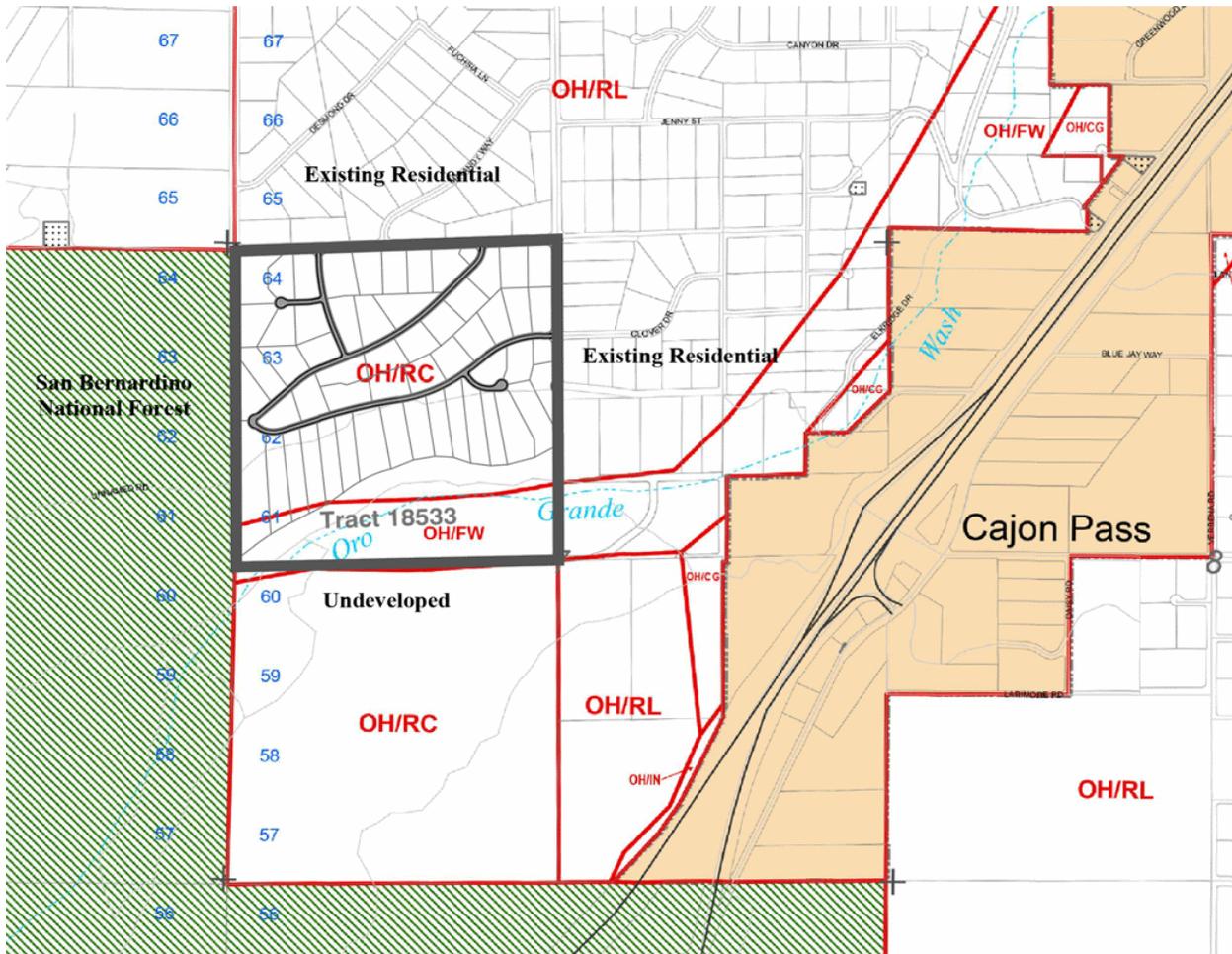


EXHIBIT 5 – TENTATIVE TRACT MAP NO. 18533

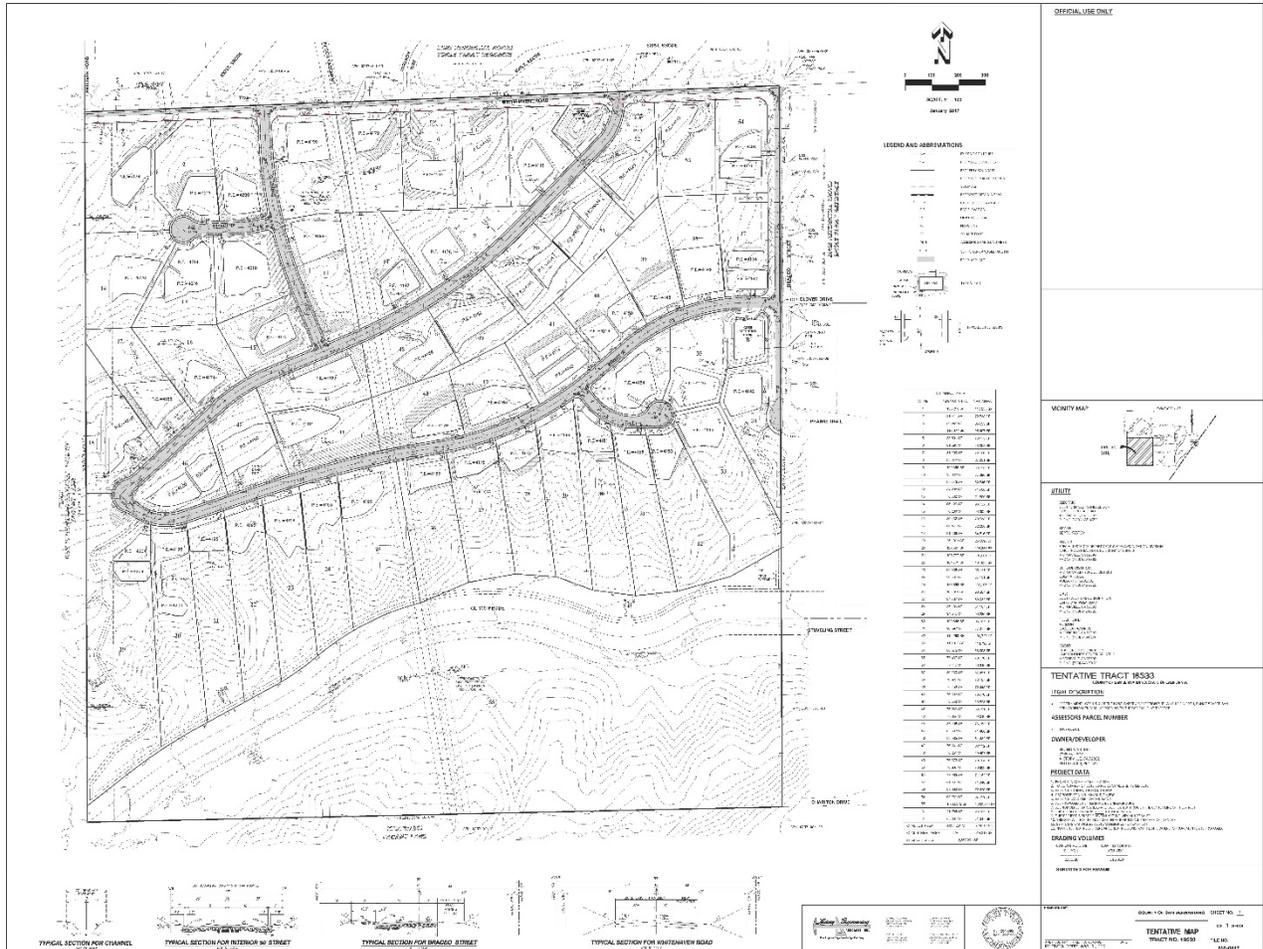


EXHIBIT 6 – SITE PHOTOGRAPHS



Looking West along Whitehaven at Northeast Corner of Property



Looking South along Braceo Street at Northeast Corner of Property



Looking East along Whitehaven Street at Midpoint of Northern Property Boundary

PROJECT DESCRIPTION:

The applicant requests approval of a General Plan Amendment (GPA)¹ to change the land use designation from Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL), a Planned Development Permit (PDP) that includes a preliminary and final development plan for a 54-unit single family residential project with a 39-acre open space conservation lot for the Oro Grande Wash and two lettered lots for detention basins and Tentative Tract Map No. 18533 to subdivide approximately 155 acres into 54 single-family residential lots, one open space lot and two lettered detention basin lots (Project).

PROJECT ANALYSIS:

The Project includes the subdivision of 155-acres into 54 residential lots with a minimum size of 1.75 acres and an average size of 2.15 acres. Additionally, the applicant proposes a 39-acre open space conservation lot for the Oro Grande Wash area in the southern portion of the Project site and two lettered lots for detention basins. The intent of the PDP is to allow clustering of the residential lots to respect the site topography and maintain open space. To do so requires a reduction in minimum lot size from 2.5 acres to 1.75 acres. The 39-acre open space lot mentioned above is the primary public benefit derived from the non-standard lot sizes and configuration.

Chapter 85.10 of the County Development Code (Development Code) establishes the PDP process. The stated purpose of the PDP is “to provide for flexibility in the application of Development Code standards to proposed development under limited and unique circumstances. The purpose is to allow consideration of innovation in site planning and other aspects of project design, and more effective design responses to site features, uses on adjoining properties and environmental impacts than the Development Code standards would produce without adjustment.” The Planned Development procedure (Chapter 84.18) provides the administrative mechanism by which an applicant can propose to modify development standards of the Land Use District to achieve design excellence. Another aspect of the County Planned Development regulations is the requirement of a slope density analysis on sites with hillsides or rolling terrain. Based on average slope of the Project site, Section 84.18.030 of the Development Code sets for the formula for density calculations, transfer of density calculations and bonus density calculations. Table 1.A of the Development Plan provides the calculations resulting in the 54 residential lots being proposed, which includes a 10% Bonus Density (5 lots) that is made available in Section 84.18.030(b)(2)(III), as follows:

84.18.030 Development Standards

...

(2) Bonus density.

- (A) An additional bonus in dwelling-unit density, up to 10 percent above that indicated in the General Plan Land Use Zoning District for the area, may be granted by the review authority provided one of the following criteria is met:
 - (I) A publicly valuable resource is provided, preserved, or enhanced that would otherwise require the expenditure of public monies.
 - (II) A public or quasi-public feature is provided above and beyond the normal expectations.
 - (III) An amenity, convenience, or excellence in design is provided above and beyond normal expectations.

¹ Based on the application submission date the project entitlements were reviewed in accordance with the current goals and policies contained in the 2007 General Plan. However, staff anticipates that the Board of Supervisors will consider the 2020 Countywide Plan after the October 8th hearing but prior to consideration of the Project. Accordingly, the Planning Commission’s recommendation to the Board of Supervisors includes a consistency analysis with both the 2007 General Plan and 2020 Countywide Plan goals and policies.

The project design respects the terrain by clustering lots to preserve rolling hills and a segment of the Oro Grande wash. The overall density of 0.35 units per acre is less than the density of standard subdivision of 2.5-acre lots typical of the RL land use district.

California Environmental Quality Act Compliance

An Initial Study (SCH #2020060430) was prepared to identify the potential impacts the proposed Project may have on the environment, as well as to identify all design features and mitigation measures that will reduce said impacts to less than significant levels. The County released the Initial Study/Mitigated Negative Declaration (IS/MND) to the public on June 22, 2020, for a 30-day review period (Exhibit D). During the public review period, the IS/MND was available for review on the County's website. In addition, hard copies were available at the County Land Use Services Department, Planning Division at 385 North Arrowhead Avenue, San Bernardino, CA 92415 and San Bernardino County High Desert Government Center, 15900 Smoke Tree Street, Suite 1311, Hesperia, CA 92415.

The MND concludes that all potentially significant environmental impacts resulting from the construction and operation of the proposed Project can be mitigated to a less-than-significant level. The following are summaries of topics/issues of concern addressed in the MND:

Aesthetics: While the proposed Project will certainly be visible to the surrounding community, the Project would not result in significant impacts to scenic vistas of the San Gabriel Mountains to the south or scenic resources, nor substantially degrade the existing visual character or quality of the Project site and its immediate surroundings. The proposed single family use and density of development is consistent with the existing surrounding development in the area.

Air Quality: The analysis of impacts to air quality focus on two distinct aspects of the life of the Project, i.e. temporary short-term construction and long-term operation. As discussed in the MND, the proposed Project is a lot sales program with individual lot owners building a single residence at a time and thus will not exceed Mojave Desert Air Quality Management District (MDAQMD) thresholds during the construction phases of the Project. The analysis also determined that operational emissions would not exceed MDAQMD thresholds and that operational impacts would be less than significant.

Biological Resources: California Department of Fish and Wildlife (CDFW) reviewed the environmental documentation for the project and offered comments and recommendations pursuant to its regulatory authority under the California Fish and Game Code.

CDFW recommended updated information and analyses be provided prior to land alteration or grading affecting various resources having the potential to be found on the Project site, including special status plants, Desert Tortoise, Burrowing Owl, and Mojave Ground Squirrel, as well potential impacts to bed, bank and channel of ephemeral streams on the Project site. Said recommended mitigation measures have been included as Conditions of Approval to confirm and ensure that any impacts will be less than significant.

Cultural Resources: A cultural resource assessment was prepared identifying the cultural, tribal cultural and paleontological resources that exist on the Project site, the Project's impacts on those resources and the actions necessary to protect said resources. Pursuant to AB 52, County staff and the applicant have been in formal consultation with both the San Manuel Band of Mission Indians so as to effectively protect the tribal resources on the Project site.

Fire Protection: Concern has been expressed regarding ingress and egress and the ability to protect the Project site as well as the community at large. San Bernardino County Fire Department reviewed the

application and project materials including the tentative tract map and determined that fire protection and emergency services can be implemented effectively.

Traffic and Circulation: Department of Public Works has determined that the existing street system can accommodate the proposed Project and will not result in a significant impact to the community, nor degrade the level of service in the area.

Water Quality and Water Service: The Project lies within the jurisdiction of the Lahontan Regional Water Control Board (LRWQCB). LRWQCB reviewed the environmental documentation and requested that the project applicant 1) Implement Low Impact Development (LID) design features that will maintain natural drainage to the maximum extent feasible, 2) ensure compliance with the MS4 Waste Discharge Permit and 3) prepare a detailed hydrology study to ensure cumulative erosion impacts to Oro Grande wash are mitigated. Project compliance with water quality standards and waste discharge requirements, as required per mitigation measures and/or conditions of approval, will result in impacts that are less than significant.

Additionally, LRWQCB indicates that the Project may have impacts to waters of the State and may therefore require permits associated with said impacts to be issued by either the State Water Resources Control Board or Lahontan Water Board. Conditions of Approval are proposed to ensure compliance with permitting requirements.

Public Comments:

Project notices were sent to surrounding property owners within 1,300 feet of the Project site, as required by Development Code Section 85.03.080. A Notice of Availability (NOA) of the Draft Mitigated Negative Declaration was sent to surrounding property owners and responsible agencies, as part of the CEQA process. In response to the Project notices, 75 comment letters (included in Exhibit F) were received from residents, organizations and responsible agencies that identified issues and concerns discussed above.

The City of Hesperia submitted a letter describing concerns regarding the proposed General Plan Amendment to a Rural Living (RL) designation and its impact on community character; questions regarding compliance with the Rural Living (RL) development standards; and design recommendations to further protect Oro Grande Wash. Staff has determined that the proposed project is consistent with and a logical extension of the City's Sphere of Influence RR 2-1/2, Rural Residential designation existing to the immediate north and east of the project site. Additionally, the application is consistent with the provisions of the Planned Development Permit (PDP) process in terms of developing lots that are smaller than the underlying designation while conserving natural resources and maintaining density and community character.

Comments received from CDFW recommending updated information and analyses prior to grading or land disturbance. Staff has determined that the CDFW comments do not result in substantial changes to the conclusions in the IS/MND. In response to said comments submitted by CDFW and out of an abundance of caution, the County has addressed their concerns through additional conditions of approval. The comment letter is attached as Exhibit G.

RECOMMENDATION: That the Planning Commission **RECOMMEND** that the Board of Supervisors:

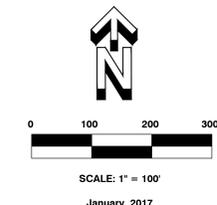
1. **ADOPT** the Mitigated Negative Declaration (SCH No. 2020060430) (Exhibit D);
2. **ADOPT** the Findings as contained in the Staff Report (Exhibit C);
3. **ADOPT** the General Plan Land Use District Amendment from Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL);
4. **APPROVE** the Planned Development Permit that includes a preliminary and final development plan for a 54-unit single family residential project with a 39-acre open space conservation lot for the Oro Grande Wash and two lettered lots for detention basins, subject to the recommended Conditions of Approval (Exhibit F);
5. **APPROVE** Tentative Tract Map 18533 to subdivide approximately 155-acres into 54 single-family residential lots, one open space lot and two lettered detention basin lots, subject to the recommended Conditions of Approval (Exhibit F); and
6. **DIRECT** the Clerk of the Board to file the Notice of Determination.

ATTACHMENTS:

- EXHIBIT A: Tentative Tract Map No. 18533
- EXHIBIT B: Development Plan
- EXHIBIT C: Findings
- EXHIBIT D: Initial Study/Mitigated Negative Declaration (SCH No. 2020060430)
- EXHIBIT E: Correspondence
- EXHIBIT F: Conditions of Approval
- EXHIBIT G: CDFW Letter

EXHIBIT A

Tentative Tract Map No. 18533



LEGEND AND ABBREVIATIONS

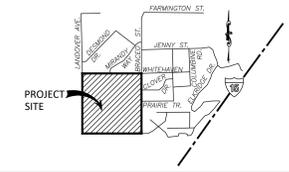
	EXISTING CONTOURS
	PROPOSED CONTOURS
	PROPERTY BOUNDARY
	PROPOSED ROAD CENTERLINE
	SETBACKS
	PROPOSED RETAINING WALL
	EXIST. EDGE OF ASPHALT
	PAD ELEVATION
	FINISHED SURFACE
	FLOW LINE
	SQUARE FOOT
	ASSESSOR'S PARCEL NUMBER
	SEPTIC TANK AND SEEPAGE FIT
	PROP. ASPHALT

	TYPICAL PAD
	TYPICAL LOT SETBACKS

LOT AREA TABLE

LOT No.	GROSS AREA	NET AREA
1	135,216 SF	117,355 SF
2	81,811 SF	72,888 SF
3	89,245 SF	65,555 SF
4	117,377 SF	95,697 SF
5	88,691 SF	78,135 SF
6	81,898 SF	73,053 SF
7	81,500 SF	72,700 SF
8	83,248 SF	67,031 SF
9	100,359 SF	88,198 SF
10	95,028 SF	87,200 SF
11	98,743 SF	82,546 SF
12	84,208 SF	71,966 SF
13	76,300 SF	71,800 SF
14	95,123 SF	93,722 SF
15	76,288 SF	63,302 SF
16	85,432 SF	79,588 SF
17	86,476 SF	82,000 SF
18	91,208 SF	84,515 SF
19	281,923 SF	256,658 SF
20	127,561 SF	124,388 SF
21	108,787 SF	105,081 SF
22	104,735 SF	101,029 SF
23	99,338 SF	95,631 SF
24	90,835 SF	87,151 SF
25	138,893 SF	133,190 SF
26	101,018 SF	96,264 SF
27	94,707 SF	89,882 SF
28	85,109 SF	81,167 SF
29	94,345 SF	90,236 SF
30	100,866 SF	95,767 SF
31	90,393 SF	87,217 SF
32	112,283 SF	109,727 SF
33	119,862 SF	118,762 SF
34	80,975 SF	68,998 SF
35	77,437 SF	70,070 SF
36	77,140 SF	56,349 SF
37	89,630 SF	67,451 SF
38	76,929 SF	73,107 SF
39	76,252 SF	72,448 SF
40	76,393 SF	70,970 SF
41	76,856 SF	69,823 SF
42	76,583 SF	68,911 SF
43	77,059 SF	69,049 SF
44	87,458 SF	78,653 SF
45	83,383 SF	71,466 SF
46	82,085 SF	61,432 SF
47	76,861 SF	66,112 SF
48	76,251 SF	69,407 SF
49	76,572 SF	70,204 SF
50	76,909 SF	70,639 SF
51	77,985 SF	71,262 SF
52	84,530 SF	71,340 SF
53	87,682 SF	77,629 SF
54	93,933 SF	67,719 SF
55	1,702,672 SF	1,702,376 SF
A	41,766 SF	26,585 SF
B	45,007 SF	31,347 SF
TOTAL LOT AREA	6,857,231 SF	6,343,014 SF
TOTAL STREET AREA	NA	514,217 SF
TOTAL SITE AREA	6,857,231 SF	6,857,231 SF

VICINITY MAP



UTILITY

ELECTRIC:
SOUTHERN CALIFORNIA EDISON
12353 HESPERIA ROAD
VICTORVILLE, CA 92392
PHONE: 7-800-655-4555

SEWER:
SEPTIC SYSTEM

WATER:
SPECIAL DISTRICTS DEPARTMENT WATER & SANITATION DIVISION
12402 INDUSTRIAL BLVD BUILDING 10 SUITE 6
VICTORVILLE, CA 92395
PHONE: (760) 955-9885

SCHOOL DISTRICT:
VICTOR VALLEY SCHOOL DISTRICT
11824 AIR BASE
ADELANTO, CA 92301
PHONE: (760) 246-2300

GAS:
SOUTHWEST GAS CORPORATION
13472 MARIPOSA ROAD
VICTORVILLE, CA 92392
PHONE: (760) 241-9321

TELEPHONE:
VERIDON
15055 LA PAZ DRIVE
VICTORVILLE, CA 92392
PHONE: (760) 243-0200

CABLE:
CHARTER COMMUNICATION
12480 BUSINESS CENTER DR. STE. 2
VICTORVILLE, CA 92392
PHONE: (760) 843-3000

TENTATIVE TRACT 18533
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

LEGAL DESCRIPTION
GOVERNMENT LOTS 1 & 2 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

ASSESSORS PARCEL NUMBER

0357-062-01

OWNER/DEVELOPER

BRUNO MANCINELLI
7295 SUI BOX
VICTORVILLE, CA 92392
PHONE: (760) 964-622

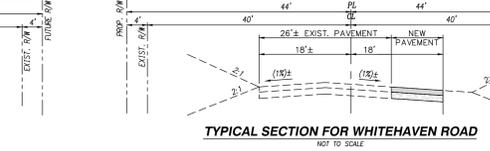
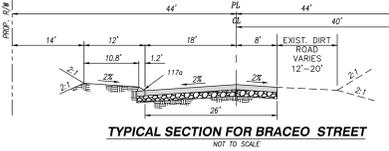
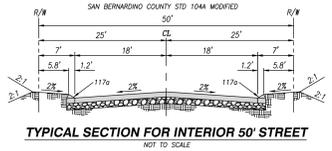
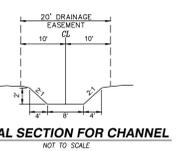
PROJECT DATA

- PROJECT IN ACRES = 157.4 ± ACRES
- TOTAL NUMBER OF LOTS: 55 RESIDENTIAL, 2 LETTERED LOTS
- EXISTING ZONING: CH/R & CH/FW
- PROPOSED ZONING: CH/R & CH/FW
- EXISTING LAND USE: VACANT LAND
- ALL PROPOSED UTILITIES SHALL BE UNDERGROUND.
- ALL NUMBERED LOTS ARE CALCULATED THROUGH THE CENTER LINE OF THE STREET
- THIS PROJECT CONTAINS 8,350 L.F. OF NEW STREET
- THIS PROJECT IS PROPOSED TO HAVE INDIVIDUAL LOT SALES
- THIS SITE WILL NOT BE MASS GRADED AND DRIVING PADS ARE DELINEATED
- SEPTIC SYSTEM WILL BE CUSTOM DESIGNED FOR EACH LOT
- NO PROTECTED TREES OR ENDANGERED TREES EXIST ON THE SITE WHERE IMPROVEMENTS ARE PROPOSED.

GRADING VOLUMES

RAW CUT VOLUME (CU. YD.)	RAW FILL VOLUME (CU. YD.)
237,300	116,000

SUBMITTED FOR REVIEW



188 East Third Street
San Bernardino, CA 92401
Phone: 909-844-6177
Fax: 909-844-6100

1822 Sanborn Rd.
Victorville, CA 92392
Phone: 760-941-1970
Fax: 760-941-0971

1899 Hwy. 90, Ste. 10
Fontana, CA 92335
Phone: 909-851-7007
Fax: 909-851-0588

2128 McCulloch Blvd., Ste. 8
Victorville, CA 92392
Phone: 909-850-0642
Fax: 909-850-0020



PREPARED BY:
JIMMY JOE RICE, R.C.E., No. C540692
REGISTRATION EXPIRES MARCH 31, 2017

COUNTY OF SAN BERNARDINO	SHEET NO. 1
TENTATIVE MAP TRACT NO. 18533	OF 1 SHTS.
FILE NO. MA-0447	

EXHIBIT B

Development Plan



Whitehaven Residential Development Tentative Tract 18533



Screen Check June 2019

Plan Development Report
Whitehaven Residential Development
Tentative Tract 18533

Located in the County of San Bernardino California

Prepared for: Mr. and Mrs. Mancinelli
7285 SVL Box
Victorville, CA 92392

Prepared by: Ludwig Engineering
109 E 3rd Street
San Bernardino, CA 92410

Contact: Steve Shover, Architect

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Table 1.A Maximum Unit Allowable Dwelling Density Transfer

Figure 1.1 Vicinity Map

Figure 2.1 Existing County San Bernardino General Plan with TT 18533 Overlay

Table 3.A Development Standards

Figure 5.1 Phasing

Figure 6.1 Trail System

Figure 8.1 Tract Map 18533

1.1 PROJECT INTRODUCTION

The Whitehaven Residential Development is a 157.4-acre single family detached development. The project consists of 55 single-family lots and may be sold as individual lots. Should the market conditions change, the project can be sold as tract sales with the approval of the planning director and other appropriate county departments. The proposed development will be consistent with the surrounding existing neighborhoods and will create a high-quality environment. The development will be consistent with the County of San Bernardino regulations for land use, infrastructure, utilities, and public services; and construction shall be consistent with the current California Building Code.

1.2 PROJECT

The project is located on tax parcel 0357-062-01-0000 within San Bernardino County and zoned Oak Hills/Resource Conservation OH/RC which allows 1 unit per 40 acres. The applicant is proposing a general plan designation of Oak Hills Plan Development (OH/PD) which will allow a density of 1 unit to 2.5 acres which is typical to the surrounding properties to the North and East.

The Whitehaven Development will utilize the County of San Bernardino development code section 84.18.030.1 which allows for a 100% transfer of the density.

The Whitehaven Development has added features above and beyond a standard residential development to meet the 10% bonus density requirement per section 84.18.030.2 by incorporating the following into the project:

- Within the PDP a higher level of Architectural Standards has been provided under section 3 and 4 that required residential designs beyond normal expectations for homes built using the San Bernardino Development Code Standards.
- Lots have been designed to minimize grading which allows the native landscape to remain in place over a majority of the project site.
- Lots have been designed to take in captivating views of the high desert valleys and mountains.
- Approximately 39 acres has been left open in its natural state for recreational and public use.
- A public all-purpose trail has been provided throughout the community that will allow equestrian type uses.

The Whitehaven Development has designed to minimize grading. Each lot has a developable pad with large portion of each lot left in its existing natural state. This decrease in grading allows a reduction in the lot sizes from 2.5 acres to 1.75. as outlined in the Oakhill's Community Plan section OH/LU 1.6.

Table 1.A demonstrates the maximum unit allowable described under development standard 84.18.030 of the County of San Bernardino 2007 Development Standards and the calculation to achieve the proposed density.

Project gross acreage		157.42	Acre				
Proposed Number of Lots		55.0	Lots				
Density		0.35	Units /Ac				
SF of Flood Plain	547,971.72	SF	12.58				
Maximum Allowable Dwelling Density				AC in Flood Plain	Total Usable AC	Density	Allowed Lots
Average Slope	SF Sloped	AC Sloped					
0% - < 15%	2,840,384.65	SF	65.21	12.58	52.63	2.50	21.05
15% - < 30%	2,135,777.94	SF	49.03	0	49.03	2.50	19.61
30% - < 40%	990,895.76	SF	22.75	0	22.75	3.00	7.58
40% - <	890,172.84	SF	20.44	0	20.44	10.00	2.04
Sub Total	6,857,231.19	SF	157.42	0	157.42		50.29
Allowable Increase							10.00%
Increase in Lots							5.03
Total Allowable Lots							55.3

Table 1.A Maximum Unit Allowable Dwelling Density Transfer

1.3 PROJECT LOCATION

The project is located west of Highway 15 and bounded by Whitehaven Street to the north and Braceo Street to the east. See Figure 1.1 Vicinity Map for project location.

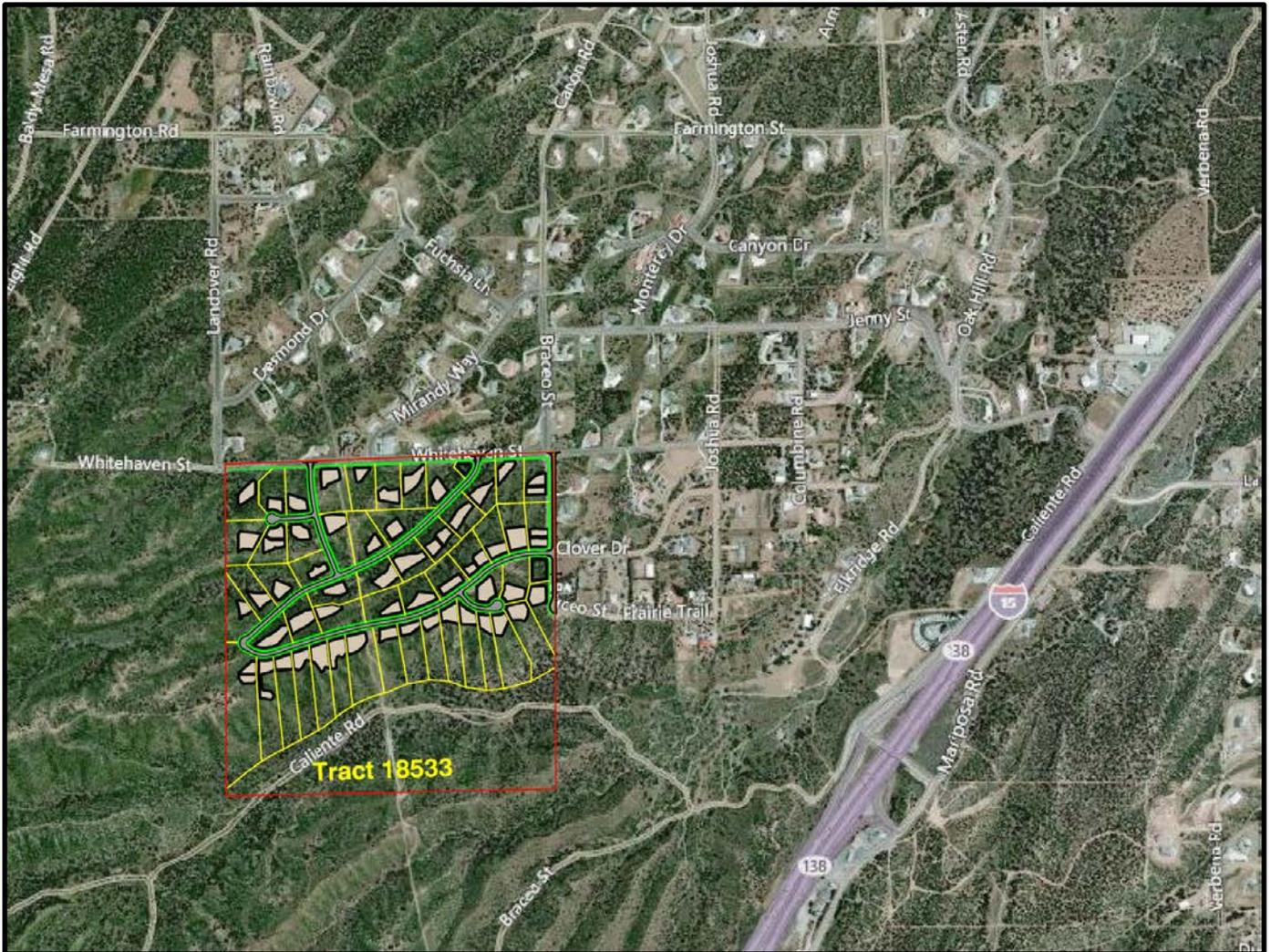


Figure 1.1 Vicinity Map

2.0 CONSISTENCY WITH THE GENERAL PLAN

This section provides an assessment of consistency with the goals and objectives of the current County of San Bernardino General Plan. The framework for this assessment is the list of the County’s goals and objectives drawn from the Land Use, Housing, Public Service, Circulation, Conservation, Open Space, Noise and Safety Elements where applicable. The goals and objectives are presented below along with the proposed community’s conformance to these goals and objectives.

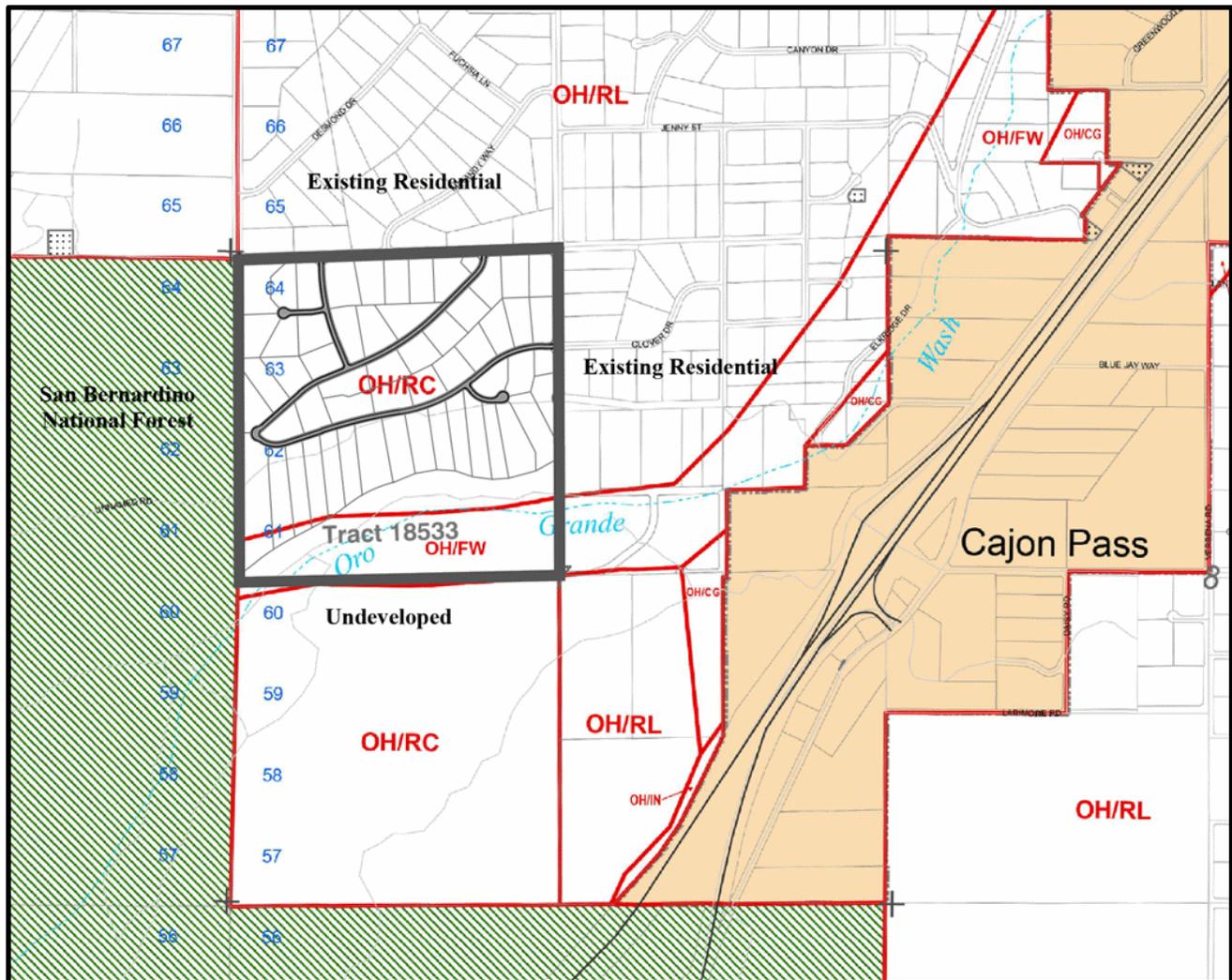


Figure 2.1 Existing General Plan Map with TT 18533 Overlay

2.1 Land Use

GOAL LU 2. Residential land uses will be provided in a range of styles, densities, and affordability and in a variety of areas to live, ranging from traditional urban neighborhoods to more “rural” neighborhoods.

The Whitehaven Residential Development will be consistent by:

- Providing upscale single-family detached housing and similar graded pads, to the surrounding properties will help to maintain traditional urban neighborhoods.
- Creating isolated graded pads leaving large portion of the project in its natural undeveloped state will assist in meeting hillside development standards and ensure compatibility with adjacent existing land uses and community character.

GOAL D/LU 1. Maintain land use patterns in the Desert Region that enhance the rural environment and preserve the quality of life of the residents of the region.

The Whitehaven Residential Development will be consistent by:

- Proposing rezoning from OH/RC to OH/PD Planned Development and applying the County Development, standards and standards in the PDR to help maintain land use patterns.
- Ensuring compatibility by providing similar building pads, vehicular circulation, as well as housing products that will blend in with the adjacent community.

2.2 Circulation and Infrastructure

GOAL CI 5. The County’s road standards for major thoroughfares will complement the surrounding environment appropriate to each geographic region.

The Whitehaven Residential Development will be consistent by:

- Streets shall be located within the public right-of-way and will be designed and constructed in accordance with County standards. Streets are not anticipated to have significant traffic impacts on the existing infrastructure. On-street parking is available within the proposed project. Two car garages and two car residential driveways are required in the PDR. All street are designed within the County Circulation Element and guidelines for the anticipated traffic.

GOAL CI 11. The County will coordinate and cooperate with governmental agencies at all levels to ensure safe, reliable, and high-quality water supply for all residents and ensure prevention of surface and ground water pollution.

The Whitehaven Residential Development will be consistent by:

- Domestic water system development standards include all water lines shall be designed per County of San Bernardino Special Districts Departments Water and Sanitation Division requirements. All domestic water systems will be installed underground in accordance with the requirements and specifications

of the California Department of Public Health, and inspected per County of San Bernardino Special Districts Departments Water and Sanitation Division standards.

- The project will collect and convey the “first flush storm water” to a collection system of improvements that demonstrate compliance with the latest County of San Bernardino County MS4 permit requirements.

GOAL CI 12. The County will ensure adequate wastewater collection, treatment, and disposal consistent with the protection of public health and water quality.

The Whitehaven Residential Development will be consistent by:

- All septic systems will be installed per County of San Bernardino Standards, Lahontan, and California Department of Public Health standards.

GOAL CI 13. The County will minimize impacts to stormwater quality in a manner that contributes to improvement of water quality and enhances environmental quality.

The Whitehaven Residential Development will be consistent by:

- Providing storm drain facilities to ensure the acceptance and disposal of 100-year storm runoff without damage to streets or adjacent property.
- Provide the necessary storm drain, flood control and drainage measures to accommodate a Q100 storm. No development is proposed in the Oro Grand Wash.
- The project will collect and convey the “first flush storm water” to a collection system of improvements that demonstrate compliance with the latest County of San Bernardino County MS4 permit requirements.

GOAL CI 16. The County will protect its residents and visitors from injury and loss of life and protect property from fires through the continued improvement of existing Fire Department facilities and the creation of new facilities, but also through the improvement of related infrastructure that is necessary for the provision of fire service delivery such as water systems and transportation networks.

The Whitehaven Residential Development will be consistent by:

- The Whitehaven development is located on the urban interface, an area with unique fire protection needs. A fuel modification zones landscape area that reduce the threat of fire through vegetation and maintenance is required for the Whitehaven development.

2.3 Housing Element

GOAL D/H 1. Encourage a diversity of housing types that will accommodate all individuals and families from all income levels.

The Whitehaven Residential Development will be consistent by:

- Providing single-family detached housing within the Oak Hills Community. The site will be compatible with the surrounding upscale neighboring housing type.
- Within the PDP a higher level of Architectural Standards has been required under section 3 and 4. This will required residential designs beyond normal expectations for homes built using the San Bernardino Development Code Standards.

2.4 Conservation Element

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

The Whitehaven Residential Development will be consistent by:

- Surveying the existing site prior to any development to locate and identify any existing natural resources that shall be protected. A report was prepared by RCA Associates LLC to document existing biological conditions on the site and analyze the potential for biological resources including special status plant and wildlife species to occur on the project site. The site does not support habitat typically associated with the desert tortoise; therefore, protocol surveys were not conducted for the tortoise. In addition, the site is outside of the known distribution of the Mohave ground squirrel, therefore a habitat assessment was not performed for the species.
- No potentially suitable habitat for any special status plant or wildlife species was identified, and no jurisdictional waters were observed during the initial study.”

GOAL CO 3. The County will preserve and promote its historic and prehistoric cultural heritage.

The Whitehaven Residential Development will be consistent by:

- Conducting a historical/archaeological resources records search, pursued historical background research, contacted Native American representatives, and carried out an intensive-level field survey. CRM TECH conducted various avenues of research and did not encounter any “historical resources” within or adjacent to the project area.

GOAL CO 4. The County will ensure good air quality for its residents, businesses, and visitors to reduce impacts on human health and the economy.

The Whitehaven Residential Development will be consistent by:

- Will Coordinate air quality improvement technologies Mojave Air Quality Management District (MAQMD) to improve air quality through reductions in pollutants from the region.

GOAL CO 5. The County will protect and preserve water resources for the maintenance, enhancement, and restoration of environmental resources.

The Whitehaven Residential Development will be consistent by:

- Maintaining drainage courses in their natural condition to the greatest extent practicable and allow some recharge of groundwater.
- Conveying the “first flush of storm water from the streets into two basins that are design to collect and retain a portion of the stormwater. Each single family lot will have a separate collection system that will comply with the County of San Bernardino standards for percolation into the ground.

GOAL D/CO 1. Preserve the unique environmental features and natural resources of the Desert Region, including native wildlife, vegetation, water and scenic vistas.

The Whitehaven Residential Development will be consistent by:

- Using the County Development Code and the Oakhill’s Community Plan I large portion of the project site has been left in its natural state and protects the vegetation, natural drainage, and native wildlife.

2.5 Noise Element

GOAL N 1. The County will abate and avoid excessive noise exposures through noise mitigation measures incorporated into the design of new noise-generating and new noise-sensitive land uses, while protecting areas within the County where the present noise environment is within acceptable limits.

The Whitehaven Residential Development will be consistent by:

- Enforce the state noise insulation standards (California Administrative Code, Title 24) and Chapter 35 of the California Building Code (CBC).
- After construction is complete the Whitehaven Residential Development will generate noises typical to low density development and it is not anticipated to affect the adjacent lands.

2.6 Safety Element

GOAL S 1. The County will minimize the potential risks resulting from exposure of County residents to natural and man-made hazards in the following priority: loss of life or injury, damage to property, litigation, excessive maintenance and other social and economic costs.

The Whitehaven Residential Development is consistent:

- A Geologic report was prepared by Patel and Associates to consider and minimize significant impacts from seismic, liquefaction potential ground movement and landslide activities. A review of the Alquest-Priolo Special Studies Zone map indicated the site is not with any know or published active fault zone.
- Mitigation will be through the incorporation of the Report prepared by Patel and Associates, and or any new geotechnical reports, the California Building Code Standards and County of San Bernardino standards.
- The project collects and retain a portion of all stormwater in basins reducing stormwater flows downstream and assist in protecting downstream properties

GOAL S 3. The County will protect its residents and visitors from injury and loss of life and protect property from fires.

The Whitehaven Residential Development will be consistent by:

- The Whitehaven development is located on the urban interface, an area with unique fire protection needs. A fuel modification zones landscape area that reduce the threat of fire through vegetation and maintenance are required in for the Whitehaven development.

GOAL S 7. The County will minimize exposure to hazards and structural damage from geologic and seismic conditions.

The Whitehaven Residential Development will be consistent by:

- A Geologic report has been prepared by Patel and Associates to consider and minimize significant impacts from seismic, liquefaction potential ground movement and landslide activities. A review of the Alquest-Priolo Special Studies Zone map indicated the site is not with any know or published active fault zone. Mitigate will be through the incorporation of the Report prepared by Patel and Associates, any new geotechnical reports, California Building Code Standards and County of San Bernardino standards.

2.7 PUBLIC SERVICES

Goal LU-8 Communities that allow residents and visitors to enjoy the natural and local setting within reasonable limits of infrastructure, service capacities, and public health and safety, including fire safety and prevention.

The Whitehaven Residential Development will be consistent with the following public services:

- San Bernardino County Fire Department: The San Bernardino County Fire Department Station 40 will provide fire service for the project site.
- San Bernardino County Sheriff: The Victor Valley Station shall be responsible for public safety and general law enforcement within the Oak Hills Community. The Department is organized into operational and support functions that provide efficient emergency responses, pro-active enforcement, follow-up investigations of crimes and accidents, apprehension of criminals and preparation for criminal prosecutions, recovery of stolen property, and the prevention of crime through crime prevention efforts in partnerships with the citizens of the community.
- Schools: Schools services shall be provided by the Snowline Joint Unified School District. The following schools will serve the project: Baldy Mesa Elementary School, Quail Valley Middle School, Serrano High School
- Electricity: Southern California Edison (SCE) shall provide electric service to the project area.
- Natural Gas: The Southern California Gas Company shall provide natural gas service to the project.
- Telephone Service: Verizon provides telephone service to the project area and shall extend service to the project.
- Cable TV: Time Warner Cable provides cable service within the County of San Bernardino and shall provide service at the time contractual arrangements are made.
- Internet Access: Charter Commission offers Internet service within the County of San Bernardino and shall provide service at the time contractual arrangements are made.
- Solid Waste: Waste Management shall provide solid waste collection service for the project. The resident trash bins shall be wheeled out to the curb or driveway apron on trash collection day.



Whitehaven Project Looking Northerly



Whitehaven Project Looking North Easterly

3.0 DEVELOPMENT STANDARDS

3.1 GENERAL PROVISIONS

Any situations not specifically addressed by this document, shall be subject to the County of San Bernardino Development Code.

3.2 DEVELOPMENT STANDARDS

The development standards for the Whitehaven Residential Development are described in section 3 and shall be used in conjunction with the single-family design guidelines in section 4.

3.3 SINGLE-FAMILY DESIGN GUIDELINES/REQUIREMENTS

3.3.1 FLOOR PLANS

The total livable space of the dwelling unit shall be a minimum square footage 2,000 square.

3.3.2 DESIGN AND IMPROVEMENTS

All street and parking areas shall be surfaced with or paved with asphalt concrete, concrete, or other surface approved by the County Public Works Department, and shall be maintained in good condition

Table – 3.A Development Standards

A. Residential

The purpose of the residential development standards is to establish the minimum criteria for the development of single-family dwellings within the Whitehaven Development. The PDR has modified the lot width and depth and some of the building setbacks from the COSB size to stay in line with the 30% reduction of lot size allowed under section OH/LU 1.6 Oakhill’s Community Plan. The lot width to dept ratio has been eliminated to take into account the perseveration of the existing irregular topographical conditions as outlined in the PDR section 1.2 .

Minimum Residential Lot Dimension	Whitehaven STD	COSB STD
Lot Width	105' *3, 4	150'
Lot Width Street Side	105' *3,4	
Lot Width at Cul-De-Sac	60' *2, 4,	
Lot Depth	105' *3, 4	150'
Building Setback (Min.) (All setback measured from property line unless noted.)		
• Front	25' *1	25'
• Garage Door	30' *1	
• Covered Patio (front and or rear)	20'*1	
• Side Interior	15' *1	15'
• Side Street	17' *1	25'
• Rear	15' *1	15'
• Pool equipment side and rear yard	5'	
• Fence Front Yard *4' (High Max)	10'	
Building Height	35'	
Minimum Residential Lot Size	76,230 S.F.	
Lot Size		
• Residential Building Lot Coverage (Maximum)	40%	
Parking Required	Number of Spaces	
• Enclosed Garage (Minimum)	2	

Notes for Table 4.A:

1. Architectural enhancements and projections are allowed to encroach a minimum of 1 foot into the setback.
2. Minimum lot width at Cul-De-Sac is measured along the radial at the front set back.
3. Minimum lot width and depth will be measured at the midpoint of the lot.
4. Maximum lot dimension (width to depth does not apply)

4.0 DESIGN GUIDELINES - REQUIREMENT'S

4.1 PURPOSE AND INTENT

The Architectural Design Guidelines provided within this Master Plan Report are a living document and are intended to be flexible. As such, they permit creative and innovative responses to evolving conditions, such as changes in housing design trends, community desires, and the marketplace. Future design for the single-family residence are designed to appeal to a wide range of residents by providing a variety of housing types, using a variety of styles to create a well-rounded community as shown on following architectural styles.

4.2 ARCHITECTURAL STYLE

The following pages present images illustrating key features and details representative of the selected Whitehaven Residential Development architectural styles. While not all identified, key features need to be included within the design of each home, a sufficient number of the features must be represented in each home to ensure the depicted style is clearly defined and identifiable.

Monterey

In addition to the signature two-story construction and exterior balcony, Monterey style homes are characterized by features including: porches, hip or gable roofs, and thick adobe type walls. Low-pitched gable roofs with shingles or tiles, double-hung windows, plaster or adobe walls, and exposed beams may also be used.

1. Low Pitch Roofs with red tile.
2. Eaves with little to no overhang.
3. Walls with stone or brick.
4. Accent tile.
5. Balconies with wood or iron.
6. Arched above the doors.
7. Wall surface typically of stucco.
8. Second story balcony with wood and or wrought iron.



Spanish Eclectic

Most common in the Southwest and Florida, Spanish-style architecture takes its cues from the missions of the early Spanish missionaries--such as the one at San Juan Capistrano in California--and includes details from the Moorish, Byzantine, Gothic, and Renaissance architectural styles. The houses usually have low-pitched tiled roofs, white stucco walls, and rounded windows and doors. Other elements may include scalloped windows and balconies with elaborate grillwork, decorative tiles around doorways and windows, and a bell tower or two.

- 1. Low Pitch Roofs with red tile
- 2. Eaves with little to no overhang
- 3. Stucco or decorative tile vents
- 4. Accent tile
- 5. Balconies with wood or iron
- 6. Arched above the doors
- 7. Wall surface typically of stucco



Italianate

Some of the Italian Renaissance characteristics are emphatic eaves supported by corbels, low-pitched roofs, or even flat roofs with a wide projection. A tower is often incorporated hinting at the Italian belvedere or even campanile tower. Motifs drawn from the Italianate style were incorporated into the vocabulary, and appear in Victorian architecture dating from the mid-to-late 19th century.

- | | |
|---|----------------------|
| 4. Low Pitch Roofs | 1. Veranda |
| 5. Ornamental Brackets Supporting Eaves | 2. Classical Columns |
| 6. Arched or Segmental Windows | 3. Cupola |
| 7. Smooth Wall Surface | |



Modern

There are varying degrees of Modernism - some will opt for the strict design sense of true Minimalism. Modern style homes can have multiple roof lines at different levels, showing off the complexity of the overall design and the uncommon silhouette of the structure. Varying lines and elongated vaulted ceilings, as well as interesting overhangs. These homes often feature floor-to-ceiling windows and lots of sliding doors. They may also include “clerestory” windows that are set high in the walls of a home to let in light

1. Bold Roof Lines. General Flat Roof
2. Large Windows
3. Large Cantilevered Overhangs and Patios
4. Clean Vertical or Horizontal Line
5. Materials Include Wood, Stone, Smooth Stucco



Craftsman

Craftsman style homes are made of wood siding and brick or sometimes stone. They have broad, low gabled roofs, usually with one or two large front dormers, and wide eaves with exposed rafters under the eaves. The prominent wide, open porches supported by heavy masonry or wood piers. The windows are the most distinctive feature, often using four-over-one or six-over-one double hung windows. They are now commonly called Craftsman windows

- | | |
|----------------------------|-------------------------------------|
| 1. Gabled or Hipped Roof | 5. Mixed Materials |
| 2. Deep Overhangs | 6. Hand Crafted Stone and Wood Work |
| 3. Front Porch | 7. Exposed Rafters |
| 4. Tapered, Square Columns | 8. Wood Siding |



Tuscan

Tuscany's natural setting pervades its homes, and has natural materials in abundance. Sandstone and limestone bricks form thick walls. Carved marble provides accents in arches, over doorways, in flooring and as window sills. Large, rectangular windows are set deep in the thick walls and are framed with sandstone brick molding. The entire façade will feature simple, stout wooden shutters.

- | | |
|--|----------------------|
| 1. Low Pitch Roofs | 6. Veranda |
| 2. Ornamental Scrolled Brackets Supports | 7. Classical Columns |
| 3. Arched or Segmental Windows | 8. Cupola |
| 4. Smooth Wall Surface | |
| - | |



4.3 REQUIREMENTS FOR BUILDING ELEVATIONS

1. Design Elements

- a. Building form is a key architectural component in influencing viewer perception of a building. It is important the adhere to the following design principles to create an appealing building:
 - i. Provide a focal point that attracts one's eye.
 - ii. Provide symmetry, asymmetrical, or radial a balance with the structure and project elements.
 - iii. Provide proportion and scale that will offer a relationship between elements in the design with respect to its size.
 - iv. Unity can be achieved by the consistent use of lines, color, material, and texture within the design.

2. Building Form, Mass, and Scale

- Articulation of the building details and various element. Attention to rooflines, and variation in vertical and horizontal planes should be used to reduce the visual mass of a building.

3. Roof Forms

- The roofline is a significant component of building composition and creates an interface with the building façade.
- General massing should vary in an effort to add character of the architectural style.
- Massing variation should be used together with variable setbacks to create desirable visual movement along the street scene.
- Roof treatments shall be consistent with the architectural style of the building.
- Variety in roof forms, ridge heights and direction of gables is required in order to avoid monotonous rooflines along master planned streets.

4. Windows and Doors

- Window and door details create a strong visual impact through their placement and design. The appropriate proportion for windows and doors to wall massing varies according to the architectural style.

5. Building Materials and Colors

- The palette of materials and colors should be designed to provide harmony with in the Whitehaven development. Bright colors and or material that would not blend with the surrounding architecture or that are outside standard colors used in the building industry are not allowed.

- All surface treatments or materials shall be designed to appear as an integral part of the design. All materials and colors shall wrap architectural elements and terminate at inside corners.

4.4 TRASH

- Resident trash containers shall be stored out of the street view. Receptacles shall be wheeled out to the designated area on the driveway apron, or curb, on trash collection day. Outdoor trash enclosures are prohibited.

4.5 METAL BUILDINGS

- Metal buildings are prohibited.

4.6 FENCING

- Chain Link Fence is prohibited.

4.7 MECHANICAL EQUIPMENT

- Mechanical equipment for single-family residences such as air conditioners, heaters, evaporative coolers, and other such devices will not be mounted on the roof. These types of equipment should be located behind privacy walls or behind landscaping on the ground.
- Mechanical devices such as exhaust fans, vents, and pipes shall be painted to match adjacent roof and wall surfaces.

4.8 METERS

- Natural gas meters shall be mounted onto the external wall of the building. Builder shall contact the utility provider for minimum clearances.
- Electrical meters shall be mounted onto the external wall of the building. Builder shall contact the utility provider for minimum clearances.

4.9 PRIVATE AND CLUSTER MAIL BOXES

- Private mailboxes shall complement the architectural theme of the community. Individual property mail boxes shall be maintained by the property owner. Cluster mailboxes shall complement the architectural theme of the community. Cluster mail boxes shall have lighting that complements the theme of the community and complies with the City of Desert Hot Springs night time lighting ordinance.

4.10 SOLAR PANELS

- Panels shall be mounted directly to a sloped roof plane and be integral to the roof design.
- Roof mounted solar panel equipment shall be similar to the roof in color and appearance.

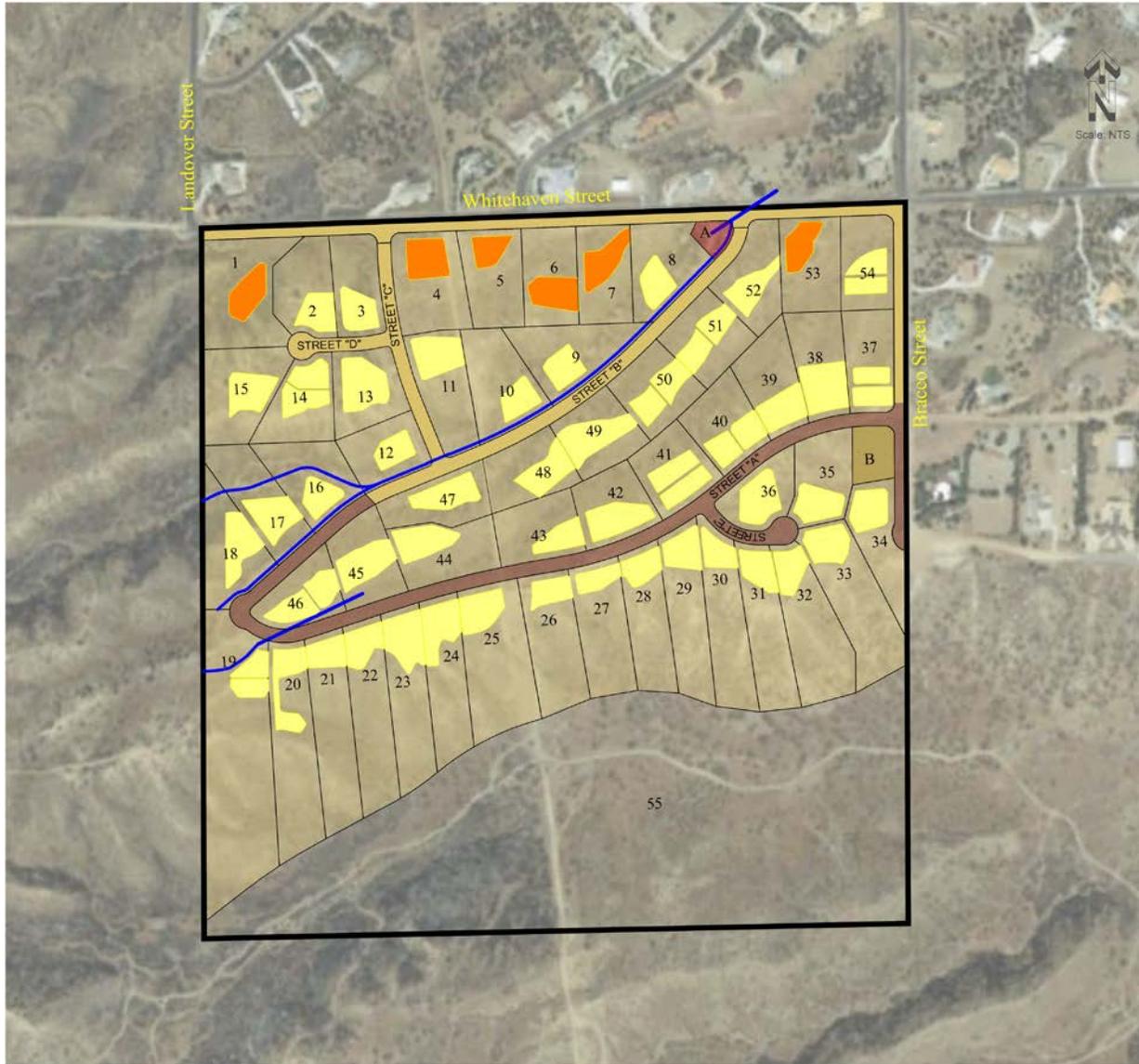
5.0 PROJECT PHASING

Establishing phasing at the project planning stages is virtually impossible considering the ever-changing market demands. However, Figure 5.1 provides an anticipated phasing for the project. All on-site and off-site infrastructure will be developed as required to meet the needs and requirements of the perspective development.

The fire department will require all streets within the improvement to be paved and fire hydrants operable prior to constructing homes on the appropriate phase.

PHASING TABLE

	Phase 1	Phase 2	Phase 3
Grading	<ul style="list-style-type: none"> • Whitehaven • Pads 1,4-7, 53 	<ul style="list-style-type: none"> • Rough Grading all Remaining Pads and Streets 	
Street Improvements and Paving		<ul style="list-style-type: none"> • Street B Portion • Street C,D • Whitehaven Street • Braceo Street 	<ul style="list-style-type: none"> • Street B Portion • Street A • Street E
Water Line and appurtenance		<ul style="list-style-type: none"> • Street B Portion • Street C,D • Whitehaven Street • Braceo Street 	<ul style="list-style-type: none"> • Street B Portion • Street A • Street E
Dry Utility		<ul style="list-style-type: none"> • Street B Portion • Street C,D • Whitehaven Street • Braceo Street 	<ul style="list-style-type: none"> • Street B Portion • Street A • Street E
Drainage	<ul style="list-style-type: none"> • Graded ditch with infiltration trench on Whitehaven 	<ul style="list-style-type: none"> • Channel and storm drain improvements. • Basin A • Graded ditch with infiltration trench on a Portion of Braceo Street 	<ul style="list-style-type: none"> • Basin B



LEGEND

	Phase 1	Phase 2	Phase 3
Rough Grading			
Street Paving Water Line and Utilities			
Drainage Improvements		 	

Figure 5.1 Phasing

6.0 Equestrian Trail

The Whitehaven development includes an equestrian trail system for mountain biking and horseback riding that meanders throughout the community. These street-side trails are envisioned to be constructed of native materials.

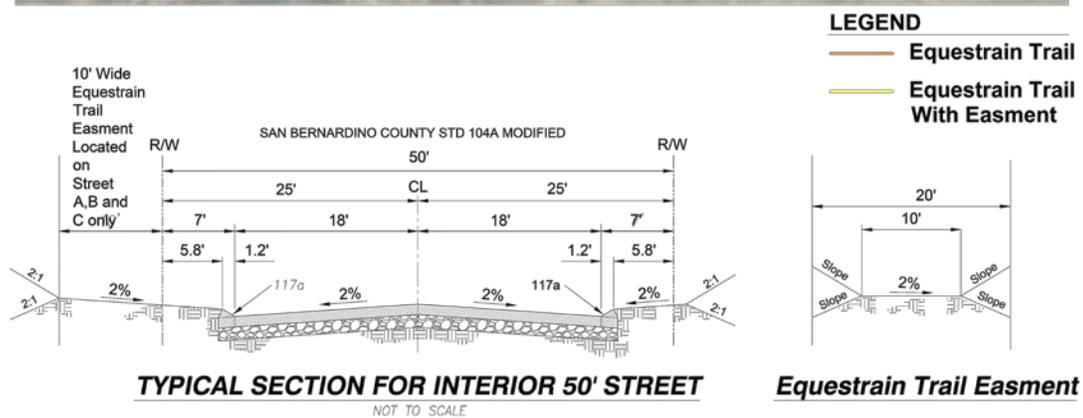


Figure 6.1 Trail System

7.0 INFRASTRUCTURE, UTILITIES AND PUBLIC SERVICES

7.1 PURPOSE AND INTENT

The purpose of this chapter is to identify the infrastructure, utilities and public services required to serve the Whitehaven Residential Development.

7.2 VEHICLE CIRCULATION

The tentative tract map figure 7.1 shows access and required improvements along Whitehaven Street, shall have a right-of-way of 88' (26' existing paving) and Braceo Street, shall have a right-of-way of 88' (26' proposed paving) as well as the onsite 36' wide public streets (50' right-of-way) for internal circulation throughout the project. This shall allow two 12' clear driving lanes for fire trucks access.

7.3 WATER QUALITY MANAGEMENT PLAN (WQMP)

The proposed WQMP for the project will comply with the municipal storm water program (MS-4 Permit) which is administered by San Bernardino County. The project proposes to collect and convey the public street "first flush storm water" to basin "A" and "B" then into the ground. Individual lot infiltration trenched or an approved system will be provided on lots 1-54.

7.4 SANITARY SEWER FACILITIES

Sanitary service to the project shall be provided by private septic systems on each residential lot.

7.5 DOMESTIC WATER FACILITIES

Domestic water shall be provided by the County of San Bernardino Special District Area 70, Improvement J. The project proposes on-tract 8-inch water mains that provide both domestic and fire service to the project. The water meters shall be sized to accommodate fire sprinklers in the houses.

7.6 SUBDIVISION

Tentative Tract Map 18533 figure 8.1 proposes 55 single-family detached residential lots with a minimum lot size of 76,251 square feet.

8.0 GRADING DEVELOPMENT STANDARDS

1. All grading activities shall be in substantial conformance with the overall Conceptual Grading Plan (Figure 8.1).
2. All streets should have a gradient not to exceed County of San Bernardino Standards.
3. The overall slope, height and grade of any cut and fill slope shall be developed in concert with the existing natural contours and scale of the natural terrain of a particular site.
4. The toes and tops of all slopes higher than ten (15) feet shall be rounded with curves where possible, with radii designed in proportion to the total height of the slope, where drainage and stability permit such rounding.
5. Cut or fill slopes exceeding one hundred (150) feet in horizontal length, if any, shall be graded to meander the toe and top of the slope.
6. Graded slopes exceeding ten feet in vertical height shall be hydromulched per County standards prior to the beginning of the rain season to reduce erosion. Other methods may be presented to the County Engineer for review and approval.
7. To prevent dust and dirt erosion. Planting with interim landscaping shall comply with San Bernardino County Best Management Practices for wind and water erosion control.
8. Prior to initial grading activities, a soils report and geotechnical study shall be prepared that further analyzes on-site soil conditions and shall include appropriate measures to control erosion and dust. The Soils Report shall be reviewed and approved by the County prior to any grading permits.
9. Detailed grading plans shall be prepared and shall be reviewed and approved by the County prior to any grading permits for each project or group of projects.
10. The applicant shall be responsible for maintenance and upkeep of all planting and irrigation systems until those operations become the responsibility of other parties.
11. Angular forms shall be discouraged. The graded form shall reflect natural terrain, where possible.
12. Potential brow ditches, terrace drains or other minor swales, determined necessary at future stages of project review, shall be lined with natural erosion control materials or concrete.

13. Grading work should be balanced on-site wherever possible, except where cooperative grading with adjacent properties, including potential import and/or export of material, is proposed. A comprehensive master grading plan shall include a detailed discussion of cut and fill activities, soils importing or exporting, and grading activities management.
14. Graded or undeveloped land shall be maintained weed free and planted with interim landscaping or otherwise stabilized in conformance with the requirements of the County of San Bernardino Standards.
15. Unless otherwise approved by the County of San Bernardino Engineering Department, all cut and fill slopes shall be constructed at inclinations of no steeper than 2:1 (two horizontal feet to one vertical foot) or as required in the project Geotechnical Report. The Grading Plan will reflect a contouring intended to control slope erosion.
16. Natural features such as significant rock outcrops shall be protected to the extent feasible in the siting of individual lots and building pads. These features, and proposed of management and protection shall be noted on the mass grading and the detailed grading plans.
17. In order to achieve an earthwork balance within any development phase, grading may encroach into an area of future development unless the proper owner is someone other than the master developer. Encroachment into these areas may involve the borrowing or temporary stockpiling of dirt to balance areas in the order of the project phasing. If such is the case, grading plans shall be prepared for this purpose and grading will be performed as directed by the soils engineer. Any off-site grading will be as directed by the soils engineer and these Grading Plan development standards.
18. If any historic or prehistoric remains are discovered during grading, a qualified archaeologist and paleontologist will be consulted to ascertain their significance.
19. Soil stabilizers should be used to control dust as required by County Standards and other applicable regulations.
20. All grading will be performed in accordance with appropriate County of San Bernardino policies and standards unless noted within this Planed Development report.
21. A grading permit shall be obtained from the County of San Bernardino, as required by the County Grading Ordinance, prior to grading.

9.0 HILLSIDE DEVELOPMENT STANDARDS

- 9.1 To grade a level building pad, each new parcel must have a level building pad of 6000 square feet minimum with minimum dimensions of 60 feet by 80 feet. The existing gradient slope within the building pad envelope will not exceed an average of 30%. This average excludes grading for driveway and pad cut/fill slopes.
- 9.2 In cases where an existing gradient slope within a building pad envelope exceeds an average of 30%; stepped house footings shall be employed to meet the contour of the existing terrain in lieu of a flat graded pad. Grading will not be allowed except for the driveway and turnaround areas for vehicles.
- 9.3 No grading will occur where the existing gradient slope within a proposed building pad envelope exceeds an average of 40%.
- 9.4 Areas where slopes exceed 20% in their natural state and are within 100 feet any area disturbed by grading in the development and or improvements of the Whitehaven Residential Development Project will provide the following:
1. A soils investigation conducted by a licensed soils engineer has determined the subject slope area to be stable and grading and development impacts mitigatable for at least 75 years, or life of structure, and or cut and fill slopes.
 2. No development shall be permitted except pursuant to submittal of a runoff control plan prepared by a licensed engineer qualified in hydrology and hydraulics; such approved plans shall assure that there would be no increase in peak runoff rate from the developed site over the greatest discharge expected from the existing undeveloped site as a result of storm event criteria specified by the County Engineer. Runoff control shall be accomplished by a variety of measures, including, but not limited to, onsite catchment basins, detention basins, siltation traps, and energy dissipaters, and shall not be concentrated in one area.
 3. Buildings which are proposed for development on hilltops and on pads that are created on hillsides should be sufficiently setback from the downhill slope to mitigate the visual impact of vertical building forms on hillside landforms. Measures which should be incorporated into project design to achieve this objective include the use of adequate slope edge building setbacks and multi-level roof planes which parallel the downhill slope. All buildings that are developed on hilltops or upon pads created on downhill perimeter slopes (greater than 20 feet in height) shall be setback so that the building does not intrude into a .7 foot horizontal to 1 foot vertical imaginary diagonal plane that is measured from the edge of slope to the building.

4. Hillside development should to the extent possible utilize and enhance natural hillside drainage networks. Drainage benches on slopes must vary in width to allow augmented landscaping to provide additional screening. Contour grading, hillside drainage and landscaping can many times be combined to “recreate” a heavy landscaped hillside ravine.
- 9.5.1 Grading on hillsides will be performed in accordance with appropriate County of San Bernardino policies and the Oakhill’s Community Plan unless noted within the Whitehaven Planed Development Plan report.
- 9.6 Grading plans will be approved by the San Bernardino County Engineering Department.

EXHIBIT C

Findings

The applicant proposes an amendment to the General Plan Land Use Designation to change the land use designation from Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL), a Planned Development Permit, and Tentative Tract Map No. 18533 to subdivide approximately 155 acres into 54 residential lots, one open space lot and two lettered detention basin lots (Project).

It should be noted that the following analysis discusses consistency and compliance with applicable goals and policies of the current 2007 County General. The County is in the process of amending the General Plan as part of the Policy Plan contained within the Countywide Plan (2020 General Plan). Depending on the timing of the 2020 General Plan and the timing of this Project by the Planning Commission and Board of Supervisors, goals and policies affecting this proposal may be amended. Therefore, an analysis of the goals and policies of the 2007 General Plan and 2020 General Plan have been prepared.

FINDINGS - GENERAL PLAN AMENDMENT. [SBCC 86.12.060]

- 1. The proposed amendment is internally consistent with all other provisions of the General Plan and the Oak Hills Community Plan.**

2007 General Plan Consistency Analysis:

Goal D/CO 1. Preserve the unique environmental features and natural resources of the Desert Region including native wildlife, vegetation and scenic vistas.

Consistency: On-site open space/conservation lot in the southern portion of the Project site is proposed which will preserve unique environmental features affecting native wildlife and vegetation.

Policy D/CO 1.1. Encourage the greater retention of existing native vegetation for new development projects to help conserve water, retain soil in place and reduce air pollutants,

Consistency: The Project proposes a 39-acre open space lot which will retain native vegetation, conserve water, retain soil in place and reduce air pollutants. Additionally, the Project will not employ a mass grading approach but will grade only building pads and driveways for each residential lot.

2013 Oak Hills Community Plan Consistency Analysis:

Policy OH/LU 1.2. In recognition of the community's desire to preserve the rural 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.

Consistency: The proposed development, with a minimum lot size of 1.75 acres, and average lot size of 2.15 acres will be compatible with the existing surrounding land uses in the area, will not detract from the community character and is compliant with all other aspects of the community plan.

b. That the change is compatible with surrounding uses, and will provide for a logical transition in the plan area's development. One way to accomplish this is to incorporate planned development concepts in the design of projects proposed in the area.

Consistency: The proposed development, with a minimum lot size of 1.75 acres, and average lot size of 2.15 acres will not detract from the community character. The planned development concept is proposed for this Project in order to provide a mechanism to preserve Oro Grande Wash as an open space feature while reducing the minimum lot size from 2.5 acres to 1.75 acres.

c. That the change shall not degrade the level of services provided in the area, and that there is adequate infrastructure to serve the additional development that could occur as a result of the change. Densities should not be increased unless there are existing or assured services and infrastructure, including but not limited to water, wastewater, circulation, police and fire, to accommodate the increased densities.

Consistency: All infrastructure, public facilities and services are available to serve the Project.

2020 Countywide Plan Consistency Analysis:

Policy LU-2.3. Compatibility with natural environment. We require that new development is located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.

Consistency: The Project proposes to establish a 39-acre open space lot that will conserve the natural environment in Oro Grande Wash. Additionally, the project will minimize land alteration by employing a grading concept whereby only building pads and driveways will be graded. Mass grading approach will not be utilized.

Policy LU-2.8. Rural lifestyle in the Mountain/Desert regions. We intend that new residential development in the unincorporated Mountain and Desert regions offer a lower intensity lifestyle that complements the suburban and urban densities in incorporated cities and towns to provide a range of lifestyle options. Master planned communities in unincorporated Mountain/Desert regions may provide a broader range of lifestyles and densities.

Consistency: With the proposed minimum lot size of 1.75 acres and an average of 2.15 acres, the Project maintains the lower intensity lifestyle of the immediate surrounding community and complements the suburban and urban densities in incorporated cities and towns, providing a range of lifestyle options.

Policy NR-3.2. Residential clustering. We allow residential development to cluster housing units in order to reduce the consumption of undeveloped land, maximize the amount of open space, preserve natural resources, conform to natural topography/grade, and/or reduce exposure of structures to natural hazards.

Consistency: The Project is processing a Planned Development Permit to allow the "clustering" of residential lots with a minimum size of 1.75 acres and an average of 2.15 acres, while creating a 39-acre open space lot in the Oro Grande Wash area.

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

Consistency: The amendment facilitates a project that has incorporated appropriate conditions of approval and mitigation measures to protect and enhance public health, safety and welfare. The public interest will be served in that the Project will generate increased revenue to the community as a result of increased property taxes and

development impact fees, resulting in enhanced local public services; the Project will promote significant economic development within the local community, including construction jobs, which support local businesses such as recreation/retail establishments, building supplies and materials establishments, as well as eating establishments; the Project formally sets aside valuable habitat for the protection of the most sensitive biological resources.

- 3. The proposed land use zoning district change is in the public interest, therefore will be a community benefit, and other existing and allowed uses will not be compromised.**

Consistency: The Project will provide housing opportunities on 54 residential lots while maintaining the goals and policies of the County General Plan and the Oak Hills Community Plan. Existing and allowed uses in the area will not be compromised by the development of the Project site as proposed. The proposed Project retains and protects the existing desert character of the community, an identified goal of the General Plan Oak Hills Community Plan, by preserving open spaces and conservation areas. The Project will also promote significant economic development within the community, including construction jobs.

- 4. The proposed land use zoning district change will provide a reasonable and logical extension of the existing land use pattern in the surrounding area.**

Consistency: The Project site is located with existing residential development to the north and east. Existing circulation improvements will provide vehicular access to the Project site and all necessary public services and infrastructure are available.

- 5. The proposed land use zoning district change does not conflict with provisions of the Development Code.**

Consistency: Concurrent with the proposed general plan amendment, the applicant is processing a Planned Development Permit which will allow a minimum lot size of 1.75 acres, a reduction from the 2.5-acre minimum in the Rural Living (OH/RL) land use designation requested, while conserving Oro Grande Wash as a 39-acre open space/conservation lot. The Project conforms to all other applicable Development Code requirements.

- 6. The proposed land use zoning district change will not have a substantial adverse effect on surrounding property.**

Consistency: The Project is compatible with surrounding land uses and includes appropriate mitigation measures and conditions of approval to ensure County

performance standards are met and that the project will not have an adverse effect on the surrounding property.

- 7. 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 will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.**

Consistency: The site has been conditioned to ensure adequate water and wastewater needs of the Project have been met. Fire protection will also be provided by the San Bernardino County Fire Protection District, which has reviewed the Project and provided appropriate conditions of approval. The Project will have access to sufficient permitted solid waste storage and landfill capacity to accommodate the Project's solid waste disposal needs. The County has evaluated drainage associated with the Project and determined that impacts will be less than significant with the implementation of specified conditions of approval.

FINDINGS: PLANNED DEVELOPMENT PERMIT [SBCC Section 85.10.050]

- 1. The proposed development is consistent with the General Plan and any applicable plan.**

2007 General Plan Consistency Analysis:

Goal D/CO 1. Preserve the unique environmental features and natural resources of the Desert Region including native wildlife, vegetation and scenic vistas.

Consistency: On-site open space/conservation lot in the southern portion of the Project site is proposed which will preserve unique environmental features affecting native wildlife and vegetation.

Policy D/CO 1.1. Encourage the greater retention of existing native vegetation for new development projects to help conserve water, retain soil in place and reduce air pollutants,

Consistency: The Project proposes a 39-acre open space lot which will retain native vegetation, conserve water, retain soil in place and reduce air pollutants.

Additionally, the Project will not employ a mass grading approach but will grade only building pads and driveways for each residential lot.

2013 Oak Hills Community Plan Consistency Analysis:

Policy OH/LU 1.2. In recognition of the community's desire to preserve the rural 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.

Consistency: The proposed development, with a minimum lot size of 1.75 acres, and average lot size of 2.15 acres will be compatible with the existing surrounding land uses in the area, will not detract from the community character and is compliant with all other aspects of the community plan.

b. That the change is compatible with surrounding uses, and will provide for a logical transition in the plan area's development. One way to accomplish this is to incorporate planned development concepts in the design of projects proposed in the area.

Consistency: The proposed development, with a minimum lot size of 1.75 acres, and average lot size of 2.15 acres will not detract from the community character. The planned development concept is proposed in order to provide a mechanism to preserve Oro Grande Wash as an open space feature while reducing the minimum lot size from 2.5 acres to 1.75 acres.

c. That the change shall not degrade the level of services provided in the area, and that there is adequate infrastructure to serve the additional development that could occur as a result of the change. Densities should not be increased unless there are existing or assured services and infrastructure, including but not limited to water, wastewater, circulation, police and fire, to accommodate the increased densities.

Consistency: All infrastructure, public facilities and services are available to serve the Project.

2020 Countywide Plan Consistency Analysis:

Policy LU-2.3. Compatibility with natural environment. We require that new development is located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.

Consistency: The Project proposes to establish a 39-acre open space lot that will conserve the natural environment in Oro Grande Wash. Additionally, the Project will minimize land alteration by employing a grading concept whereby only building pads and driveways will be graded. Mass grading approach will not be utilized.

Policy LU-2.8. Rural lifestyle in the Mountain/Desert regions. We intend that new residential development in the unincorporated Mountain and Desert regions offer a lower intensity lifestyle that complements the suburban and urban densities in incorporated cities and towns to provide a range of lifestyle options. Master planned communities in unincorporated Mountain/Desert regions may provide a broader range of lifestyles and densities.

Consistency: With the proposed minimum lot size of 1.75 acres and an average of 2.15 acres, the Project maintains the lower intensity lifestyle of the immediate surrounding community and complements the suburban and urban densities in incorporated cities and towns, providing a range of lifestyle options.

Policy NR-3.2. Residential clustering. We allow residential development to cluster housing units in order to reduce the consumption of undeveloped land, maximize the amount of open space, preserve natural resources, conform to natural topography/grade, and/or reduce exposure of structures to natural hazards.

Consistency: The Project is processing a Planned Development Permit to allow the "clustering" of residential lots with a minimum size of 1.75 acres and an average of 2.15 acres, while creating a 39-acre open space lot in the Oro Grande Wash area.

- 2. The physical characteristics of the site have been adequately assessed and the site for the proposed development is adequate in terms of shape and size to accommodate the use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features.**

Consistency: The physical characteristics of the Project site have been adequately assessed and the site for the proposed development is adequate in terms of shape

and size to accommodate the use and all landscaping, open spaces, setbacks, walls and fences, yards, and other required features.

- 3. The site for the proposed development has adequate access, in that the site design and development plan conditions consider the limitations of existing streets and highways and provides improvements to accommodate the anticipated requirements of the proposed development.**

Consistency: The site design and development plan have considered the limitations of existing streets and highways and provides improvements to accommodate the anticipated requirements of the proposed development.

- 4. Adequate public services and facilities exist, or will be provided, in compliance with the conditions of development plan approval, to serve the proposed development and the approval of the proposed development will not result in a reduction of public services to properties in the vicinity to be a detriment to public health, safety, and general welfare.**

Consistency: Adequate public services and facilities exist, or will be provided, in compliance with the conditions of development plan approval, to serve the proposed development. The approval of the proposed development will not result in a reduction of public services to properties in the vicinity or be a detriment to public health, safety, and general welfare.

- 5. The proposed development, as conditioned, will not have a substantial adverse effect on surrounding property or their allowed use, and will be compatible with the existing and planned land use character of the surrounding area**

Consistency: The proposed development, as conditioned, will not have a substantial adverse effect on surrounding property or their allowed use. The single-family residential development with minimum lot size of 1.75 acres and average lot size of 2.15 acres, along with the 39-acre open space lot in the southern portion of the Project site will be compatible with the existing and planned land use character of the surrounding area.

- 6. The improvements required by the proposed conditions of development plan approval, and the manner of development adequately address all natural and manmade hazards associated with the proposed development and the project site including fire, flood, seismic, and slope hazards.**

Consistency: The improvements required by the proposed conditions of development plan approval, including implementation of Fuel Modification Plan, Water Quality

Management Plan (WQMP) and Storm Water Pollution Prevention Plan (SWPPP), and the manner of development adequately address all natural and manmade hazards associated with the proposed development and the Project site including fire, flood, seismic, and slope hazards.

- 7. The proposed development carries out the intent of the Planned Development Permit provisions by providing a more efficient use of the land and an excellence of design greater than that which would be achieved through the application of conventional development standards.**

Consistency: The proposed Planned Development Permit results in an excellence of design greater than that which would be achieved through the application of conventional development standards in that a 39-acre open space/conservation lot is provided through the consolidation of the residential lots. Compatibility with surrounding 2.5-acre residential land uses is maintained with a proposed minimum lot size of 1.75 acres and an average lot size of 2.15 acres.

- 8. If the development proposes to mix residential and commercial uses whether done in a vertical or horizontal manner, the residential use is designed in manner that is buffered from the commercial use and is provided sufficient amenities to create a comfortable and healthy residential environment and to provide quality of life for the residents. The amenities may include landscaping, private open space, private or separated entrances, etc.**

Consistency: The Project does not propose to mix residential and commercial uses.

FINDINGS: TENTATIVE TRACT MAP 18533 [SBCC Section 87.02.060]

- 1. The proposed map, subdivision design, and improvements are consistent with the General Plan, any applicable community plan, and any applicable specific plan.**

2007 General Plan Consistency Analysis:

Goal D/CO 1. Preserve the unique environmental features and natural resources of the Desert Region including native wildlife, vegetation and scenic vistas.

Consistency: On-site open space/conservation lot in the southern portion of the Project site is proposed which will preserve unique environmental features affecting native wildlife and vegetation.

Policy D/CO 1.1. Encourage the greater retention of existing native vegetation for new development projects to help conserve water, retain soil in place and reduce air pollutants,

Consistency: The Project proposes a 39-acre open space lot which will retain native vegetation, conserve water, retain soil in place and reduce air pollutants. Additionally, the Project will not employ a mass grading approach but will grade only building pads and driveways for each residential lot.

2013 Oak Hills Community Plan Consistency Analysis:

Policy OH/LU 1.2. In recognition of the community's desire to preserve the rural 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.

Consistency: The proposed development, with a minimum lot size of 1.75 acres, and average lot size of 2.15 acres will be compatible with the existing surrounding land uses in the area, will not detract from the community character and is compliant with all other aspects of the community plan.

b. That the change is compatible with surrounding uses, and will provide for a logical transition in the plan area's development. One way to accomplish this is to incorporate planned development concepts in the design of projects proposed in the area.

Consistency: The proposed development, with a minimum lot size of 1.75 acres, and average lot size of 2.15 acres will not detract from the community character. The Planned Development concept is proposed in order to provide a mechanism to preserve Oro Grande Wash as an open space feature while reducing the minimum lot size from 2.5 acres to 1.75 acres.

c. That the change shall not degrade the level of services provided in the area, and that there is adequate infrastructure to serve the additional development that could occur as a result of the change. Densities should not be increased unless there are existing or assured services and infrastructure, including but not limited to water, wastewater, circulation, police and fire, to accommodate the increased

densities.

Consistency: All infrastructure, public facilities and services are available to serve the Project.

2020 Countywide Plan Consistency Analysis:

Policy LU-2.3. Compatibility with natural environment. We require that new development is located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.

Consistency: The Project proposes to establish a 39-acre open space lot that will conserve the natural environment in Oro Grande Wash. Additionally, the Project will minimize land alteration by employing a grading concept whereby only building pads and driveways will be graded. Mass grading approach will not be utilized.

Policy LU-2.8. Rural lifestyle in the Mountain/Desert regions. We intend that new residential development in the unincorporated Mountain and Desert regions offer a lower intensity lifestyle that complements the suburban and urban densities in incorporated cities and towns to provide a range of lifestyle options. Master planned communities in unincorporated Mountain/Desert regions may provide a broader range of lifestyles and densities.

Consistency: With the proposed minimum lot size of 1.75 acres and an average of 2.15 acres, the Project maintains the lower intensity lifestyle of the immediate surrounding community and complements the suburban and urban densities in incorporated cities and towns, providing a range of lifestyle options.

Policy NR-3.2. Residential clustering. We allow residential development to cluster housing units in order to reduce the consumption of undeveloped land, maximize the amount of open space, preserve natural resources, conform to natural topography/grade, and/or reduce exposure of structures to natural hazards.

Consistency: The Project is processing a Planned Development Permit to allow the "clustering" of residential lots with a minimum size of 1.75 acres and an average of 2.15 acres, while creating a 39-acre open space lot in the Oro Grande Wash area.

- 2. The site is physically suitable for the type and proposed density of development site.**

Consistency: The tract map includes adequate building pads, setbacks and access roads.

- 3. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.**

Consistency: All significant environmental impacts from the implementation of the Project have been mitigated to a less than significant level with the implementation of appropriate mitigation measures.

- 4. The design of the subdivision and type of improvements are not likely to cause serious public health problems.**

Consistency: The site location, the subdivision design, and the density proposed are such that hazards from flood, fire, noise and other potential public health hazards are minimal with the implementation of the proposed conditions of approval and mitigation measures.

- 5. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision.**

Consistency: The recorded map will require all necessary public rights of easements to be shown. The development will provide legal and physical access to the site with proper documentation of those access rights. The conditions of approval shall require that any easement conflicts be resolved and that statements of concurrence be provided from utility companies, whose easements may be affected by the proposed development prior to recordation.

- 6. The discharge of the sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.**

Consistency: The proposed homes will be served by on-site systems, in compliance with the Regional Water Quality Control Board.

- 7. The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities.**

Consistency: The proposed lots will provide adequate building setback guidelines for the land use. In addition, the future residences can add roof top solar as an accessory use.

8. **The proposed subdivision, its design, density and type of development and improvements conforms to the regulations of the Development Code and the regulations of any public agency having jurisdiction by law.**

Consistency: The size and shape of the proposed lots are adequate for the type of residential development proposed, and appropriate agencies (including County Surveyor, County Public Works, County Fire, County Environmental Health Services, County Building and Safety, County Special Districts and LAFCO) have all reviewed and approved the Project design, the proposed conditions and the mitigation measures.

ENVIRONMENTAL FINDINGS:

The environmental findings, in accordance with Chapter 85.03.040 of the San Bernardino County Development Code, are as follows:

Pursuant to provisions of the California Environmental Quality Act (CEQA) and the San Bernardino County Environmental Review guidelines, the above referenced project has been determined to not have a significant adverse impact on the environment with the implementation of all the required Conditions of Approval and mitigation measures. A Mitigated Negative Declaration (MND) will be adopted and a Notice of Determination (NOD) will be filed as part with the San Bernardino County Clerk's office. The MND represents the independent judgment and analysis of the County acting as lead agency for the Project.

EXHIBIT D

Initial Study/Mitigated Negative Declaration (SCH No. 2020060430)

**SAN BERNARDINO COUNTY
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
ENVIRONMENTAL CHECKLIST FORM**

This form and the descriptive information in the application package constitute the contents of Initial Study pursuant to County Guidelines under Ordinance 3040 and Section 15063 of the State CEQA Guidelines.

PROJECT LABEL:

APN: 0357-062-01-0000	USGS Quad: Hesperia and Cajon Summit, Calif.
Applicant: Bruno Mancinelli 7285 SVL BOX Victorville, CA 92392	T, R, Section: T 03N R 05W SEC 7
Project # P201700742	Community Plan: Oak Hills - Phelan
Staff: Tom Nieves, Contract Planner	LUZD: OH/RC; OH/FW
Rep	Overlays: Fire Safety 1 (FS-1)
Proposal: General Plan Amendment to change the land use designation from Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and Tentative Tract Map No. 18533 to subdivide approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.	

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services Department
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0182

Contact person: Tom Nieves, Contract Planner
Phone No: (909) 387-5036 **Fax No:** (909) 387-3223
E-mail: Tom.Nieves@lus.sbcounty.gov

PROJECT DESCRIPTION:

Summary

General Plan Amendment to change the land use designation from Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and Tentative Tract Map No. 18533 to subdivide approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

Surrounding Land Uses and Setting

Land uses on the project site and surrounding parcels are governed by the San Bernardino County General Plan/Development Code. The following table lists the existing land uses and zoning districts. The property is zoned Oak Hills/ Resource Conservation (OH/RC) and Oak Hills/Flood Way (OH/FW)). The properties to the north and east are zoned Oak Hills/Rural Living (OH/RL) and consist of single-family detached residences. The property to the west is zoned Resource Conservation (RC) and is vacant. The property to the south is zoned Oak Hills/ Resource Conservation (OH/RC) and Oak Hills/ Floodway (OH/FW) and is also vacant.

Existing Land Use and Land Use Zoning Districts		
Location	Existing Land Use	Land Use Zoning District
Project Site	Vacant	OH/RC; OH/FW
North	Single-Family Detached Residential	OH/RL
South	Vacant, Open Space	OH/RC; OH/FW
East	Single-Family Detached Residential, Vacant	OH/RL
West	Vacant, Open Space	RC

Project Site Location, Existing Site Land Uses and Conditions

The 157.4-acre project site is located on the southwest corner of Whitehaven Street and Braceo Street, in the community of Oak Hills. The proposed project consists of fifty-four (54) single-family residential lots, one (1) approximately 39-acre open space lot and two (2) lettered lots for drainage. The project is located within Oak Hills Community Plan and is zoned Oak Hills/ Resource Conservation (OH/RC) and Oak Hills/Flood Way (OH/FW)). The project site is composed of undulating hills with elevations ranging from approximately 4020 to 4200 feet, MSL.

Figure 1 View Project Location

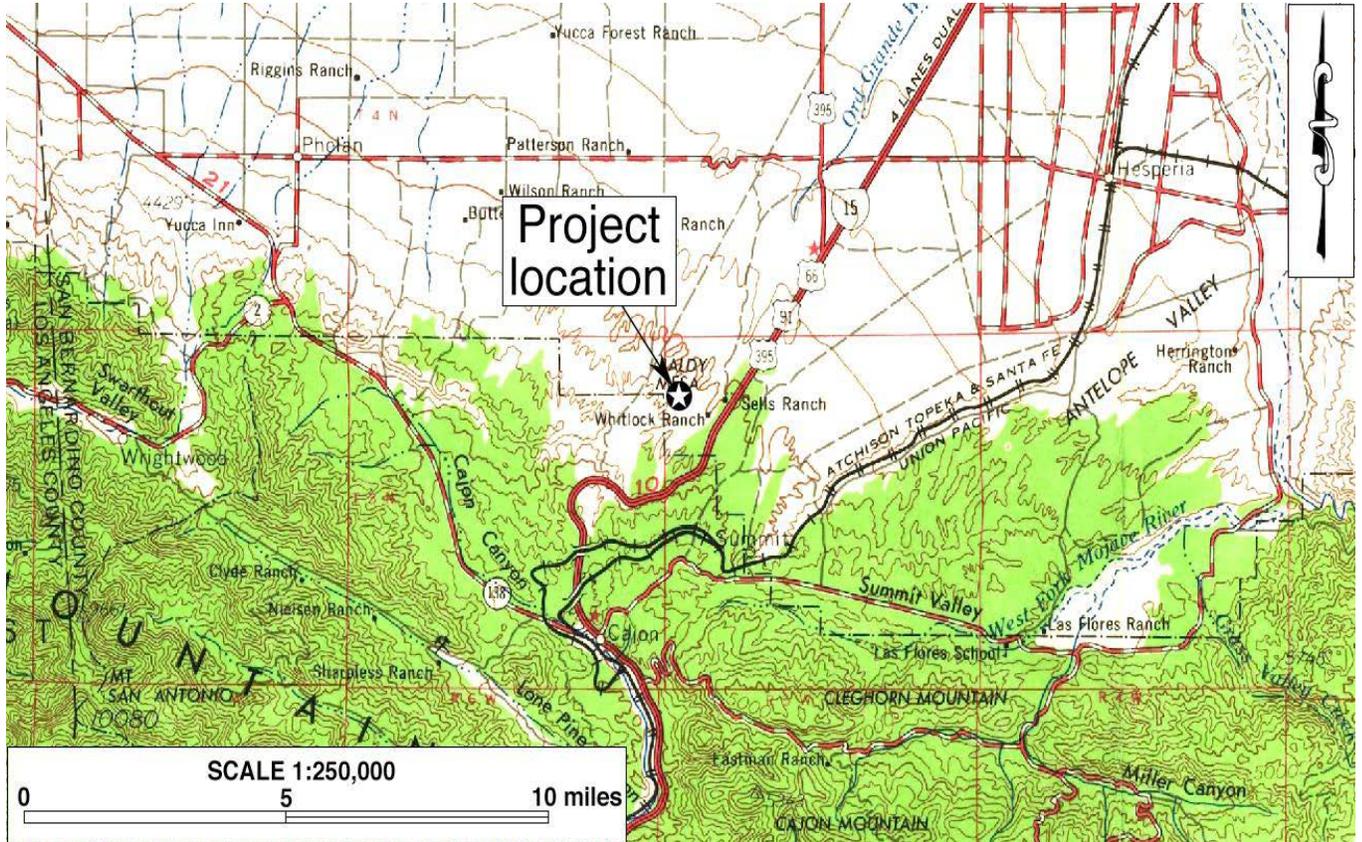


Figure 2 Aerial View of Property, Proposed Open Space Unshaded

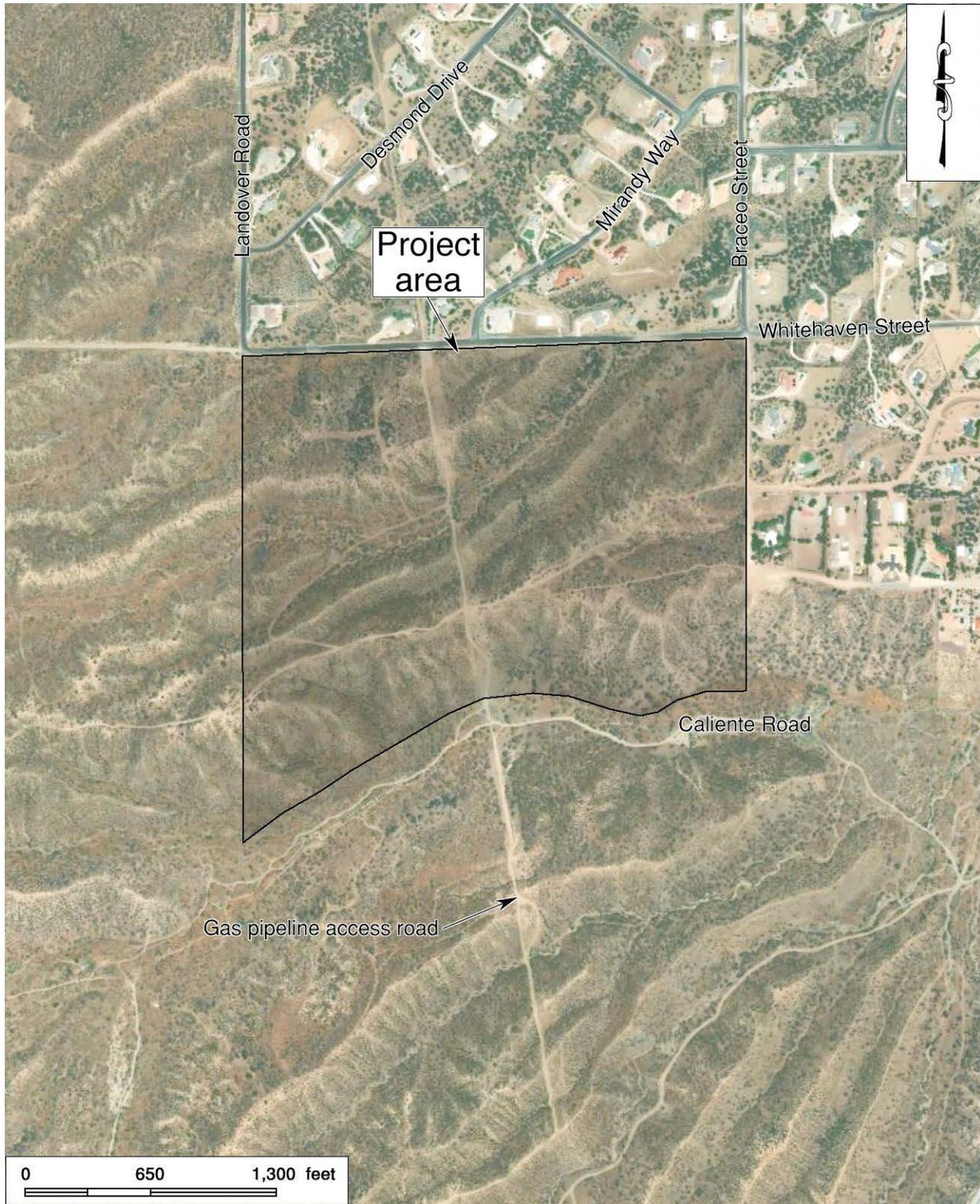
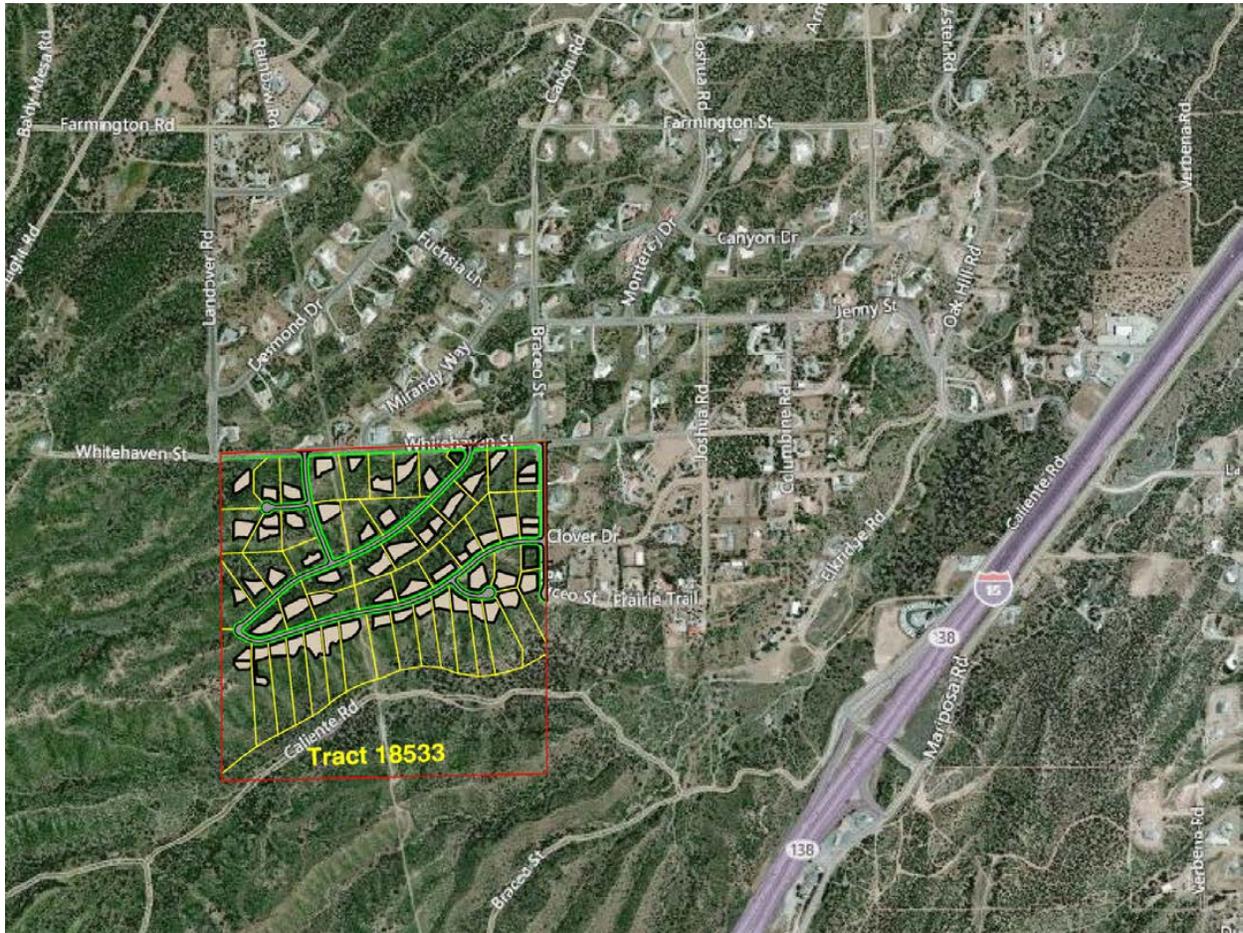


Figure 3 Overlay of Tentative Tract Map No. 18533



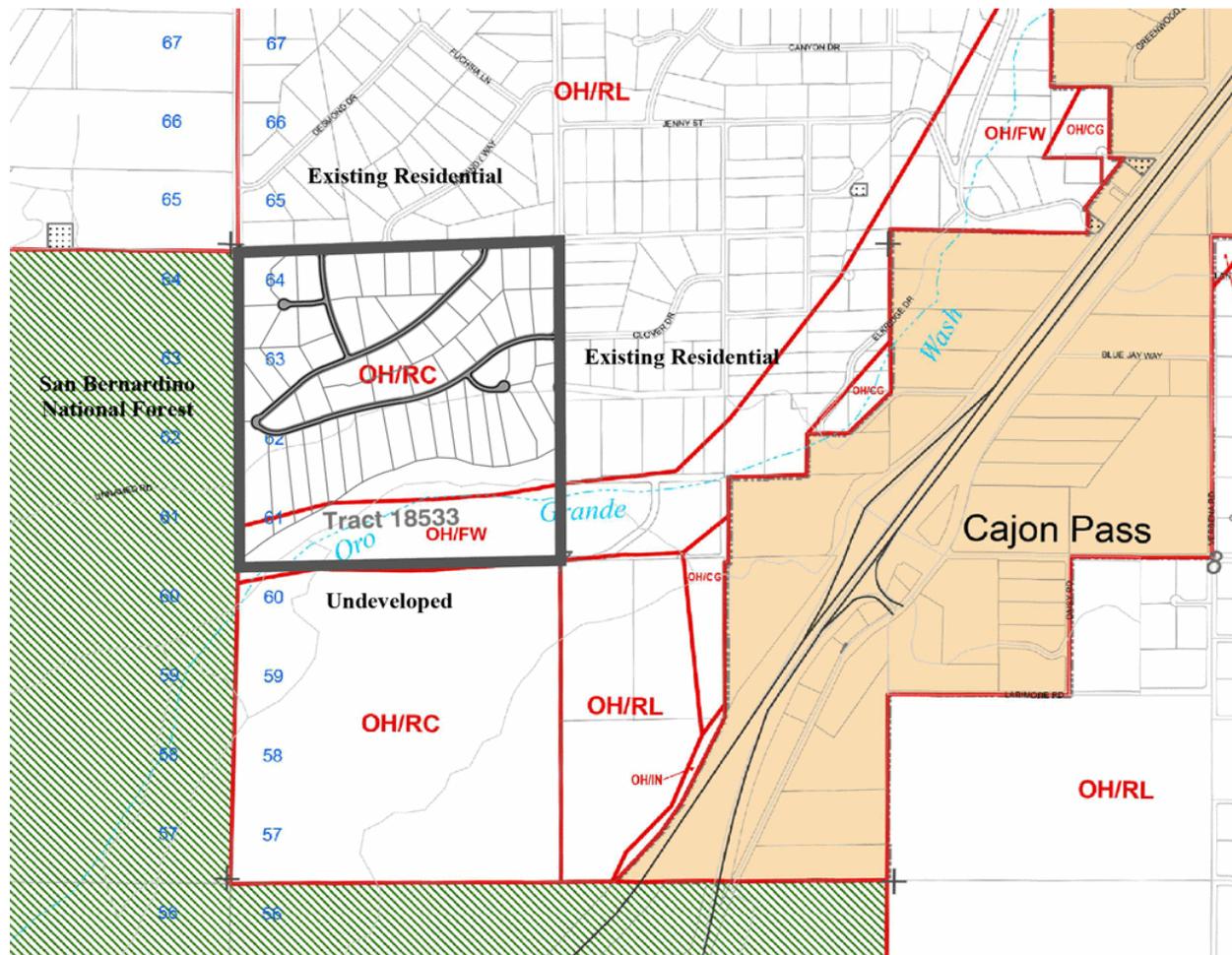


Figure 4 Land Use Designations

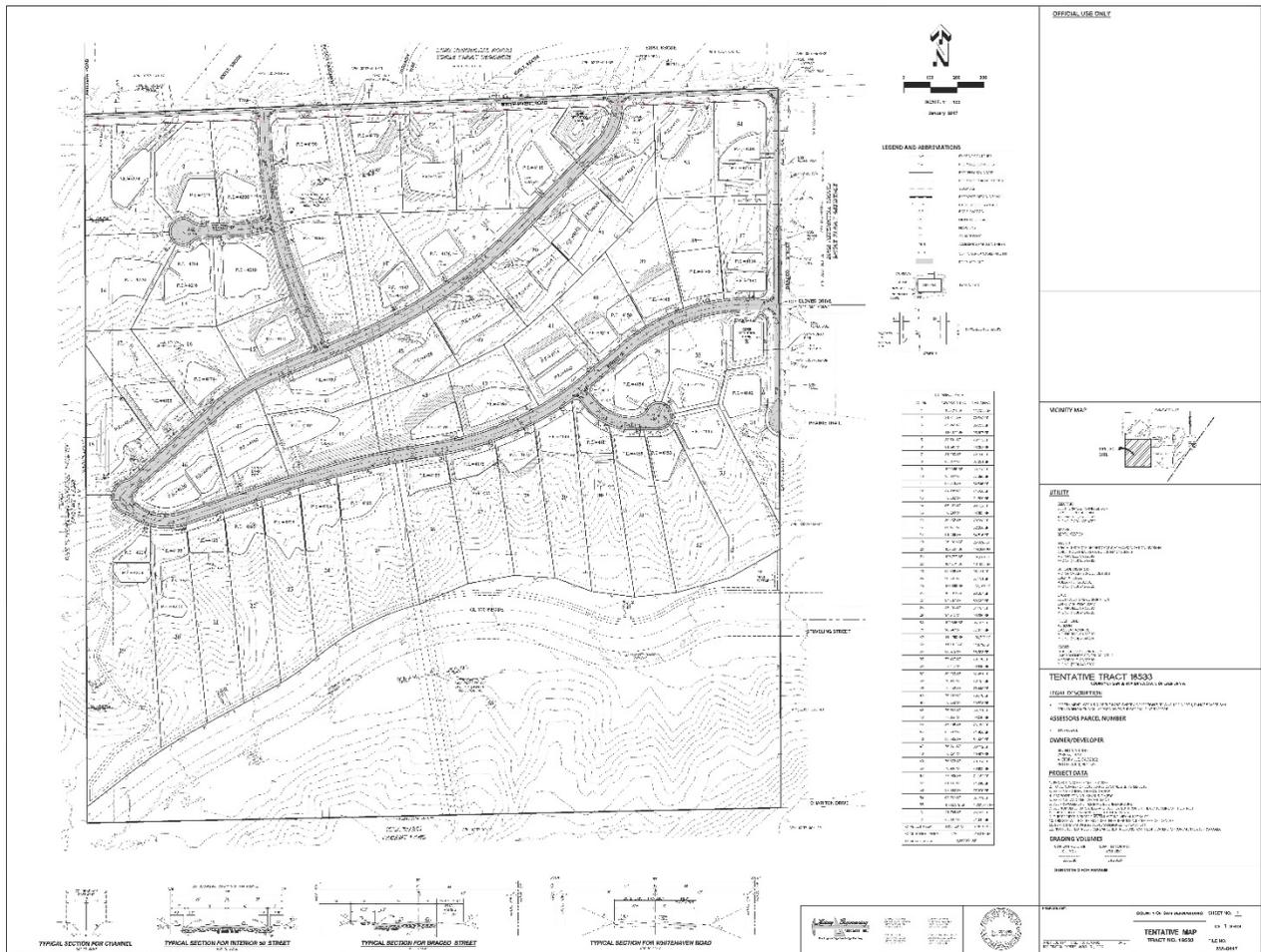


Figure 5 Tentative Tract Map No. 18533



Looking West Along Whitehaven at Northeast Corner of Property



Looking South Along Braceo Street at Northeast Corner of Property



Looking East Along Whitehaven Street at Midpoint of Northern Property Boundary

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):

Federal: N/A

State of California: CA Fish & Wildlife, Mojave Desert Air Quality Management District (MDAQMD)

County of San Bernardino: Land Use Services – Building and Safety, Traffic, Land Development Engineering – Roads/Drainage; Public Health – Environmental Health Services; Public Works, Surveyor; and County Fire

Local: N/A

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun? The required notification of affected tribes has occurred. The San Manuel Band of Mission Indians (SMBMI) has requested consultation and standard language regarding mitigation of inadvertent discovery of tribal cultural resources including human remains has been provided for future development on the site.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

EVALUATION FORMAT

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based on its effect on 20 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

1. **No Impact:** No impacts are identified or anticipated and no mitigation measures are required.
2. **Less than Significant Impact:** No significant adverse impacts are identified or anticipated and no mitigation measures are required.
3. **Less than Significant Impact with Mitigation Incorporated:** Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures)
4. **Potentially Significant Impact:** Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (List of the impacts requiring analysis within the EIR).

At the end of the analysis the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

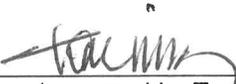
The environmental factors checked below will be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry Resources	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input checked="" type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input type="checkbox"/>	Geology/Soils	<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards & Hazardous Materials
<input type="checkbox"/>	Hydrology/Water Quality	<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Recreation	<input type="checkbox"/>	Transportation	<input checked="" type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Wildfire	<input type="checkbox"/>	Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the following finding is made:

<input type="checkbox"/>	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.
<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there shall not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.
<input type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


 Signature: (prepared by Tom Nieves, Contract Planner)

6/17/2020
 Date


 Signature: (Chris Warrick, Supervising Planner)

6/17/2020
 Date

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check if project is located within the view-shed of any Scenic Route listed in the General Plan): **San Bernardino General Plan, 2007; Submitted Project Materials**

- a) **Less than Significant Impact.** The proposed project is located directly adjacent to existing residential development of similar density to the north and east. There will not be a substantial adverse effect on the existing views of the San Gabriel and San Bernardino Mountains to the south. The project will have a less than significant impact.
- b) **Less Than Significant Impact.** The site is not adjacent to a state scenic highway. There are no protected trees, rock outcroppings, or historic buildings on the project site; therefore, the proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings.
- c) **Less Than Significant Impact.** The proposed project would not substantially degrade the existing visual character of the site and its surroundings. The proposed residential use is similar in scale and character as the existing residential uses in the immediate vicinity of the site. The proposed project would have a less than significant impact on the existing visual character and quality of the site and its surroundings.
- d) **Less than Significant Impact.** All proposed development must comply with SBCC Chapter 83.13 Sign Regulations and SBCC§ 83.07.030 “Glare and Outdoor Lighting – Desert Region”, which includes light trespass onto abutting residential properties, shielding, direction, and type. Adherence will result in a less than significant impact.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
II.	AGRICULTURE AND FORESTRY RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: (Check if project is located in the Important Farmlands Overlay):
San Bernardino County General Plan, 2007; California Department of Conservation Farmland Mapping and Monitoring Program; Submitted Project Materials

- a) **No Impact.** The California Department of Conservation, Farmland Mapping and Monitoring Program, is responsible with mapping Prime Farmland, Unique Farmland, Farmland of Statewide Importance, and Farmland of Local Importance (Farmland)

across the state. As proposed the project would not convert Farmland to non-agricultural use. There will be no impact.

- b) **No Impact.** The proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. The proposed project area is not under a Williamson Act contract. No impact is expected.
- c) **No Impact.** The proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. The proposed project area has never been designated as forest land or timberland because the site is within the desert region and does not contain forested lands. There will be no impact.
- d) **No Impact.** The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. The proposed project site is within the desert region of the county and does not contain forested lands. There will be no impact.
- e) **No Impact.** The proposed project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use. There will be no impact.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district might be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUBSTANTIATION: <i>(Discuss conformity with the Mojave Desert Air Quality Management Plan, if applicable): California Emissions Estimator Model (CalEEMod; Version 2016.3.2); Mojave Desert Air Quality Management District 2017 (MD AQMD); San Bernardino County General Plan, 2007; Submitted Project Materials</i>				

- a) **Less than Significant Impact.** A project is consistent with a regional Air Quality Management Plan (AQMP) if it does not exceed the MDAQMD daily threshold or cause a significant impact on air quality, or if the project is already included in the AQMP projection. Emissions with regional effects during project construction, calculated with the CalEEMod; Version 2016.3.2, would not exceed criteria pollutant thresholds established by the Mojave Desert Air Quality Management District (MDAQMD). Compliance with MDAQMD Rules and Regulations during construction would reduce construction-related air quality impacts from fugitive dust emissions and construction equipment emissions. Construction emissions for the proposed project would not exceed the localized significance thresholds (LSTs) at the closest existing residences north of the project site. Project construction will be limited to the grading of individual home building pads, driveway approaches and streets. No mass grading of the site will occur.

Pollutant emissions from project operation, also calculated with CalEEMod, would not exceed the MDAQMD criteria pollutant thresholds. LSTs would not be exceeded by long-term emissions from project operations. Historical air quality data show that existing carbon monoxide (CO) levels for the project area and the general vicinity do not exceed either federal or State ambient air quality standards. The proposed project would not result in substantial increases in CO concentrations at intersections in the project vicinity that would result in the exceedance of federal or State CO concentration standards.

The proposed use is consistent with the County's zoning designation for the project site and its surrounding area, which is consistent with the County's General Plan. The County's General Plan is consistent with the Southern California Association of Governments (SCAG) Regional Comprehensive Plan Guidelines and the MDAQMD Air Quality Management Plan (AQMP). Thus, the proposed project would be consistent with the regional AQMP.

- b) **Less than Significant Impact.** MDAQMD has established daily emissions thresholds for construction and operation of a proposed project in the Basin. The emissions thresholds were established based on the attainment status of the Basin with regard to air quality standards for specific criteria pollutants. Because the concentration standards were set at a level that protects public health within an adequate margin of safety (MDAQMD 2017), these emissions thresholds are regarded as conservative and would overstate an individual project's contribution to health risks.

CEQA significance thresholds for construction and operational emissions established for the Basin are shown in **Table 1** below.

Emissions Source	Table 1: Pollutant Emissions Threshold (lbs/day)					
	VOC	NO _x	CO	PM ₁₀	PM _{2.5}	SO _x
Construction Activities	75	100	550	150	55	150
Operation Activities	55	55	550	150	55	150
CO: carbon monoxide lbs/day: pounds per day NO _x : nitrogen oxides PM ₁₀ : particulate matter less than 10 microns in size			PM _{2.5} : particulate matter less than 2.5 microns in size MDAQMD: Mojave Desert Air Quality Management District SO _x : sulfur oxides VOC: volatile organic compounds			

Source: MDAQMD Air Quality Significance Thresholds.

Projects in the Basin with construction- or operation-related emissions that exceed any of their respective emission thresholds would be considered significant under MDAQMD guidelines. These thresholds, which MDAQMD developed and that apply throughout the Basin, apply as both project and cumulative thresholds. If a project exceeds these standards, it is considered to have a project-specific and cumulative impact.

c) **Less than Significant Impact.**

Sensitive receptors include residences, schools, hospitals, and similar uses that are sensitive to adverse air quality. The closest residences are within approximately 100 feet from the northern boundary of construction. **Table 2** and **Table 3** below show that the localized significance thresholds for project construction and operational emissions would not be exceeded for the existing residences near the project.

Emissions Source Construction	Table 2: Construction Localized Impact Analysis (lbs/day)			
	NO_x	CO	PM₁₀	PM_{2.5}
Construction Emissions	18.51	12.4	3.47	2.96
Localized Significance Threshold (LST)	118	750	4	4
Exceeds Threshold?	No	No	No	No

Emissions Source Operation	Table 3: Operational Localized Impact Analysis (lbs/day)			
	NO_x	CO	PM₁₀	PM_{2.5}
Operation Emissions	8.62	4.4	0.4	0.2
Localized Significance Threshold (LST)	118	750	1	1
Exceeds Threshold?	No	No	No	No

d) **Less than Significant Impact.** Construction: Heavy-duty equipment in the project area during construction would emit odors, primarily from the equipment exhaust. However, the construction activity would cease to occur after construction is completed. No other sources of objectionable odors have been identified for the proposed project, and no mitigation measures are required. The proposed uses are not anticipated to emit any objectionable odors. Therefore, objectionable odors posing a health risk to potential on-site and existing off-site uses would not occur as a result of the proposed project.

Operation: The proposed project could release localized odors. Such odors in general would be confined mainly to the project site and would readily dissipate. Therefore, objectionable odors affecting a substantial number of people would not occur as a result of the project. The impacts associated with odors would be less than significant and no mitigation measures are required.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands as (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?

SUBSTANTIATION: (Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database): **General Biological Resources Assessment, RCA Associates, LLC, June 2017; San Bernardino County General Plan, 2007 (Appendix B); Submitted Project Materials;**

- a) **No Impact.** County General Plans and development ordinances may include regulations or policies governing biological resources. For example, policies may include tree preservation, locally designated species survey areas, local species of interest, and significant ecological areas. The project site does not have trees or shrubs that could provide nesting habitat for birds; nor does it contain suitable habitat for burrowing owl. The project will not conflict with local policies or ordinances related to biological resources. The project is not within an adopted Habitat Conservation Plan area. The project will not have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.
- b) **No Impact.** This project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service because no such habitat has been identified or is known to exist on the project site. Oro Grande Wash, located in the southern portion of the project site, is considered a Traditional Navigable Water (TNA). The development plan avoids this area completely and no impact will occur.
- c) **No Impact.** This project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, because the project is not within an identified protected wetland. Oro Grande Wash, located in the southern portion of the project site, is considered a Traditional Navigable Water (TNA). The development plan avoids this area completely and no impact will occur.
- d) **No Impact.** This project will not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites, because there are no such corridors or nursery sites within or near the project site. The required building setbacks and maximum lot coverage requirements will allow for sufficient migration through the site.
- e) **No Impact.** The existing vegetation does not include trees or any plant species that are considered rare. This project will not conflict with any local policies or ordinances

protecting biological resources, such as a tree preservation policy or ordinance. There will be no impact.

- f) **No Impact.** This project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because no such plan has been adopted in the area of the project site. There will be no impact.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
V. CULTURAL RESOURCES - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check if the project is located in the Cultural or Paleontological Resources overlays or cite results of cultural resource review): **Historical/Archeological Resources Survey Report, CRM Tech, April 2018; San Bernardino County General Plan, 2007; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials**

- a) **No Impact.** In February 2019, the cultural resources records search was conducted for the project area at the South Central Coastal Information Center (SCCIC) located at California State University, Fullerton. It included a review of all recorded historic and prehistoric archaeological sites within one mile of the project, as well as a review of known cultural resource survey and excavation reports. In addition, the California State Historic Property Data File (HPD), which includes the National Register of Historic Places (National Register), California Historical Landmarks (CHL), and California Points of Historical Interest (CPHI), was searched.

Data from the SCCIC indicate that cultural resource studies previously conducted within the project area indicated that no historical/archeological resources had been identified on or adjacent to the project site. Additional studies, outside the project area but within the one-mile scope of the records search, SCCIC records reveal that at least 44 other previous studies on various tracts of land that included more than half of the project area had been prepared.

- b) **Less than Significant Impact with Mitigation.** In February and March of 2019, CRM Tech archeologists conducted intensive surveys of the project site. The property was

surveyed in systematic parallel transects spaced by approximately 15 meters (approximately 50 feet). The purpose of this survey was to identify and document, prior to the beginning of ground-disturbing activities, any cultural resources and thus also to identify any area(s) that might be sensitive for buried cultural resources. The ground surface of the entire project area was carefully examined for any evidence of human activities dating to the prehistoric or historic period. Compliance with mitigation measure **CUL-1** described below, and monitoring recommendations would reduce impacts to archaeological resources to less than significant.

- c) **Less than Significant Impact with Mitigation.** Compliance with mitigation measure **CUL-2** described below, and monitoring recommendations would reduce impacts to the inadvertent discovery of human remains to less than significant.

Mitigation Measures:

CUL 1: In the event that archaeological materials are encountered during construction, all construction work should be halted and a qualified archaeologist consulted to determine the appropriate treatment of the discovery (California Code of Regulations, Title 14, Chapter 3, Section 15064.5(f)). Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within **TCR-1 and TCR-2**, regarding any pre-contact/contact-era/historic finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

If significant cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

Monitoring: Monitoring of earthmoving activities by a qualified archaeologist and/or tribal monitor (including initial grubbing and vegetation removal) is recommended to mitigate potential impacts to undocumented archaeological resources.

CUL 2: In the event human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be Native American, the County Coroner will notify the NAHC, which will determine and notify an MLD. With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD will have the opportunity to offer recommendations for the disposition of the remains.

Monitoring: Monitoring of earthmoving activities by a qualified archaeologist and/or tribal monitor (including initial grubbing and vegetation removal) is recommended to mitigate potential impacts to undiscovered human remains.

Therefore, potential impacts are identified or anticipated and mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
VI. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: San Bernardino County General Plan, 2007; Renewable Energy and Conservation Element of the General Plan 2017; California Energy Commission Title 24

- a) **Less than Significant Impact.** Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays. The proposed project will be conditioned to comply with GHG operational standards during temporary construction. Adherence would ensure that there would not be a significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.
- b) **Less than Significant Impact.** The County of San Bernardino adopted a Renewable Energy and Conservation Element (RECE) as part of the County’s General Plan August 8, 2017. The proposed project would be required to meet Title 24 Energy Efficiency requirements. Adherence would ensure that the project would not conflict with or obstruct the recently adopted RECE or any other state or local plan for renewable energy or energy efficiency.

Therefore, no impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
VII. GEOLOGY AND SOILS - Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check if project is located in the Geologic Hazards Overlay District): **San Bernardino County General Plan, 2007; Submitted Project Materials; California Building Code; Public Resources Code;**

- a) i) **Less than Significant Impact.** The project site is not located within an official earthquake fault zone or within a quarter of a mile of a mapped fault however, all of

Southern California is subject to major earthquake activity. In terms of proximity to an active fault the impact can be considered less than significant.

ii) **Less than Significant Impact.** The subject property is within an area that is subject to severe ground shaking as is most of Southern California. Adherence to California Building Code Seismic Design Standards, Chapter 16: *Structural Design* help to assure a less than significant impact.

iii) **Less than Significant Impact.** The project site is not located in an area of high liquefaction susceptibility however, adherence to California Building Code Seismic Design Standards, Chapter 16: *Structural Design* would further assure a less than significant impact due to liquefaction.

iv) **Less than Significant Impact.** The project site is in a hillside area of the desert that could have the potential to slide during a ground disturbing event such as an earthquake. There would be less than significant impact.

- b) **Less than Significant Impact.** The near surface sandy soils may be subject to water erosion. Positive drainage should be provided around the perimeter of all structures and all foundations toward streets or approved drainage devices to minimize water infiltrating into the underlying natural and engineered fill soils. Erosion control plans and grading plans will be required to be submitted, approved, and implemented for the proposed development. A less than significant impact is expected.
- c) **Less than Significant Impact.** The project is not identified as being located on a geologic unit or soil that has been identified as being unstable or having the potential to result in on- or off- site landslide, lateral spreading, subsidence, liquefaction, or collapse. Impacts would thus be less than significant.
- d) **Less than Significant Impact.** The project site is not located in an area that has been identified by the County Building and Safety Geologist as having the potential for expansive soils. The impact would be less than significant.
- e) **Less than Significant Impact.** The project site has soils capable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. The County Environmental Health Services Department will require a percolation test prior to onsite wastewater treatment system installation. Therefore, no significant adverse impacts expected.

No significant impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
VIII. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: California Emissions Estimator Model (CalEEMod; Version 2016.3.2); Mojave Desert Air Quality Management District 2017 (MDAQMD); San Bernardino County General Plan, 2007;

- a) **Less than Significant Impact.** Construction and operation of the proposed project would generate Greenhouse Gas (GHG) emissions, with the majority of energy consumption (and associated generation of GHG emissions) occurring during the project’s operation. Typically, more than 80 percent of the total energy consumption takes place during the use of buildings and less than 20 percent of energy is consumed during construction. The following activities associated with the proposed project could directly or indirectly contribute to the generation of GHG emissions.

Construction Activities: During construction of the project, GHGs would be emitted through the operation of construction equipment and from worker and vendor vehicles, each of which typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs (e.g., CO₂, CH₄, and N₂O). Furthermore, CH₄ is emitted during the fueling of heavy equipment. Project construction will be limited to the grading of individual home building pads, driveway approaches and streets. No mass grading of the site will occur. Construction of custom homes would occur over time and further reduce impacts.

Gas, Electricity, and Water Use: Natural gas use results in the emission of two GHGs: CH₄ (the major component of natural gas) and CO₂ (from the combustion of natural gas). Electricity use can result in GHG production if the electricity is generated by combusting fossil fuel. California’s water conveyance system is energy-intensive. Water-related electricity use is 48 terawatt hours per year and accounts for nearly 20 percent of California’s total electricity consumption.

Solid Waste Disposal: Solid waste generated by the project could contribute to GHG emissions in a variety of ways. Landfilling and other methods of disposal use energy for transporting and managing the waste, and they produce additional GHGs to varying degrees. Landfilling, the most common waste management practice, results in the release of CH₄ from the anaerobic decomposition of organic materials. CH₄ is 28 times more potent a GHG than CO₂. However, landfill CH₄ can also be a source of energy. In addition, many materials in landfills do not decompose fully and the carbon that remains is sequestered in the landfill and not released into the atmosphere.

Motor Vehicle Use: Transportation associated with the proposed project would result in GHG emissions from the combustion of fossil fuels in daily automobile and truck trips. GHG emissions related to temporary construction activities are detailed in **Table 4** below.

Construction Phase	Table 4: GHG Emissions: Total Temporary Construction Emissions			Total Emissions per Phase (MT CO ₂ e/year)
	CO ₂	CH ₄	N ₂ O	
Site Preparation	1.73	0.0001	0	1.75
Grading	4.67	0.0002	0	4.71
Building Construction	71.73	0.0167	0	72.46
Paving	4.61	0.0007	0	4.69
Architectural Coatings	1.11	0.0001	0	1.11
Total Emissions for Entire Construction Process				84.72
Total Construction Emissions Amortized over 30 years				2.82

Operational Activities: Mobile source emissions of GHGs would include project-generated vehicle trips associated with typical residential average daily trips. Area source emissions would be associated with activities including landscaping and maintenance of proposed land uses, natural gas for heating, and other sources. Increases in stationary source emissions would also occur at off-site utility providers as a result of demand for electricity, natural gas, and water by the proposed project. As shown in **Table 5**, the project will result in GHG emissions of 2,232 MT CO₂e/yr, which is lower than the County DRP review standard of 3,000 MT CO₂e/yr.

Long-term operational greenhouse Gas Emissions are represented in **Table 5** below.

Source	Table 5: Pollutant Emissions (MT/yr)					
	Bio-CO ₂	NBio-CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Area	0	<0.01	<0.01	0	0	<0.01
Energy	0	53.02	53.02	<0.01	<0.01	53.08
Mobile	0	2,157.70	2,157.70	0.15	0	2,161.80
Waste	4.32	0	4.32	0.20	0	9.32
Water	0.41	6.04	6.45	0.03	<0.01	7.97
Total Project Emissions	4.73	2,216.76	2,221.49	0.38	0	2,232.17
Bio-CO ₂ : biologically generated CO ₂ CH ₄ = methane CO ₂ : carbon dioxide CO ₂ e: carbon dioxide equivalent			MT/yr: metric tons per year N ₂ O: nitrous oxide NBio-CO ₂ : non-biologically generated CO ₂ MDAQMD: Mojave Desert Air Quality Management District			

- b) **No Impact.** A project's incremental contribution to a cumulative GHG effect is not cumulatively considerable if the project complies with the requirements in a previously adopted plan or mitigation program under specified circumstances. In 2011, the County adopted the GHG Emissions Reduction Plan, and in 2016, the County adopted the GHG DRP. The GHG Emissions Reduction Plan qualifies as a plan for the reduction of GHG emissions pursuant to the State CEQA Guidelines, and the DRP is a guideline for the GHG Emissions Reduction Plan. The DRP identifies local GHG performance standards that need to be applied to the project. The proposed project incorporates all performance standards as design features. **Table 6** below details the project design features that are necessary to ensure consistency with applicable local reduction measures of the GHG Emissions Reduction Plan. With implementation of these project design features, the project would be consistent with the GHG Emissions Reduction Plan. Therefore, through consistency with a qualified Climate Action Plan (CAP), the project would generate GHG emissions that would have a less significant impact.

Table 6 County of San Bernardino GHG Emissions Reduction Plan and Development Review Process Consistency Analysis	
Performance Standard	Consistency Analysis
Energy	
<p>3.a) Meet Title 24 Energy Efficiency requirements implemented July 1, 2014. The Developer shall document that the design of the proposed structures meets the current Title 24 energy-efficiency requirements. County Planning shall coordinate this review with the County Building and Safety. Any combination of the following design features may be used to fulfill this requirement, provided that the total increase in efficiency meets or exceeds the cumulative goal (100%+ of Title 24) for the entire project (Title 24, Part 6 of the California Code of Regulations; Energy Efficiency Standards for Residential and Non Residential Buildings, as amended January 24, 2013; Cool Roof Coatings performance standards as amended January 24, 2013):</p> <ul style="list-style-type: none"> • Incorporate dual-paned or other energy-efficient windows, • Incorporate energy-efficient space heating and cooling equipment, • Incorporate energy-efficient light fixtures, photocells, and motion detectors, • Incorporate energy-efficient appliances, • Incorporate energy-efficient domestic hot water systems, • Incorporate solar panels into the electrical system, • Incorporate cool roofs/light colored roofing, • Incorporate other measures that will increase energy efficiency, • Increase insulation to reduce heat transfer and thermal bridging, 	<p>Consistent. The proposed project would comply with the requirements of the 2016 California Building Energy Efficiency Standards (Title 24, Part 6), which is more stringent than the 2014 Title 24 as specified in the GHG Emissions Reduction Plan. The requirements include measures to incorporate energy-efficient building design features detailed in Subchapter 3 (Residential Mandatory Requirements), Section 120.7 (Mandatory Insulation Requirements) and Section 120.8 (Residential Building Commissioning).</p>

<ul style="list-style-type: none"> • Limit air leakage throughout the structure and within the heating and cooling distribution system to minimize energy consumption. 	
<p>3.c) Lighting. Lighting design for building interiors shall support the use of:</p> <ul style="list-style-type: none"> • Compact fluorescent light bulbs or equivalently efficient lighting. • Natural day lighting through site orientation and the use of reflected light. • Skylight/roof window systems. • Light colored building materials and finishes shall be used to reflect natural and artificial light with greater efficiency and less glare. • A multi-zone programmable dimming system shall be used to control lighting to maximize the energy efficiency of lighting requirements at various times of the day. • Provide a minimum of 2.5 percent of the project's electricity needs by on-site solar panels. 	
<p>3.d) Building Design. Building design and construction shall incorporate the following elements:</p> <ul style="list-style-type: none"> • Orient building locations to best utilize natural cooling/heating with respect to the sun and prevailing winds/natural convection to take advantage of shade, day lighting and natural cooling opportunities. • Utilize natural, low maintenance building materials that do not require finishes and regular maintenance. • Roofing materials shall have a solar reflectance index of 78 or greater. • All supply duct work shall be sealed and leak-tested. Oval or round ducts shall be used for at least 75 percent of the supply duct work, excluding risers. • Energy Star or equivalent appliances shall be installed. • A building automation system including outdoor temperature/humidity sensors will control public area heating, vent, and air conditioning units. 	
Water	
<p>3.b) Plumbing. All plumbing shall incorporate the following:</p> <ul style="list-style-type: none"> • All showerheads, lavatory faucets, and sink faucets shall comply with the California Energy Conservation flow rate standards. 	<p>Consistent. The proposed project will install water-efficient irrigation systems and devices, low-flow plumbing fixtures, and drought-tolerant landscaping.</p>

<ul style="list-style-type: none"> • Low flush toilets shall be installed where applicable as specified in California State Health and Safety Code Section 17921.3. • All hot water piping and storage tanks shall be insulated. Energy efficient boilers shall be used. 	
<p>3.f) Irrigation. The developer shall submit irrigation plans that are designed, so that all common area irrigation areas shall be capable of being operated by a computerized irrigation system, which includes either an on-site weather station, ET gauge or ET-based controller capable of reading current weather data and making automatic adjustments to independent run times for each irrigation valve based on changes in temperature, solar radiation, relative humidity, rain and wind. In addition, the computerized irrigation system shall be equipped with flow sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head. These features will assist in conserving water, eliminating the potential of slope failure due to mainline breaks and eliminating over-watering and flooding due to pipe and/or head breaks.</p>	
Solid Waste	
<p>1.a) Waste Stream Reduction. The developer shall provide to all tenants and project employees County-approved informational materials about methods and need to reduce the solid waste stream and listing available recycling services.</p>	<p>Consistent. The proposed project will comply with California Green Building Standards Code requirements. At least 50 percent of all nonhazardous construction waste generated by the proposed project (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard) will be recycled and/or salvaged.</p>
<p>3.g) Recycling. Exterior storage areas for recyclables and green waste shall be provided. Where recycling pickup is available, adequate recycling containers shall be located in public areas. Construction and operation waste shall be collected for reuse and recycling.</p>	
Transportation	
<p>1.b) Vehicle Trip Reduction. The developer shall provide to all tenants and project employees County-approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include: participation in established ride-sharing programs, creating a new ride-share employee vanpool, designating preferred parking spaces for ride-sharing vehicles, designating adequate passenger loading and unloading for ride-sharing vehicles with benches in waiting areas, and/or providing a web site or message board for coordinating rides.</p>	<p>Consistent. The proposed project will provide commute trip reduction</p>

Area Source	
<p>1.d) Landscape Equipment. The developer shall require in the landscape maintenance contract and/or in onsite procedures that a minimum of 20% of the landscape maintenance equipment shall be electric-powered.</p>	<p>Consistent. The proposed project will provide drought-tolerant landscaping, and use electric-powered landscape maintenance equipment where possible.</p>
<p>3.e) Landscaping. The developer shall submit for review and obtain approval from County Planning of landscape and irrigation plans that are designed to include drought tolerant and smog tolerant trees, shrubs, and groundcover to ensure the long-term viability and to conserve water and energy. The landscape plans shall include shade trees around main buildings, particularly along southern and western elevations, where practical.</p>	
Education	
<p>1.c) Provide Educational Materials. The developer shall provide to all tenants and staff education materials and other publicity about reducing waste and available recycling services. The education and publicity materials/program shall be submitted to County Planning for review and approval. The developer shall also provide to all residents current transit route information for the project area in a visible and convenient location for employees and customers.</p>	<p>Consistent. The proposed project will provide transit routes materials to residents.</p>

Source: County of San Bernardino Greenhouse Gas Emissions Reduction Plan. Adopted September 2011.
 County of San Bernardino Greenhouse Gas Emissions Development Review Processes. Updated March 2015.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project result in a safety hazard for people residing or working in the project area?
- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

SUBSTANTIATION: Environmental Hazards Report, Property I.D. March 15, 2018; San Bernardino County General Plan, 2007

- a) **Less than Significant Impact.** The project would have a less than significant impact to the public or the environment through the routine transport, use, or disposal of hazardous materials. All such uses proposed on-site in the will be subject to permit and inspection by the Hazardous Materials Division of the County Fire Department and in some instances additional land use review.
- b) **Less than Significant Impact.** The project would have a less than significant impact to the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The use and storage of all hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department.
- c) **Less than Significant Impact.** Emissions and handling of hazardous or acutely hazardous materials, or substances, would have a less than significant impact on any existing or proposed schools that are within a quarter mile from the project site. The nearest school is approximately 3.50 miles Northeast of the project site.
- d) **No Impact.** The project site is not included on the San Bernardino County list of hazardous materials sites compiled pursuant to Government Code 65962.5 and therefore, will not create a significant hazard to the public or environment.
- e) **Less than Significant Impact.** The project site is not located within 2 miles of an FAA approved landing facility. The property would not be subject to some of the annoyances or inconveniences associated with proximity to airport operations, such as noise, vibration, or odors.
- f) **No Impact.** The project site is not within the vicinity or approach/departure flight path of a private airstrip. Therefore there will be no impact.
- g) **Less than Significant Impact.** The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan,

because the project has adequate access from two or more directions. The project site is within a Fire Safety 1 (FS-1) Overlay district. A Fuel Modification Plan has been prepared for review, approval and implementation.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
X. HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: *Preliminary Water Quality Management Plan,; San Bernardino County General Plan, 2007; Submitted Project Materials*

- a) **Less than Significant Impact.** The project will not violate any water quality standards or waste discharge requirements because the on-site waste water treatment systems must be approved by the County Environmental Health Services based on requirements by the Lahontan Region Water Quality Control Board.
- b) **Less than Significant Impact.** The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.
- c) **Less than Significant Impact.**
 - a.
 - i. Based on the Project Specific Water Quality Management Plan (PWQMP), and Hydrology Report both prepared by Ludwig Engineering, implementation of the proposed drainage improvements for the site would not result in substantial erosion or siltation on- or off-site.
 - ii. Although impervious surfaces will be added to the site, implementation of the proposed drainage improvements as outlined in the PWQMP and Hydrology Report would reduce impacts due to increased surface runoff and would not result in flooding on or offsite
 - iii. The proposed project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; based on the findings of the PWQMP and Hydrology Report prepared by Ludwig Engineering.
 - iv. The proposed design will not impede or redirect flood flows. Proposed alterations to the existing drainage pattern of the site will benefit current and future developments in the area. No streams or rivers have been identified onsite. LID/BMPs will provide direction of surface runoff in a manner which would prevent flooding on or off-site.
- d) **No Impact.** The project will not substantially alter any existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site because the project does not propose any alteration to a drainage pattern, stream or river. The project site will not be mass graded. Individual building pads will be designed and constructed on each lot. Individual grading plans, drainage plans and compliance with WQMP measures will be reviewed and approved by the County.
- e) **No Impact.** The proposed development will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Implementation of WQMP measures will comply with County and State requirements and all necessary improvements to efficiently supply domestic water will be implemented.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XI. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: San Bernardino County General Plan, 2007; Submitted Project Materials

- a) **No Impact.** The project will not physically divide an established community, because the project is a logical and orderly extension of the planned land uses and development that are established within the surrounding area.
- b) **Less Than Significant Impact.** The project proposes to amend the General Plan Land Use Designation. Should the amendment be approved, the conflict will be removed. There will be no conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect because the project is consistent with all applicable land use policies and regulations of the County Development Code, and General Plan. The project complies with all hazard protection, resource preservation, and land-use-modifying Overlay District regulations, including the Fire Safety 1 (FS-1) Overlay District.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XII. MINERAL RESOURCES - Would the project:				
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check if project is located within the Mineral Resource Zone Overlay): San Bernardino County General Plan, 2007; Submitted

**Project Materials; California Department of Conservation:
 Mineral Land Classification Maps**

- a) **Less than Significant Impact.** The project will not result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state.
- b) **Less than Significant Impact.** The proposed project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIII. NOISE - Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: (Check if the project is located in the Noise Hazard Overlay District or is subject to severe noise levels according to the General Plan Noise Element): **San Bernardino County General Plan, 2007; Submitted Project Materials**

- a) **Less than Significant Impact.** The proposed single-family detached residential development will not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- b) **Less than Significant Impact.** The project will not create exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels. The project is required to comply with the vibration standards of the County Development Code. No vibration exceeding these standards is anticipated to be generated by the proposed uses.

- c) **No Impact.** The proposed project is not in the vicinity of a private airstrip or an airport land use plan, or within two miles of a public airport or public use airport. There will be no impact.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIV. POPULATION AND HOUSING - Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: San Bernardino County General Plan, 2007; Submitted Project Materials.

- a) **Less than Significant Impact.** The project will not induce substantial population growth in an area either directly or indirectly. While the project is an extension of existing residential development with new homes, roads and utility extensions, the project could not induce *substantial* unplanned population growth, due to the fact that the project abuts the National Forest, prohibiting additional future population growth or the development of new homes or roads.
- b) **No Impact.** The proposed use will not displace any housing units, necessitating the construction of replacement housing because no housing units are proposed to be demolished as a result of this proposal.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XV. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: San Bernardino County General Plan, 2007; Submitted Project Materials

a) **Less than Significant Impact.** The proposed project will not result substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services, including fire and police protection, schools, parks, or other public facilities. The project shall implement a Fuel Modification Plan pursuant to Fire Safety 1 (FS-1) Overlay District requirements so as to mitigate fire potential.

The proposed development will increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services generated by this project.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVI. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: San Bernardino County General Plan, 2007; Submitted Project Materials

- a) **Less than Significant Impact.** The lot sizes proposed by the project are sufficiently large to accommodate private recreational activities, thus the project will not significantly increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- b) **Less than Significant Impact.** This project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment, because the type of project proposed will not result in an increased demand for recreational facilities.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVII. TRANSPORTATION – Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: Traffic Impact Study, DKS Associates; San Bernardino County General Plan, 2007; Submitted Project Materials

- a) **No Impact.** The future development may cause an increase in traffic. Local roads are currently operating at a level of service at or above the standard established by the County General Plan. The developer will be required to pay development impact fees as well as pay for construction of local roads to serve the project site. The project will not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.
- b) **Less than Significant Impact with Mitigation.** According to the Traffic Study prepared for the project, the existing plus project conditions at all of the study intersections are anticipated to operate at acceptable level of service (LOS) utilizing the existing and proposed intersection geometrics. County Public Works – Traffic Division has reviewed the traffic generation of the proposed project and anticipates that traffic service will remain at an LOS of “B” at the intersection of Whitehaven Street and Bracero Street during AM and PM peak hours.
- c) **No Impact.** The project will not substantially increase hazards due to a design feature or incompatible uses because the project site is adjacent to an established road that is accessed at points with good site distance and properly controlled intersections. There are no incompatible uses proposed by the project that will impact surrounding land uses.
- d) **Less than Significant Impact.** The proposed project will provide three fully-improved points of access to the project site. The project will not result in inadequate access for emergency purposes.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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XVIII. TRIBAL CULTURAL RESOURCES

- a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
 - ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall

consider the significance of the resource to a California Native American tribe?

SUBSTANTIATION: Historical/Archeological Resources Survey Report, CRM TECH, April 2018; San Bernardino County General Plan, 2007; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton

Assembly Bill (AB) 52 took effect on July 1, 2015. AB 52 requires a lead agency to make best efforts to avoid, preserve, and protect tribal cultural resources.

Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Public Resources Code section 21082.3(c) also contains provisions specific to confidentiality.

Prior to the release of the CEQA document for a project, AB 52 requires the lead agency to initiate consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if: (1) the California Native American tribe requested the lead agency, in writing, to be informed by the lead agency through formal notification of proposed project in the geographic area that is traditionally and through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation.

Tribal consultation request letters were sent to the San Manuel Band of Mission Indians, Morongo Band of Mission Indians, Colorado River Indian Tribes, Serrano Nation of Mission Indians, and the Soboba Band of Luiseno Indians. The San Manuel tribe requested consultation. The Morongo tribe deferred to the San Manuel tribe. Consultation with the San Manuel Tribe is on-going. Language has been included as mitigation for the inadvertent discovery of tribal cultural resources.

- a) **Less than Significant Impact with Mitigation.** A records search conducted in coordination with the Cultural Resources Assessment prepared by CRM TECH found that there were no listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k) within the project site. Adherence to mitigation measures TCR-1 and TCR-2 will reduce any impacts to tribal cultural resources to a less than significant level.
- b) **Less than Significant Impact with Mitigation.** The project proponent shall consider the significance of any possible resource to a California Native American tribe. With required mitigation and/or monitoring requested by tribes with ancestral interest in the project area, the impact will be reduced to a less than significant level.

Tribal comments received include protocol, and procedures in the event human remains or other cultural resources are discovered once the properties are sold and

subsequently developed. These comments will be incorporated into the projects final conditions of approval.

Mitigation Measures

TCR-1: The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact/contact-era/historic cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

TCR-2: Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIX. UTILITIES AND SERVICE SYSTEMS - Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: County of San Bernardino General Plan 2007; Submitted Project Materials

- a) **Less Than Significant Impact.** The proposed project does not exceed wastewater treatment requirements of the Regional Water Quality Control Board, Lahontan Region, as determined by County Public Health – Environmental Health Services. A 50-foot wide high pressure gas line easement to Southern California Gas Company exists in the center of the site in a north/south alignment. All development, grading and land alteration within the easement area will be avoided and an additional 25-foot building setback on each side of the easement will be established and maintained.
- b) **Less Than Significant Impact.** The project will be served by County Service Area 70 (CSA 70), Zone J. The proposed project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. The proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources.

No Impact. The project will be serviced by septic systems, as approved by the water quality district.
- d) **Less Than Significant Impact.** The project will be served by County Service Area 70 (CSA 70), Zone J. The proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources.
- e) **Less than Significant Impact.** This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area (Burrtec-Empire Disposal). The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of Assembly Bill (AB) 2176. A Construction Waste Management Plan will be prepared in two parts to show adequate handling of waste materials; disposal, reuse, or recycling as required by the County Department of Public Works Solid Waste Management Department.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XX. WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby

- expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

SUBSTANTIATION: County of San Bernardino General Plan 2007; Oak Hills Community Plan; Submitted Project Materials

- a) **No Impact.** The proposed Project would not substantially impair an adopted emergency response plan or emergency evacuation plan, there will be no impact.
- b) **Less Than Significant Impact.** The proposed project is within a Fire Safety Review Area 1 (FS-1). All construction shall adhere to all applicable standards and requirements of this overlay district, including fuel modification. Implementation of the proposed Project will not cause a significant impact due to slope, prevailing winds, and other factors, exacerbate wildfire risks, thereby exposing project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire.
- c) **Less Than Significant Impact.** Pursuant to the requirements of the FS-1 Overlay District, the proposed Project will require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities). The project is not expected to exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.
- d) **Less Than Significant Impact.** The proposed Project will not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or
-

restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?

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- a) **Less than Significant Impact.** The project site does not have trees or shrubs that could provide nesting habitat for birds; nor does it contain suitable habitat for burrowing owl. The project will not conflict with local policies or ordinances related to biological resources. The project is not within an adopted Habitat Conservation Plan area. The project will not have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.
- b) **Less than Significant Impact.** The project does not have impacts that are individually limited, but cumulatively considerable. The proximity of the National Forest limits the amount of development that can take place in the area, thus reducing the cumulative effect of the proposed project. The project will construct and install the services, infrastructure and utilities necessary to serve the project.
- c) **Less than Significant Impact.** The project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly, as there are no such impacts identified by the studies conducted for this project or identified by review of other sources or by other agencies.

All potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse effects upon the region, the local community or its inhabitants. At a minimum, the project will be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval will further insure that no potential for adverse impacts will be introduced by construction activities, initial or future land uses authorized by the project approval.

MITIGATION/MONITORING MEASURES:

CUL 1: In the event that archaeological materials are encountered during construction, all construction work should be halted and a qualified archaeologist consulted to determine the appropriate treatment of the discovery (California Code of Regulations, Title 14, Chapter 3, Section 15064.5(f)). Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within **TCR-1 and TCR-2**, regarding any pre-contact/contact-era/historic finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

If significant cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

Monitoring: Monitoring of earthmoving activities by a qualified archaeologist and/or tribal monitor (including initial grubbing and vegetation removal) is recommended to mitigate potential impacts to undocumented archaeological resources.

CUL 2: In the event human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be Native American, the County Coroner will notify the NAHC, which will determine and notify an MLD. With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD will have the opportunity to offer recommendations for the disposition of the remains.

Monitoring: Monitoring of earthmoving activities by a qualified archaeologist and/or tribal monitor (including initial grubbing and vegetation removal) is recommended to mitigate potential impacts to undiscovered human remains.

TCR-1: The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact/contact-era/historic cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

TCR-2: Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

GENERAL REFERENCES

California Department of Conservation, California Geological Survey, Mineral Resources and Mineral Hazards

County of San Bernardino 2007 Development Code

County of San Bernardino Geologic Hazards Overlays Map

County of San Bernardino Hazard Overlay Map

County of San Bernardino Identified Hazardous Materials Waste Sites List, April 1998.

County of San Bernardino, Countywide Integrated Waste Management Plan, March 1995.

San Bernardino County General Plan, 2007.

San Bernardino County General Plan, 2007; Environmental Impact Report

County of San Bernardino, Greenhouse Gas Emissions Reduction Plan, January 6, 2012.

County of San Bernardino, *San Bernardino County Storm Water Program, Model Water Quality Management Plan Guidance*.

County of San Bernardino Road Planning and Design Standards.

Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map.

Mojave Desert Air Quality Management District, CEQA Air Quality Handbook, November 1993.

U.S. Department of Agriculture, Natural Resources Conservation Service. Web Soil Survey. Available at <http://websoilsurvey.nrcs.usda.gov/>

PROJECT-SPECIFIC REFERENCES

Biological Resource Assessment, RCA Associates, LLC

Cultural Resources Assessment, CRM TECH

Preliminary Hydrology and Hydraulic Calculations, Ludwig Engineering Associates, Inc.

Preliminary Water Quality Management Plan, Ludwig Engineering Associates, Inc.

South Central Coast Information Center, California State University, Fullerton

EXHIBIT E

Correspondence

From: [Cristina Beltran](#)
To: [Nieves, Tom](#)
Subject: : Whitehaven Estates Oak Hills
Date: Friday, August 7, 2020 1:06:48 PM

Reference: Whitehaven Estates Oak Hills, Ca. **Parcel #0357-062-01-0000**

Opposed to this development project

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

I have been an Oak Hills resident for a short time. However, I want to thank you for be able to express my concern and opposition to this Whitehaven Estates project and the rezoning for this project.

I understand that this project has been denied in 2009 and as a long time resident I am requesting that this project be denied again. A major reason for purchasing my home in Oak Hills was the location and the open space that this area provided. This project will diminish this area in many ways.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

1) Increasing the density of houses from one house per 40 acres to one house per less than 2 acres. The residents of Oak Hills have fought long and hard, and will continue to fight, to protect the MINIMUM 2.5 ACRE lot size for all buildable lots in Oak Hills as noted in the Oak Hills Community Plan.

<!--[if !supportLists]-->2) <!--[endif]-->The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring evacuation. Traffic flow will increase, which will create major safety issues for this entire area. The 2 lane road will become congested, especially since this road has been known to be blocked by snow, accidents or fires. This leaves no safe route to enter or exit the area and more traffic will compound the problem

<!--[if !supportLists]-->3) <!--[endif]-->Lack of water and water pressure. The area

currently has a lack of water and poor water pressure. The addition of 54 homes will exacerbate the water situation. When this development was proposed in 2009, it was exposed that the current water well and storage tanks were insufficient to supply water to the proposed development. As of 2020 no improvements have been made to the well or the water storage. This will made the water pressure for current resident to be below acceptable standards. This area is also considered an extreme fire danger area. The recent fires we experienced in the last few years have emphasized the inadequate water system for this area.

4) We moved to this area because it is a beautiful area, this type of development will take that away. Track homes do not enhance an area like Oak Hills. These types of development bring the value of the whole area down.

As a taxpaying resident of the Oak Hills area I strongly oppose this type of development. The desert is a large area; this type of development can be done somewhere else. The High Desert has many new developments all over that have shown that this type of development creates all the issues listed above. I am confident in saying that if this type of development was proposed in your neighborhood you would feel the same way we do and request a denial.

We also understand that many residents of the area have NOT been notified of the new development and the impact it will have on the area. This is a way that the development gets done without the concerns of the taxpayers who live in this area. The Planning Commission should at least show good faith by notifying all residents of the hearing to have their concerns addressed as well as their request to stop this type of development in this area. . Allowing this developer to ignore the will of the taxpaying people and manipulate the community plan will set precedence for others to follow.

The residents of Oak Hills have made it very clear through their words, actions and community involvement that they wish to KEEP OAK HILLS RURAL. We request from you our representative to NOT approve this request.

Thank you,

Cristina Beltran

From: cutie14947@aol.com
To: [Nieves, Tom](#)
Subject: Comment on Project No. P201700742
Date: Sunday, August 9, 2020 3:50:42 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 20+ year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing my home, I paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) Increasing the density of houses from one house per 40 acres to one house per less than 2 acres.
- 2) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring evacuation. In addition we have limited maintenance to our roads and how are they going to be maintained with additional drivers on them?
- 3) Lack of water and water pressure. The area currently has a lack water and poor water pressure. The addition of 54 homes will exacerbate the water situation. We go through yearly droughts now and there is no way we can spare anymore water that is available.
- 4) Has there been any consideration of the destruction of the habitat for the kangaroo rat which is a endangered species that can be pushed to the extinction list, with this possible development.
- 5) Additional housing will put a strain on an already limited fire and police department resources that is currently available to our region.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

While there were some residents notified of this proposed zoning change, the entire community of Summit Estates should be notified as this will impact all residents. I request that the Planning Commission hearing be postponed to allow for notification of all the residents of Summit Estates and neighboring areas.

I implore you to NOT approve the request to rezone this area.

Kristen Hall
9918 Mirandy Way
Oak Hills, CA 92344

From: [saul.opie](#)
To: [Nieves, Tom](#)
Subject: Comments for Whitehaven Project APN 0357-062-01-0000
Date: Friday, August 7, 2020 8:32:45 AM
Attachments: [Opie, Whitehaven Letter 8-1-2020.pdf](#)

Dear Mr. Nieves,

Below are my comments for the proposed "Whitehaven Estates" (APN 0357-062-01-0000) rezone from RC to RL. I have attached a pdf copy also. Thank you for your time.

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I would like to express my concern and opposition to the "Whitehaven Estates, SCH No.: 2020060430" rezoning amendment from Resource Conservation (RC) to Rural Living (RL). I have three issues with this proposed project and the MND submitted, (1) the project area is a unique habitat for the high desert and a housing tract of this size would have a significant impact, (2) the MND is very misleading in regards to the ecological and wildfire topics, and (3) I do not agree that rezoning the area from RC to RL benefits a majority of San Bernardino County residents and therefore do not believe it should be rezoned. The developer knew the zoning status at the time of purchase so there is no obligation to rezone.

This is a unique habitat for the high desert area. Few places in the high desert have the plant and wildlife diversity that is found here, such as large scrub oak, manzanita, mountain mahogany, and other plant species unique to mountain desert transition regions (none of this was mentioned in the MND). This area is one of only a few areas near Interstate 15 that provides habitat or transitional habitat for numerous wildlife such as bobcats, owls, quail, deer, black bear, mountain lions, and bighorn sheep among others, all of which have been spotted here in the last two years (a review of social or print media would confirm this).

The current RC zoning is appropriate because while allowing some development it discourages (via very low density housing) any rational disturbance of the land, i.e., it wouldn't be logical for a developer to build a few homes as allowed with RC zoning and then remove or otherwise damage the remaining natural open space. The scarcity and value of the land to the citizens of San Bernardino is better served as currently zoned. The additional housing units this rezoning proposal would produce does not offset the natural habitat and general disturbance it would create, particularly when you consider the vast amount of residentially zoned land available in the high desert. This land was purchased by the developer zoned RC, I believe the burden is on the developer to show why it should be zoned RL.

Additionally, I would like to point out some omissions and factual inconsistencies in the MND submitted for this proposed project that should also be considered (some of these were mentioned in Ref. [1], which had a much less environmental impact, and arguably improved the area):

- 1) WILDFIRE, Currently the MND states "Less than Significant.": This project would have a significant impact on wildfire. All areas near this tract, and including this tract, are rated as a "High" Fire Hazard Severity Zone, see Ref. [2]. In fact, neighboring this tract to the south is a "Very High" fire zone. The proposed tract has large steep slopes and extremely high winds, that are very well known to anyone familiar with the area. All the homes in the proposed tract would be at a high risk of wildfire, particularly the southern most homes whose southern property lines would border the "Very High" risk fire region. Fighting wildfire in this area would be difficult and the increased amount of human activity from additional residents would increase the likelihood of a man-made fire event. As a final anecdote, all new residents of existing homes in this area cannot get standard residential fire insurance policies and must participate in the California FAIR plan, further substantiation that the fire risk to potential residents and current residents would be significant if this project was approved.
- 2) AESTHETICS, Currently the MND states "Less than Significant.": This project would have a significant impact on the scenic resources. Currently it is a largely untouched ~160 acre tract with abundant native plants and wildlife not common to a desert habitat. Currently large scrub oak and manzanita are present at this site in addition to other species, and single leaf pinyon pine trees are in the area (and may transition to this site if not already there). A 50+ housing tract will lead to a significant amount of grading and vegetation destruction to this area typical with residential development.
- 3) BIOLOGICAL RESOURCES, Currently the MND states "No Impact.": This project would have a significant impact on biological resources. The authors of this section of the MND are misleading readers with obvious errors. Quoting from the MND, "The project site does not have trees or shrubs that could provide nesting habitat for birds;" This is entirely false. The area has numerous large shrubs and what most would consider trees. The same shrubs in my personal property have been nesting sites for Red Tail Hawks and Barn Owls, and burrow entrances for large mammals. This project would disturb and likely displace most wildlife present in the tract and surrounding areas.

Thank you for your objective consideration of these concerns.

Sincerely,
Saul Opie, Ph.D.
High Desert Resident
760-490-4025

References:

- [1] "San Bernardino National Forest Baldy Mesa Off-Highway Vehicle Trails and Staging Area Mitigated Negative Declaration," March 2015.
 - [2] California Fire Hazard Severity Zone Viewer, <https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414>, Retrieved August 2, 2020.
- =====

Dear Tom Nieves,

August 1, 2020

I would like to express my concern and opposition to the “Whitehaven Estates, SCH No.: 2020060430” rezoning amendment from Resource Conservation (RC) to Rural Living (RL). I have three issues with this proposed project and the MND submitted, (1) the project area is a unique habitat for the high desert and a housing tract of this size would have a significant impact, (2) the MND is very misleading in regards to the ecological and wildfire topics, and (3) I do not agree that rezoning the area from RC to RL benefits a majority of San Bernardino County residents and therefore do not believe it should be rezoned. The developer knew the zoning status at the time of purchase so there is no obligation to rezone.

This is a unique habitat for the high desert area. Few places in the high desert have the plant and wildlife diversity that is found here, such as large scrub oak, manzanita, mountain mahogany, and other plant species unique to mountain desert transition regions (none of this was mentioned in the MND). This area is one of only a few areas near Interstate 15 that provides habitat or transitional habitat for numerous wildlife such as bobcats, owls, quail, deer, black bear, mountain lions, and bighorn sheep among others, all of which have been spotted here in the last two years (a review of social or print media would confirm this).

The current RC zoning is appropriate because while allowing some development it discourages (via very low density housing) any rational disturbance of the land, i.e., it wouldn't be logical for a developer to build a few homes as allowed with RC zoning and then remove or otherwise damage the remaining natural open space. The scarcity and value of the land to the citizens of San Bernardino is better served as currently zoned. The additional housing units this rezoning proposal would produce does not offset the natural habitat and general disturbance it would create, particularly when you consider the vast amount of residentially zoned land available in the high desert. This land was purchased by the developer zoned RC, I believe the burden is on the developer to show why it should be zoned RL.

Additionally, I would like to point out some omissions and factual inconsistencies in the MND submitted for this proposed project that should also be considered (some of these were mentioned in Ref. [1], which had a much less environmental impact, and arguably improved the area):

- 1) WILDFIRE, Currently the MND states “Less than Significant.”: This project would have a significant impact on wildfire. All areas near this tract, and including this tract, are rated as a “High” Fire Hazard Severity Zone, see Ref. [2]. In fact, neighboring this tract to the south is a “Very High” fire zone. The proposed tract has large steep slopes and extremely high winds, that are very well known to anyone familiar with the area. All the homes in the proposed tract would be at a high risk of wildfire, particularly the southern most homes whose southern property lines would border the “Very High” risk fire region. Fighting wildfire in this area would be difficult and the increased amount of human activity from additional residents would increase the likelihood of a man-made fire event. As a final anecdote, all new residents of existing homes in this area cannot get standard residential fire insurance policies and must participate in the California FAIR plan, further substantiation that the fire risk to potential residents and current residents would be significant if this project was approved.
- 2) AESTHETICS, Currently the MND states “Less than Significant.”: This project would have a significant impact on the scenic resources. Currently it is a largely untouched ~160 acre tract with abundant native plants and wildlife not common to a desert habitat. Currently large scrub oak and manzanita are present at this site in addition to other species, and single leaf pinyon pine trees are in the area

(and may transition to this site if not already there). A 50+ housing tract will lead to a significant amount of grading and vegetation destruction to this area typical with residential development.

- 3) BIOLOGICAL RESOURCES, Currently the MND states “No Impact.”: This project would have a significant impact on biological resources. The authors of this section of the MND are misleading readers with obvious errors. Quoting from the MND, “The project site does not have trees or shrubs that could provide nesting habitat for birds;” This is entirely false. The area has numerous large shrubs and what most would consider trees. The same shrubs in my personal property have been nesting sites for Red Tail Hawks and Barn Owls, and burrow entrances for large mammals. This project would disturb and likely displace most wildlife present in the tract and surrounding areas.

Thank you for your objective consideration of these concerns.

Sincerely,
Saul Opie, Ph.D.
High Desert Resident
760-490-4025

References:

[1] “San Bernardino National Forest Baldy Mesa Off-Highway Vehicle Trails and Staging Area Mitigated Negative Declaration,” March 2015.

[2] California Fire Hazard Severity Zone Viewer,
<https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414>, Retrieved August 2, 2020.

From: [Collette Crowell](#)
To: [Nieves, Tom](#)
Subject: Fwd: New Housing Project In west Oak Hills
Date: Wednesday, July 29, 2020 3:41:15 PM

Hello Tom,

It has been brought to our attention that a new 54 house development has been planned near the Summit Estates. My husband and I strongly disapprove of such a large Project with such a huge impact on our little bit of country. It would add to the strain of electricity grid as well as more water being used where we are already limited (or supposed to be based on states per capita of 55 gallons per person per day law), not to mention the traffic that would be added and adding countless children to already crowded classrooms. This is a small community and adding at least another 100 people (or more based in household size) is insane. There are plenty of places to build cookie cutter communities other than an established neighborhood and feel this builder needs to move on. Enough with over populating this state!

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 2 -year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county. The 92344 zip code has the highest average

household incomes in the High Desert and one of the highest average household incomes in San Bernardino County. With many residents working in law enforcement, fire departments, and with many owning their own businesses, I implore you to NOT approve the request to rezone this area.

~Collette Crowell

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a XXXX -year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county. The 92344 zip code has the highest average household incomes in the High Desert and one of the highest average household incomes in San Bernardino County. With many residents working in law enforcement, fire departments, and with many owning their own businesses, I implore you to NOT approve the request to rezone this area.

From: [Dolores Forino](#)
To: [Nieves, Tom](#)
Subject: I am sharing "TEMPLATE EMAIL IN OPPOSITION.docx" with you from WPS Office
Date: Thursday, July 30, 2020 9:19:08 AM
Attachments: [TEMPLATE EMAIL IN OPPOSITION.docx](#)

Please check the attachment

Shared from WPS Office:
<https://kso.page.link/wps>

From: [elizabeth Schuller](#)
To: [Nieves, Tom](#)
Subject: Keep oak hills rural
Date: Sunday, August 9, 2020 12:07:16 PM

I strongly oppose the 54 home development that is being considered for oak hills for several reasons:

Firstly we are rural and this development can not coexist with rural living with regards to livestock people who live in tract homes don't want to wake up to the sounds or smells of farm animals.

Secondly we don't have emergency services to cover another 54 homes we never have law enforcement patrol our neighborhoods now and it takes hours for them to respond if they respond at all

Thirdly we do not have adequate roads (or the police to enforce traffic laws)to accommodate a housing tract Jenny is the only paved thru street and the traffic is heavy fast and dangerous already ...do I need to refresh your memory 2 kids have been run over and killed on oak hills roads

Don't think to tell us you will put up stop signs because we have one at braceo and Jenny ...people don't even stop there now !!! if you add 2 cars per house we're looking at another 108 cars blowing Up and down Jenny twice a day!!! That's a death trap!! The school bus site is oak hills and Caliente

How about you come live on Jenny st and see if you want your kids to walk to the school bus Stop being greedy and put people first for a change

And lastly Higher density living will lower the values of the existing homes... look what happened with the Escondido track on the east side of the 15 All those values bottomed out

Virginia Wilson
10216 Jenny St
Oak Hills

From: [Collette Crowell](#)
To: [Nieves, Tom](#)
Subject: New Housing Project In west Oak Hills
Date: Wednesday, July 29, 2020 2:57:50 PM

Hello Tom,

It has been brought to our attention that a new 54 house development has been planned near the Summit Estates. My husband and I strongly disapprove of such a large Project with such a huge impact on our little bit of country. It would add to the strain of electricity grid as well as more water being used where we are already limited (or supposed to be based on states per capita of 55 gallons per person per day law), not to mention the traffic that would be added and adding countless children to already crowded classrooms. This is a small community and adding at least another 100 people (or more based in household size) is insane. There are plenty of places to build cookie cutter communities other than an established neighborhood and feel this builder needs to move on. Enough with over populating this state!

~Collette Crowell

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 9 year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) Increasing the density of houses from one house per 40 acres to one house per less than 2 acres.
- 2) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring evacuation.
- 3) Lack of water and water pressure. The area currently has a lack water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

While there were some residents notified of this proposed zoning change, the entire community of Summit Estates should be notified as this will impact all residents. I request that the Planning Commission hearing be postponed to allow for notification of all the residents of Summit Estates and neighboring areas.

I implore you to NOT approve the request to rezone this area.

Sincerely,

Jason & Erica Hall
9972 Mirandy Way
Oak Hills CA 92344

From: [Jason J Hall - LA](#)
To: [Nieves, Tom](#)
Subject: New housing track in Oak Hills
Date: Sunday, August 9, 2020 3:17:19 PM
Attachments: [New housing track in Oak hills.docx](#)

Not interested in a new track in our area. We wish to keep our area rural and quiet.

Thanks for your time.

Jason Hall

From: [Jon Thompson](#)
To: [Nieves, Tom](#)
Subject: oak hills
Date: Wednesday, August 5, 2020 7:44:57 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As 35 year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring and evacuation.
- 2) Lack of water and water pressure. The area currently has a lack water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

I implore you to NOT approve the request to rezone this area.

From: [Pamela Torres](#)
To: [Nieves, Tom](#)
Subject: Oak Hills Development
Date: Wednesday, July 29, 2020 2:41:03 PM

Good Afternoon Sir,

I am emailing to you out of concern as a long time Oak Hill resident regarding the proposed 54 residence development in our community that would rezone an area in the west side for a housing development. The land is currently zoned as conservation/floodway and in my opinion should remain so. We are losing more and more of our rural way of life by adding more homes, stores etc. especially without the necessary infrastructure more residents bring. Please add my name and voice to those that oppose this development. You may respond to this email if any clarification or additional information is needed.

Thank you for your time.

Pamela Torres

Sent from my iPhone

From: [Nicole Torres](#)
To: [Nieves, Tom](#)
Subject: Oak hills housing development
Date: Friday, July 31, 2020 4:28:46 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 26 -year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county. The 92344 zip code has the highest average household incomes in the High Desert and one of the highest average household incomes in San Bernardino County. With many residents working in law enforcement, fire departments, and with many owning their own businesses, I implore you to NOT approve the request to rezone this area.

Thank you,
Nicole Torres

Sent from my iPhone

From: [Barbara Degrassi](#)
To: [Nieves, Tom](#)
Subject: Oak Hills New home development
Date: Wednesday, July 29, 2020 6:16:21 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 20 -year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county. The 92344 zip code has the highest average household incomes in the High Desert and one of the highest average household incomes in San Bernardino County. With many residents working in law enforcement, fire departments, and with many owning their own businesses, I implore you to NOT approve the request to rezone this area.

Sincerely,

Barbara Degrassi

Sent from my iPad

From: jedimom246@aol.com
To: [Nieves, Tom](#)
Subject: Oak Hills Whitehaven Estates Project
Date: Saturday, August 8, 2020 2:25:06 PM

Mr. Nieves,

I am opposed to the building of 54 homes in Oak Hills. I live on Braceo Street. Twice while I have lived here we have had to evacuate due to fires. With more homes built in this area it would be harder to get out as there is one way in and one way out...not safe. Braceo has a deep hill on it. It can be dangerous going up or coming down that hill as you cannot see what is coming toward you. With that hill and a paved street it would be more dangerous in the snow. The additional traffic would be horrible. Jenny Street would become even busier and unsafe. People already speed down Jenny and Whitehave, again not safe. Please do not allow the building of these homes in Oak Hills.

Sincerely,
Susan Richmond

From: [Kolleen Dockins](#)
To: [Nieves, Tom](#)
Cc: [Hubby](#)
Subject: Oppose Whitehaven Estates
Date: Tuesday, August 4, 2020 2:26:08 PM

Good afternoon, Tom.

I know my husband, Larry Dockins, has left you messages, but I also wanted to follow up with my own e-mail.

I wanted to make sure you were aware of my opposition to the proposed Whitehaven Estates and any change in the zoning.

We live directly across the street from where the proposed area is.

Please feel free to contact myself or my husband.

Larry and Kolleen Dockins
6523 Landover Road
Oak Hills, CA 92344

Larry (909) 322-9313

Kolleen (951) 264-2344

Thanks!!

From: [Norma Armstrong](#)
To: [Nieves, Tom](#)
Subject: Opposed to changing Oak Hills community Plan Resource Conservation etc.
Date: Wednesday, July 29, 2020 5:53:49 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 20+ year resident of Oak Hills Summit Estates, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county. The 92344 zip code has the highest average household incomes in the High Desert and one of the highest average household incomes in San Bernardino County. With many residents working in law enforcement, fire departments, and with many owning their own businesses, I implore you to NOT approve the request to rezone this area.

Jim and Norma Macdonald
Monterey drive
Oak hills Ca
92344
909-230-8086
Njmacd42@yahoo.com

Sent from my iPhone

From: [Andrea Mitchel](#)
To: [Nieves, Tom](#)
Subject: Opposition Email to Rezoning of Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL)
Date: Friday, August 7, 2020 10:48:21 AM

Dear Mr. Nieves, Members of the San Bernardino Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 17-year resident of Oak Hills (10250 Farmington Street, Oak Hills, 92344), I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our 3,400-square foot home on a 2 1/2-acre property seventeen years ago, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

With this area having burned several times in the last ten years, the area is deemed as a very high fire hazard severity zone. The CEQA report stating that this area has a less than significant impact, "Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?" is absolutely ludicrous. I, along with many neighbors, have had to pay for the California Fair Plan for fire insurance. The building of an additional fifty-four homes will create a potential disaster for the residents of the Summit Estates area during an evacuation. During the Blue Cut Fire, the one route out (Jenny Street to Oak Hill Road) was gridlock. With only one egress route, the addition of 100 vehicles to the route out of the area could be deadly. This is unacceptable and should the Planning Commission and the Board of Supervisors approve of this project, they should assume personal liability for any injuries and/or deaths due to the increase in traffic during wildfire situations.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county. Many residents have the means to relocate to other areas. I implore you to NOT approve the request to rezone this area.

--

Andrea Mitchel
Mobile: 213 700-8640
FAX: 866 591-0721
Oak Hills, CA

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E-mail is covered by the Electronic Communications Privacy Act, 18 USC SS 2510-2521 and is legally privileged.

From: [Scott Tober](#)
To: [Nieves, Tom](#)
Subject: P201700742
Date: Wednesday, July 29, 2020 3:24:13 PM

Good afternoon Mr. Nieves

I had a couple of questions regarding P201700742 if you could call me.

Mr. Scott Tober

760-987-0211

@9984 Whitehaven street Oak Hills CA. 92344

[Sent from Yahoo Mail on Android](#)

From: [leann dunning](#)
To: [Nieves, Tom](#)
Subject: Please don't change oak hills zoning
Date: Thursday, August 6, 2020 5:13:08 PM

dear San Bernardino planning commission,

We like the neighborhood the way it is !!This is why we bought property in this Neighborhood!! Do you know how much traffic that would bring to the one road going to that area ?? Way to much !! We want to live that way we would've bought property in Victorville or Adelanto!!Please don't let them come in and destroy our beautiful land that sits empty there And where the wild animals like the bobcats and mountain lions are ! That many homes would bring so much traffic to our neighborhood !!

Sincerely, LeAnn Dunning
Sent from my iPhone

From: [Robert Hellebrand](#)
To: [Nieves, Tom](#)
Subject: Please Vote NO on the proposed 54-house development at the southernmost edge of Summit Estates in Oak Hills
Date: Wednesday, August 5, 2020 6:59:04 PM

I am concerned that this proposed development will adversely affect the safety and comfort of our neighborhood in Oak Hills. I live on Jenny Street, which is one of the few paved roads in the area. As such, drivers speed through our neighborhood often at rates exceeding 60 mph. With the proposed housing development, traffic will increase beyond the capacity of our area. The view that so many were promised when they bought their houses will be lost. Many people in the neighborhood are upset by this proposed development, and it would behoove the county to take their voices into consideration.

Thank you for your consideration,

Rob Hellebrand
10420 Jenny St
Oak Hills C 92344-0920

From: [ricardo long](#)
To: [Nieves, Tom](#)
Subject: Proposed Development Oak Hills
Date: Thursday, July 30, 2020 2:07:20 PM

Hello Mr Nieves,
can you please provide information on a new development by Bruno Mancinelli in Oak Hills,
Ca.

I am a resident of thai community.. thank you

R. Long

562-761-1999

ricardosbtc@gmail.com

From: [Mary Helen Wallachy](#)
To: [Nieves, Tom](#)
Subject: Proposed Land subdivision and housing development at corner of Whitehaven Street and Braceo Street in the unincorporated area of west Oak Hills in San Bernadino county on parcel number 0357-062-01-0000.
Date: Saturday, August 1, 2020 11:01:03 AM

Dear Sir,

Our family has owned land in west Oak Hills since 1983. We moved here because of the rural living and protected zoning of this area. There are endangered plants and animals in the proposed area of this housing development. Our family and the families of our friends often hike in this area. We would like to keep our neighborhood small and close knit. We do not desire any further developments that will impact our community in such a negative manner. Please consider the needs of our established community and stop this proposed project. Thank you for your consideration of this matter and all your efforts on behalf of your constituents.

Sincerely,

May Hellen Wallachy

From: [Tom Edgar](#)
To: [Nieves, Tom](#)
Subject: Proposed New Homes
Date: Saturday, August 8, 2020 5:16:24 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 22 year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring an evacuation.
- 2) Lack of water and water pressure. The area currently has a lack of water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

I implore you to NOT approve the request to rezone this area.

Thank You,
Tom Edgar

From: [Olivia Vanillo](#)
To: [Nieves, Tom](#)
Subject: Proposed New Homes
Date: Saturday, August 8, 2020 5:11:42 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a nineteen -year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring and evacuation.
- 2) Lack of water and water pressure. The area currently has a lack water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

I implore you to NOT approve the request to rezone this area.

From: [Janet Edgar](#)
To: [Nieves, Tom](#)
Subject: Proposed New Homes
Date: Saturday, August 8, 2020 5:02:32 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a resident of 21 years in Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring and evacuation.
- 2) Lack of water and water pressure. The area currently has a lack water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

I implore you to NOT approve the request to rezone this area.



From: [Tom Edgar](#)
To: [Nieves, Tom](#)
Subject: Proposed New Homes
Date: Saturday, August 8, 2020 5:16:24 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 22 year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring an evacuation.
- 2) Lack of water and water pressure. The area currently has a lack of water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

I implore you to NOT approve the request to rezone this area.

Thank You,
Tom Edgar

From: [Wendy Michnowicz](#)
To: [Nieves, Tom](#)
Subject: Proposed rezoning in Summit Estates
Date: Sunday, August 2, 2020 9:48:41 PM

Re: Proposed housing project on Braceo/Jenny, Summit Estates, Oak Hills.

We bought our house on Whitehaven in March this year. We love the open space, natural vegetation & the abundant wildlife that live in this area. It is a very quiet neighborhood, without traffic, in fact, most of the streets don't even have center lines painted on them.

The proposal to change the zoning & build 54 houses would ruin all of the above for the current residents. We take many walks out into the beautiful, uninhabited high desert off Braceo. To grade that natural terrain & build so many houses would totally disrupt the ecosystem & environment as we know it. It would be very disappointing to see our quaint neighborhood destroyed by adding so many houses, people & cars all at once. One of the major draws in purchasing this house is that the wide open high desert is only 3 properties away. This proposal would drastically change that & NOT for the better !

Please don't change our neighborhood, drive away the animals & destroy the natural vegetation.

Wendy Michnowicz

From: [Jennifer Edgar](#)
To: [Nieves, Tom](#)
Subject: Purposed New Homes
Date: Saturday, August 8, 2020 5:14:04 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 16 year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring an evacuation.
- 2) Lack of water and water pressure. The area currently has a lack of water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

I implore you to NOT approve the request to rezone this area.

Thank You,
Jennifer Edgar

From: [Andrea Mitchel](#)
To: [Nieves, Tom](#)
Cc: [Drake, Susan](#)
Subject: Question on Whitehaven Estates CEQA
Date: Sunday, August 2, 2020 6:19:37 AM

Hi Tom:

Can you provide information on the CEQA for the proposed Whitehaven Estates project?

Who does CEQAs? Is it the developer? A consulting firm?

Who verifies the information is correct in the CEQA?

I am sorry for my ignorance. I don't know much about these things, but I am learning!

Thank you.

--

Andrea Mitchel
Mobile: 213 700-8640
FAX: 866 591-0721
Oak Hills, CA

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E-mail is covered by the Electronic Communications Privacy Act, 18 USC SS 2510-2521 and is legally privileged.

From: [Omar Dy](#)
To: [Nieves, Tom](#)
Subject: RE: Opposition to rezoning from resource conservation to rural living
Date: Friday, July 31, 2020 11:39:31 AM

To whom it may concern:

I am opposed to rezoning the resource conservation to rural living to building a housing tract.
Please do not approve of this rezoning.

Thank you.

--

Omar Dy
Cell: 951 - 545 - 4704

From: [John W. Hays](#)
To: [Nieves, Tom](#)
Subject: Re: Whitehaven Estates...
Date: Saturday, August 8, 2020 9:09:56 AM

Dear Mr. Nieves,

Put me down as a NO vote!
Thank you...

Respectfully,

John W. Hays
8838 Lilac Rd.
Oak Hills

[Sent from Yahoo Mail on Android](#)

From: [Tracy ALERICH](#)
To: [Nieves, Tom](#)
Subject: Regarding the subdivision plan in Oak Hills
Date: Wednesday, July 29, 2020 2:21:21 PM

If this was to take place what would be the entry and exit points? Right now Jenny street is the ONLY paved road into the Oak Hills area your proposing, which means Jenny st will be a nightmare when we get evacuated. Which we will it happens annually. So how many cars would be trying to get through this one street!! Not liking it at all!!
Sent from my iPhone

From: [Ernest Stephen Ramirez](#)
To: [Nieves, Tom](#)
Subject: SB County Planning. Letter of Opposition for Oak Hills
Date: Saturday, August 8, 2020 10:24:46 AM
Attachments: [Letter of Opposition SB County 8-7-20.pdf](#)

Attached is a letter of opposition to the proposed rezone of open land in Oak Hills, 92344 adjacent to Whitehaven.

Thank you,
Ernest Stephen Ramirez
10250 Farmington Street

DATE: August 7, 2020

FROM: Ernest Stephen Ramirez
Oak Hills, CA 92344

TO: Tom Nieves, SB County
SB County Planning Commission
Supervisor Lovingood, County Supervisors

RE: Proposed rezone in Oak Hills, 92344. Whitehaven Estates.
Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW)

This letter is in opposition to the rezoning of the site in question. I live at 10250 Farmington Street, less than one mile from the site. There are inadequate transportation corridors to this area, the only route is Oak Hill Rd. to Jenny St. to Braceo Rd. This corridor is already experiencing an increase in traffic and dust pollution as a result of recent development (six newly constructed residences in the last year).

This is a safety concern above all else to due to the likely event that the area will come under evacuation during a wildfire event. As personally experienced during the August 16, 2016 Blue Cut fire, which nearly devastated our neighborhood. When evacuation was taking place, there was a traffic jam of cars leaving the area with only one thoroughfare out, by way of Jenny and Oak Hill Roads. Cars packed with belongings, animals and families were forced to run a gauntlet of flames along Oak Hill Road to save their lives. I never want to experience this situation again, nobody should.

This project will add 54 more residences and a minimum of 100 more vehicles travelling the thoroughfare, exceeding the original intended number of vehicles deemed reasonable and safe.

If the rezoning and housing expansion go forward, this letter may serve as evidence in a potential criminal and civil investigation as prior knowledge of danger in the event that a wildfire in this area causes widespread damage and injury/loss of life due to the inability of residences to evacuate due to limited egress routes to safety.

From: jshahnic@gmail.com
To: [Nieves, Tom](#)
Subject: South west Oak Hills
Date: Saturday, August 8, 2020 11:26:00 AM

We oppose the development. No.

Sent from my iPhone

From: [william hanssen](#)
To: [Nieves, Tom](#)
Subject: Southwest Oak Hills
Date: Saturday, August 8, 2020 11:27:04 AM

Please don't change the zoning for the all important open space and add more homes, traffic and strain on the plants and animals. No more development.

Thank you.

Bill Hanssen

Sent from my iPad

From: ladydi1948@aol.com
To: [Nieves, Tom](#)
Subject: white haven development
Date: Sunday, August 9, 2020 1:26:01 PM

I HAVE LIVED IN OAK HILLS FOR OVER 25 YEARS. HAVE SEEN MANY CHANGES EFFECTING MY LIFE. QUIET OUT HERE UNTIL THE OAK HILL HIGH SCHOOL WAS BUILT, WE NOW HAVE SO MUCH DUST I CAN HARDLY BREATHE, I AM 72. TO ADD INSULT TO ENJURY WE NOW HAVE MANHOLE COVERS FROM THE HIGH SCHOOL GOING DOWN THE MIDDLE OF THE STREET, RAISED ABOVE THE DIRT ROAD. DEVELOPERS / INVESTORS TRIED TO GET A SOLAR PROJECT BUILT ACROSS THE STREET FROM RESIDENTS OF OAK HILLS BUT PULLED OUT AFTER THE UPROAR OF THE COMMUNITY.

JUST FOUND OUT THAT A HUGE HOUSING PROJECT WAS PLANNED FOR THE WHITEHAVEN AREA. SO MANY THINGS WILL BE AFFECTED BY THIS PROPOSAL, IE: WATER, RURAL LIFESTYLE, HUGE INCREASE IN TRAFFIC ON AN ALREADY OVER USED ROADS, DUMPING OF TRASH ON EMPTY LAND AND ON AND ON. WE WERE ALL WONDERING ABOUT FIOS BEING INSTALLED OUT THERE..WHAT ??? DON'T KNOW HOW LONG THIS HAS BEEN IN THE WORKS BUT TO PUT FIOS IN SEEMS LIKE THEY ALL FEEL IT IS A DONE DEAL.

PLEASE SIR, HELP US TO MAINTAIN OUR RURAL COMMUNITY. ONCE ONE IS ALLOWED IT OPENS THE GATE FOR ALL..

THANK YOU SO MUCH .

DIANA COLVIN
8425 COYOTE TRAIL
OAK HILLS, CA

From: lbvette65@aol.com
To: [Nieves, Tom](#)
Subject: White haven estates
Date: Thursday, August 6, 2020 1:49:43 PM

Dear Sir

The development must conform to the Oak Hills Community plan as written

From: [Mike COLVIN](#)
To: [Nieves, Tom](#)
Subject: White heaven estates
Date: Thursday, August 6, 2020 8:19:42 PM

I am a resident of Oak Hills and live on Coyote Trail. I have owned this 10 acre lot since the 1980's and now have a track at Cedar and Coyote Trl. This housing track has brought nothing but crime, traffic, noise and property devaluation to my home. I strongly oppose and development in Oak Hills which violates the 2.5 acre minimum lot size. If this is allows to happen then why did we purchase here and try to be rural if you are just going to violate the rules as you go. You can contact me for more info at 602-510-6756
Sent from my iPhone

From: [Madison Turner](#)
To: [Nieves, Tom](#)
Subject: Whitehaven estates
Date: Monday, August 3, 2020 8:53:42 PM

Good evening,

I want to express my frustration in regards to the possibility of Whitehaven estates. My husband and I spent a long time researching the best area to move to, and start a family. After careful consideration we bought our home 3 years ago on Joshua Rd off of whitehaven. We chose this area because of the safe neighborhoods, and open desert land we could enjoy! Desert views are a weakness. We recently welcomed our first child, a now 5 month old little girl. We feel she is safe in our area, and I'm comfortable walking with her by myself. If whitehaven estates is approved that is more traffic in our neighborhoods, and the possibility for crime to increase. Not to mention that destroys some of the beautiful desert views we love. With everything going on in the world the idea that our safe neighborhood could change is terrifying. I also feel that morally it is unfair for someone to buy a piece of land for what I assume would be a smaller price because of its zoning, and then just being able to change the zoning on it. I pray that this developer won't get away with changing our neighborhoods for the worse, and I guarantee most if not all the citizens in our area would agree.

Thank you for your time.

Sincerely,
Madison Cleveland
(760)382-4909

From: steitzolski@aol.com
To: [Nieves, Tom](#)
Subject: Whitehaven Estates Oak Hills, Ca.
Date: Friday, August 7, 2020 10:26:10 AM

Reference: Whitehaven Estates Oak Hills, Ca. **Parcel #0357-062-01-0000**
Opposed to this development project

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

I have been an Oak Hills resident for over 20 years. I want to thank you for be able to express my concern and opposition to this Whitehaven Estates project and the rezoning for this project.

I understand that this project has been denied in 2009 and as a long time resident I am requesting that this project be denied again. A major reason for purchasing my home in Oak Hills was the location and the open space that this area provided. This project will diminish this area in many ways.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

1. Increasing the density of houses from one house per 40 acres to one house per less than 2 acres. The residents of Oak Hills have fought long and hard, and will continue to fight, to protect the MINIMUM 2.5 ACRE lot size for all buildable lots in Oak Hills as noted in the Oak Hills Community Plan.
2. The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring evacuation. Traffic flow will increase, which will create major safety issues for this entire area. The 2 lane road will become congested, especially since this road has been known to be blocked by snow, accidents or fires. This leaves no safe route to enter or exit the area and more traffic will compound the problem
3. Lack of water and water pressure. The area currently has a lack of water and poor water pressure. The addition of 54 homes will exacerbate the water situation. When this development was proposed in 2009, it was exposed that the current water well and storage tanks were insufficient to supply water to the proposed development. As of 2020 no improvements have been made to the well or the water storage. This will made the water

pressure for current resident to be below acceptable standards. This area is also considered an extreme fire danger area. The recent fires we experienced in the last few years have emphasized the inadequate water system for this area.

- 4) We moved to this area because it is a beautiful area, this type of development will take that away. Track homes do not enhance an area like Oak Hills. These types of development bring the value of the whole area down.

As a taxpaying resident of the Oak Hills area I strongly oppose this type of development. The desert is a large area; this type of development can be done somewhere else. The High Desert has many new developments all over that have shown that this type of development creates all the issues listed above. I am confident in saying that if this type of development was proposed in your neighborhood you would feel the same way we do and request a denial.

We also understand that many residents of the area have NOT been notified of the new development and the impact it will have on the area. This is a way that the development gets done without the concerns of the taxpayers who live in this area. The Planning Commission should at least show good faith by notifying all residents of the hearing to have their concerns addressed as well as their request to stop this type of development in this area. . Allowing this developer to ignore the will of the taxpaying people and manipulate the community plan will set precedence for others to follow.

The residents of Oak Hills have made it very clear through their words, actions and community involvement that they wish to KEEP OAK HILLS RURAL. We request from you our representative to NOT approve this request.

Thank you,

Raymond Steitz

From: [Debbie A. Cannon](#)
To: [Nieves, Tom](#)
Subject: Whitehaven Estates Oak Hills, CA
Date: Sunday, August 9, 2020 11:08:23 AM
Attachments: [CannonMass Whitehaven.pdf](#)

Mr. Nieves

Attachment are my comments about the project. Thank you for the opportunity to comment.

Debbie A. Cannon
Phone: (760) 553-6029

Christine Mass
Phone: (760) 998-6173

To:
Tom Nieves
tom.nieves@lus.sbcounty.gov!
San Bernardino County Planning Dept.

From:
Debbie A. Cannon and Christine Mass
10928 Lantry Lane OAK HILLS, CA. 92344

Reference: Whitehaven Estates Oak Hills, Ca.

Dear Planning Commissioners,

As residents of Oak Hills for the last 18 years we are in total agreement with the Oak Hills Property Owners Association on the Whitehaven Estates Oak Hills, CA Parcel #0357-062-01-0000

Within the last 18 years the traffic has increased on the 15 freeway (which we face) and traffic has at least doubled. The pollution from the increased number of trucks has causing fires on the 15 freeway by the side of the road at least three times in the last three months. Once was right in front of Shed World on the West side n Oak Hills.

The area in question would put an increased danger during any fire situations due to their only being one way in or out.

We appreciate the opportunity to express our concerns. Thank you for the option.

Thank you for the opportunity to express our opinion concerning the Whitehaven estates development. The OHPOA and it's members are firmly OPPOSED to this development and the requested rezoning as it has been proposed. We are opposed for the same reasons we opposed the project in 2009 and the same reasons the county denied the project at that time. This project is in conflict with the Oak Hills Community Plan at many levels and should be denied.

Reason #1: Lot size

The residents of Oak Hills have fought long and hard, and will continue to fight, to protect the MINIMUM 2.5 ACRE lot size for all buildable lots in Oak Hills as noted in the Oak Hills Community Plan. Looking at the site plan and

doing the math shows that this development does not adhere to the 2.5 acre minimum lot size requirement for all buildable lots in Oak Hills.

Reason #2: Water

When this development was first proposed in 2009, Zone J water officials stated that the existing water well and storage tanks were insufficient to supply water to the proposed development. No improvements have been made to the well or water storage, and the water table has dropped making the water supply even more limited. Zone J water also stated the elevation of the proposed homes on the higher lots would cause the water pressure to be below acceptable standards for domestic and fire sprinkler requirements.

This proposed development is in an extreme fire danger area. In recent years the NORTH fire and the BLUECUT fire burned through this property, emphasizing that a dependable water system with adequate volume and pressure must be provided to protect the lives and homes of future residents before any new development should be considered.

Reason #3 Traffic

Traffic flow from a properly sized development on to the existing streets (Bracio and Whitehaven) should not be a major problem as long as all the streets are paved and dedicated to the county. A major safety problem exists when all the traffic from Summit Estates, the surrounding homes and the additional traffic from any new development must enter and exit the area via the only maintained 2 lane road available (Jenny Street). On several occasions Jenny St. and Oakhill rd. have been blocked by snow, accidents or fires leaving no safe route to enter or exit the area. The additional traffic generated by the proposed development will intensify the problem and potentially lead to serious injury or death. A second, county maintained, road should be constructed to provide an escape route for the increased traffic.

Reason #4 Esthetics

This is a beautiful area adjacent to the national forest with diverse flora and fauna. If a housing development is constructed on this property it should be designed to enhance the charm of the landscape and not to maximize the developers profit. Attention must be paid to building with the latest in fireproof building materials and home designs that blend with the natural terrain. This proposed development does not meet any of the items listed and should be denied.

Reason #5 Oro Grande Wash

Changing the zoning designation of even part of the Oro Grande Wash to benefit one developer will have long term negative consequences. Please research the wash and it's history before taking action.

The residents of Oak Hills have made it very clear through their words, actions and community involvement that they wish to **KEEP OAK HILLS RURAL**. Allowing this developer to ignore the will of the people and manipulate the community plan will set a precedence for others to follow.

Thank You,
Oak Hills Property Owners Association

To:
Tom Nieves
tom.nieves@lus.sbcounty.gov!
San Bernardino County Planning Dept.

From:
OAK HILLS PROPERTY OWNERS ASSOCIATION
OAKHILLSPOA@EARTHLINK.NET
9765 Wisteria ct.
OAK HILLS, CA. 92344

Reference: Whitehaven Estates Oak Hills, Ca. Parcel #0357-062-01-0000

Dear Planning Commissioners,

Thank you for the opportunity to express our opinion concerning the Whitehaven estates development. The OHPOA and it's members are firmly **OPPOSED** to this development and the requested rezoning as it has been proposed. We are opposed for the same reasons we opposed the project in 2009 and the same reasons the county denied the project at that time. This project is in conflict with the Oak Hills Community Plan at many levels and should be denied.

Reason #1: Lot size

The residents of Oak Hills have fought long and hard, and will continue to fight, to protect the **MINIMUM 2.5 ACRE** lot size for all buildable lots in Oak Hills as noted in the Oak Hills Community Plan. Looking at the site plan and doing the math shows that this development does not adhere to the 2.5 acre minimum lot size requirement for all buildable lots in Oak Hills.

Reason #2: Water

When this development was first proposed in 2009, Zone J water officials stated that the existing water well and storage tanks were insufficient to supply water to the proposed development. No improvements have been made to the well or water storage, and the water table has dropped making the water supply even more limited. Zone J water also stated the elevation of the proposed homes on the higher lots would cause the water pressure to be below acceptable standards for domestic and fire sprinkler requirements.

This proposed development is in an extreme fire danger area. In recent years the **NORTH** fire and the **BLUECUT** fire burned through this property, emphasizing

that a dependable water system with adequate volume and pressure must be provided to protect the lives and homes of future residents before any new development should be considered.

Reason #3 Traffic

Traffic flow from a properly sized development on to the existing streets (Bracio and Whitehaven) should not be a major problem as long as all the streets are paved and dedicated to the county. A major safety problem exists when all the traffic from Summit Estates, the surrounding homes and the additional traffic from any new development must enter and exit the area via the only maintained 2 lane road available (Jenny Street). On several occasions Jenny St. and Oakhill rd. have been blocked by snow, accidents or fires leaving no safe route to enter or exit the area. The additional traffic generated by the proposed development will intensify the problem and potentially lead to serious injury or death. A second, county maintained, road should be constructed to provide an escape route for the increased traffic.

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This is a beautiful area adjacent to the national forest with diverse flora and fauna. If a housing development is constructed on this property it should be designed to enhance the charm of the landscape and not to maximize the developers profit. Attention must be paid to building with the latest in fireproof building materials and home designs that blend with the natural terrain. This proposed development does not meet any of the items listed and should be denied.

Reason #5 Oro Grande Wash

Changing the zoning designation of even part of the Oro Grande Wash to benefit one developer will have long term negative consequences. Please research the wash and it's history before taking action.

The residents of Oak Hills have made it very clear through their words, actions and community involvement that they wish to **KEEP OAK HILLS RURAL**. Allowing this developer to ignore the will of the people and manipulate the community plan will set a precedence for others to follow.

Thank You,
Oak Hills Property Owners Association

From: [Oak Hills POA](#)
To: [Nieves, Tom](#)
Subject: Whitehaven estates OHPOA
Date: Thursday, August 6, 2020 3:03:43 PM
Attachments: [OHPOA Whitehaven.docx](#)

Mr. Nieves, Please find a DOCX copy of this document attached to this email.
The Oak Hills Property Owners Association is a nonprofit group representing the residents of Oak Hills.

To:
Tom Nieves
tom.nieves@lus.sbcounty.gov!
San Bernardino County Planning Dept.

From:
OAK HILLS PROPERTY OWNERS ASSOCIATION
OAKHILLSPOA@EARTHLINK.NET
9765 Wisteria ct.
OAK HILLS, CA. 92344

Reference: Whitehaven Estates Oak Hills, Ca. Parcel #0357-062-01-0000

Dear Planning Commissioners,

Thank you for the opportunity to express our opinion concerning the Whitehaven estates development. The OHPOA and it's members are firmly OPPOSED to this development and the requested rezoning as it has been proposed. We are opposed for the same reasons we opposed the project in 2009 and the same reasons the county denied the project at that time. This project is in conflict with the Oak Hills Community Plan at many levels and should be denied.

Reason #1: Lot size

The residents of Oak Hills have fought long and hard, and will continue to fight, to protect the MINIMUM 2.5 ACRE lot size for all buildable lots in Oak Hills as noted in the Oak Hills Community Plan. Looking at the site plan and doing the math shows that this development does not adhere to the 2.5 acre minimum lot size requirement for all buildable lots in Oak Hills.

Reason #2: Water

When this development was first proposed in 2009, Zone J water officials stated that the existing water well and storage tanks were insufficient to supply water to the proposed development. No improvements have been made to the well or water storage, and the water table has dropped making the water supply even more limited. Zone J water also stated the elevation of the proposed homes on the higher lots would cause the water pressure to be below acceptable standards for domestic and fire sprinkler requirements.

This proposed development is in an extreme fire danger area. In recent years the NORTH fire and the BLUECUT fire burned through this property, emphasizing that a dependable water system with adequate volume and pressure must be provided to protect the lives and homes of future residents before any new development should be considered.

Reason #3 Traffic

Traffic flow from a properly sized development on to the existing streets (Bracio and Whitehaven) should not be a major problem as long as all the streets are paved and dedicated to the county. A major safety problem exists when all the traffic from Summit Estates, the surrounding homes and the additional traffic from any new development must enter and exit the area via the only maintained 2 lane road available (Jenny Street). On several occasions Jenny St. and Oakhill rd. have been blocked by snow, accidents or fires leaving no safe route to enter or exit the area. The additional traffic generated by the proposed development will intensify the problem and potentially

lead to serious injury or death. A second, county maintained, road should be constructed to provide an escape route for the increased traffic.

Reason #4 Esthetics

This is a beautiful area adjacent to the national forest with diverse flora and fauna. If a housing development is constructed on this property it should be designed to enhance the charm of the landscape and not to maximize the developers profit. Attention must be paid to building with the latest in fireproof building materials and home designs that blend with the natural terrain. This proposed development does not meet any of the items listed and should be denied.

Reason #5 Oro Grande Wash

Changing the zoning designation of even part of the Oro Grande Wash to benefit one developer will have long term negative consequences. Please research the wash and it's history before taking action.

The residents of Oak Hills have made it very clear through their words, actions and community involvement that they wish to KEEP OAK HILLS RURAL. Allowing this developer to ignore the will of the people and manipulate the community plan will set a precedence for others to follow.

Thank You,
Oak Hills Property Owners Association

From: [Angela Little](#)
To: [Nieves, Tom](#); [COB - Internet E-Mail](#)
Cc: [OHPOA](#)
Subject: Whitehaven Estates Opposition
Date: Monday, August 10, 2020 3:20:43 AM

Greetings,

I'm writing to express my opposition to the above referenced proposed project in Oak Hills, and its developer's request to re-zone the subject real property.

For a variety of reasons, property owners, including myself, enjoy their rural lifestyles. Oak Hills has a community identity and the folks who live in that area want to continue their way of life. Oak Hills is a bastion of rural living. I am very pro-development, and, in my opinion, the minimum lot sizes of two acres in this area is appropriate, given the community identity and lifestyles.

Thank you for your consideration.

Angela D. Little
Property Owner
SW corner of Topaz and Rancho
951-775-1323

From: [Larry Dockins](#)
To: [Nieves, Tom](#)
Cc: [Kolleen Dockins](#); [Erinn Dockins](#)
Subject: Whitehaven Estates P201700742
Date: Friday, July 31, 2020 5:40:22 AM

Good Morning, Tom

Please give me a call regarding the Whitehaven Estates proposed project. I looked at your link but nothing is there. I am especially concerned regarding the land use change. I want to know all of the details. My cell phone number is below.

Thanks,

Larry M. Dockins
909 322 9313

From: [Daniel deValck](#)
To: [Nieves, Tom](#)
Subject: Whitehaven Estates Project
Date: Tuesday, August 4, 2020 3:20:56 PM

Hello Sir, individually we up here in Oak Hills, CA are talking to each other about how much we Reject your New 54 Unit Housing Project in our little "kind of" City", Oak Hills.. It is a project brought on by GREED, something that even Adam Smith, the "Wealth of Nations" author would Reject without giving it a full reading.

Sir, you are putting innocent People into an Area that will be isolated, Hot, and Yes, a Nice area to live in. You and Your GREED will Haunt You your entire Spiritual Life, for taking the innocent Buyers and their Money, and putting them in a: Hot; No Water, Fire Prone; Noisy Freeway Environment.

You must be an ATHEIST with NO HEART nor SOUL to Ever Deal with. If you EVER go to Church, you will NOT be the First HYPOCRITE to do so, but the LIVES of THOUSANDS of Innocent Homeowners will be RUINED because of your GREED!!

Daniel deAvi, B.A., M.A.
Semper Fi
U.S. Marine Corps,
Combat Veteran

From: [Andrea Mitchel](#)
To: [Nieves, Tom](#)
Cc: [Drake, Susan](#)
Subject: Whitehaven Estates Question
Date: Tuesday, July 28, 2020 2:13:15 PM

Hi Tom:

Susan Drake from Supervisor Lovingood's office suggested I reach out to you to ask several questions on the proposed rezoning of the area identified for Whitehaven Estates.

I live in the northern most area of Summit Estates, so I understand why I may not have been notified. Can you provide me with the requirements for notifying residents closer to the proposed project? Can you provide information on the distance requirement?

Also, can you provide me with the process with deadlines/timelines for the approval/denial of the rezoning?

I would like to make a public comment and I am sure many of my neighbors would also like to.

Can you assist with information on how they may do so?

Can you also provide information on the possible next steps after a project is either denied or approved?

Thank you so much Tom for your time and patience.

Andrea Mitchel
10250 Farmington St, Hesperia, CA 92344

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Andrea Mitchel
Mobile: 213 700-8640
FAX: 866 591-0721
Oak Hills, CA

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From: mcfrott@aol.com
To: [Nieves, Tom](#)
Subject: Whitehaven Estates
Date: Sunday, August 2, 2020 11:27:08 AM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 15 1/2 year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county. The 92344 zip code has the highest average household incomes in the High Desert and one of the highest average household incomes in San Bernardino County. With many residents working in law enforcement, fire departments, and with many owning their own businesses, I implore you to NOT approve the request to rezone this area.

Mike & Carrie Fratt
9850 Whitehaven St
Oak Hills, CA 92344

From: [Chris Hylton](#)
To: [Nieves, Tom](#)
Subject: Whitehaven Estates
Date: Sunday, July 26, 2020 8:00:38 AM

Good morning Mr. Nieves,

I recently became aware of a proposed change in zoning, and development (SCH 2020060430), on Whitehaven Rd in Oak Hills. I'm not sure if we're in the notification area, but we did not receive any mail from the County about this.

While looking at the proposed plot map for the new development, I was unable to locate any other access to the area other than from Braceo Rd. This is a big concern for me. I live on Jenny Street, and EVERYONE that lives on Braceo, and all of the streets it serves, has to drive by my house. Adding 50+ more homes to the area will drastically increase the amount of traffic using Jenny St.

I am not opposed to new development. Perhaps the zoning can be changed to something less dense. Or, perhaps the County can establish another road to serve that area that would take some of the pressure off of Jenny Street. You already have an established right of way with Caliente Road. You just have to pave it from the freeway to Braceo.

Respectfully,

Chris Hylton
10545 Jenny St
Oak Hills CA 92344

Please send any correspondence to:

6562 Caliente Rd
PMB 129
Oak Hills, CA 92344

From: [Gary Sigler](#)
To: [Nieves, Tom](#)
Subject: Whitehaven Estates
Date: Saturday, August 8, 2020 4:59:45 PM

Thank you for the limited opportunity to express my DISAPPROVAL of the WHITEHAVEN ESTATES development. I object to this development for many reasons.

#1 It DOES NOT meet the Oak Hills requirement of a MINIMUM LOT SIZE OF 2.5 ACRES for all residential lots. 157 acres minus 39 unusable acres = 118 acres divided by 54 lots = 2.18 acres per lot minus streets and 2 retention basins is less than 2 acres per lot.

#2 Increased traffic. The addition of over 100 auto trips per day on the only county maintained 2 lane road accessing the entire area will cause major traffic problems. Especially during snow storms or fire evacuations.

#3 Insufficient Water Capacity. SB County ZoneJ water has told us that the water system that was designed for Summit Estates almost 30 years ago does not have the capacity to handle the increased demand of 54 more houses.

I could go on but I think you get my point. PLEASE DO NOT APPROVE THIS DEVELOPMENT AS SUBMITTED

Thank You,
Gary Sigler
9765 Wisteria Ct
Oak Hills, Ca. 92344

To: Tom Nieves
San Bernardino County Planning Dept.

Reference: Whitehaven Estates Oak Hills, Ca. **Parcel** #0357-062-01-0000

Dear Planning Commissioners,

I am **OPPOSED** to the Whitehaven Estates Development in Oak Hills for several reasons. First reason is the lot size. In Oak Hills, the minimum lot size is 2.5 acres and according to this Whitehaven Estates Development the lot sizes would not adhere to the Oak Hills Community Plan. The residents of Oak Hills have always fought to keep the lot sizes at 2.5 acres or above. This is especially important to the residents and in most cases is the sole reason homeowners bought homes in this area. For me personally, I drive down the hill everyday and fight traffic for 1 ½ hours to 2 hours each way because I love the area I am in and love the idea of having a big home on 2.5 acres. I am able to have my animals and enjoy this rural lifestyle and to put a housing tract comprised of homes on less than 2.5 acres is not acceptable and not the reason why I moved up here. If I wanted that lifestyle, I would have stayed down the hill. Most people in Oak Hills want Oak Hills to stay rural and we want the extra land and we do make sacrifices. I do not agree with a housing tract made up of cookie cutter houses on less than 2.5 acres and this is exactly what this housing tract will bring.

The second reason for being opposed to the Whitehaven Estates Development is that we fought against this in 2009 and nothing has changed with either the land, the capability to sustain this large housing tract and people have not changed. Our ideals and our desire to maintain this rural lifestyle has not changed. We are still opposed to this development as we were in 2009.

The third reason is the water. In 2009 we did not have the water capabilities for this large housing tract, our water wells and storage tanks could not accommodate a housing tract, and this has not changed. We have not made improvements to the water wells or storage tanks and we still CANNOT accommodate a housing tract. No improvements made by Whitehaven Estates Developers can change this. If any improvements are made, it would disrupt the wildlife in the area and it would still cause problems for homes located at the lower levels as the water pressure would drop and make it unsafe for those homeowners and subject them to a higher fire hazard. These homeowners would suffer financially in that they would be responsible for higher taxes which include a fire tax and they could potentially not be able to get homeowners insurance because of the lack of water pressure to properly alleviate any fire dangers in the future. The sprinkler systems pressure would be less, and the fire hydrants could possibly have less water pressure.

The Fourth reason is the fire danger. We have been the subject of two major fires in this area, the North Fire, and the Blue Cut Fire. Both fires burned through this property and with the water issues stated above, everyone would lose their homes. Assuming the homeowners were able to acquire adequate insurance for the property so that they could rebuild, they would be denied insurance in the future. There is not enough water supply to protect this area. It would cost the state and the County millions of dollars if a fire ripped through this area. It will happen and this

housing tract will not have the protection that it needs.

A fifth reason would be increased traffic in this area. We are subjected to snow and rain every year and along with that comes increased traffic in the area, accidents and roads being shut down. Just this last year on Thanksgiving we had a huge snow fall which basically shut down the Cajon Pass and there was major gridlock in the area. If you add more people and more cars to this mix, more accidents will happen, and more people will be stranded on our local streets with limited means for emergency personnel and tow trucks to get to people. We also had a major snowstorm at Christmas time, and this was just this last year. The weather in unpredictable and I know as I stated earlier in this letter, I drive up and down the Cajon Pass everyday and I know the traffic problems and weather problems that do exist and can exist. This is another reason why this Whitehaven Estates Development is not a good idea for Oak Hills.

The sixth reason this development should be denied is that it will affect the aesthetics of the area. Oak Hills is a beautiful area and I personally enjoy waking up every morning to a beautiful view of the mountains and the Cajon Pass especially in the wintertime with the snow. To construct a housing tract in the Oak Hills area it would need to be constructed in such a way as to preserve the natural beauty of the surrounding area with desert landscaping, fireproof roofing materials, etc. and this development does not address these issues. We live in Oak Hills for the beauty of the surrounding area. Lots will not be spaced out and if Whitehaven Estates is allowed to happen, it will be just one more generic housing tract with no appeal. You can get these housing tracts down the hill or in other areas of the high desert but not in Oak Hills. We are a rural community and want to continue to maintain is as such.

I strongly object to the Whitehaven Estates Development and want all the Planning Commissioners and the entire Board of Supervisors to know that Oak Hills Property Owners do not want a housing development in Oak Hills. We live in Oak Hills because it is rural and for me personally, I sacrifice a lot of time traveling down to work everyday but the trade off is well worth it for me. It is beautiful here, I love having all of my animals, I love the space and yes, it is hard work keeping up your property, but the benefits far outweigh the hassles. I am not alone; my fellow residents are on the same page and allowing this development and changing our community plan is not what the people want. You will be destroying this place by allowing this development to be approved. **We want to KEEP OAK HILLS RURAL!**

Oak Hills Property Owners are very united, and we know what we want, and we do not want change to the Oak Hills Community Plan, and we do not agree to any rezoning changes. As the Board of Supervisors will remember, we fought to keep a Solar Project out of Oak Hills, and we won. We came together as a community and we will do it again!

I ask that you not approve this development and **KEEP OAK HILLS RURAL!**

Thank You,

Lisa Marie Williams
13822 Mission Street
Oak Hills, Ca 92344

From: [Lisa Marie Williams](#)
To: [Nieves, Tom](#)
Subject: Whitehaven Estates-Proposed Development
Date: Sunday, August 9, 2020 2:39:11 PM
Attachments: [Letter to Planning Commission1.docx](#)

Dear Mr. Nieves and the Board of Supervisors,

I have attached my letter in reference to the Whitehaven Estates Proposed Development in Oak Hills, Ca.

I strongly object to this project for the reasons outlined in my letter.

Thank you in advance for your time reading my letter and your cooperation in this matter.

Thank you,

Lisa Marie Williams

From: Rhall50202@aol.com
To: [Nieves, Tom](#)
Subject: Whitehaven housing development
Date: Friday, August 7, 2020 1:03:22 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 27 -year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) Increasing the density of houses from one house per 40 acres to one house per less than 2 acres.
- 2) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring evacuation.
- 3) Lack of water and water pressure. The area currently has a lack water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

While there were some residents notified of this proposed zoning change, the entire community of Summit Estates should be notified as this will impact all residents. I request that the Planning Commission hearing be postponed to allow for notification of all the residents of Summit Estates and neighboring areas.

I implore you to NOT approve the request to rezone this area.

Randy and Stephanie Hall
6657 Landover rd
Oak Hills, Ca. 92344

From: baranthia@aol.com
To: [Nieves, Tom](#)
Subject: Whitehaven plan to change zoning
Date: Thursday, August 6, 2020 7:25:47 PM

Hi there. My name is Laura Capehart and I must admit that my husband and I are concerned that the changing of zoning will take away from the rural feel we have here in Oak Hills. One of the nice features of limiting the property size to no less than 2 1/2 acres is the ability to have larger amounts of livestock and enough acreage not to have to live on top of your neighbor as in the city's. Not to mention the water situation out here. I do believe there is still enough land out here that the 2 1/2 acre rule should still apply.

Therefore we are against the Whitehaven request to change the zoning to less than 2 1/2 acres.

Thank you,

Paul and Laura Capehart
13023 Mesquite St.
Oak Hills

Sent from AOL Mobile Mail

From: [Teresa Freeman](#)
To: [Nieves, Tom](#)
Subject: Whiteheaven estate project
Date: Sunday, August 2, 2020 11:16:17 AM

Hi

I disagree with this project I bought here in 1999 and have a home on 2.5 acres like everyone else because the area was a rural area and was to remain that Brcause of min lot size.

Each time big lots come up for sale builder threaten are community trying to make a lot of money by subdividing these properties to build

On with less then 2.5 acres . I had a builder across from me sub- divide a 5 acre lot into 2 narrow lots where he bought for 69,000 and put these lots up for sale 230,000 the county dismissed the residents objections because they would make more money . The lots still remain empty because that was poor decision on the builder who bought and the country because these lot was a better building site due to flooding and house location on 5 acres and fit the lot sizes for oak hill estate.

Buy putting more house you are taking away from the residents rights to live in a rural are on which we all bought into years ago . I would agree to each lot bring 2.5 acre lots but not on anything less

Teresa Freeman
6871 bracro Street
Oak Hill ca 92344
909-851-7231 cell

From: [Judith Gouger](#)
To: [Nieves, Tom](#)
Subject: Zoning change - Whitehaven Estates
Date: Thursday, August 6, 2020 9:50:49 PM

It has come to our attention that a zoning change has been submitted to the County for the building of homes to be located in the area of Oak Hills at Whitehaven and Braceo named Whitehaven Estates. As long-time residents of Oak Hills, we would like to register our objection to this change.

Our objection is to the increased density of the housing at less than the 2.5 acre minimum lot size as set forth in the Oak Hills Community Plan. There are other concerns, including limitations of the water supply to the area, fire danger in the area, increased traffic, and more.

Please respect the wishes of the Oak Hill residents to keep the area rural as set forth in the Oak Hills Community Plan.

.Thank You,

From: [Elaine Chambler](#)
To: [Nieves, Tom](#)
Subject: Zoning Change Oak Hills CA
Date: Friday, August 7, 2020 1:05:32 PM

Mr. Nieves, San Bernardino County Planning Commission, Supervisor Lovingood & Board of Supervisors :

Thank you for this opportunity to express our opposition to the proposed homes @ Whitehaven & Braceo, 92344, named Whitehaven Estates.

As a resident of Oak Hills since July 2010, my husband Bob Chambler & I are opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) & Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) & the subdivision of approximately 155 acres into 54 residential lots, 1 open space lot & 2 lettered detention basin lots.

When purchasing our land & building our dream home, we paid a premium price due to the location & proximity to open space. The OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC & OH/FW to OH/RL for the following reasons:

1. The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring evacuation.
2. Lack of water & water pressure. The area currently has a lack of water & water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, & causing safety issues for those walkers, hikers, runners, & joggers, enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county or State.

I implore you to NOT approve the request to rezone the area.

Respectfully,
Elaine Chambler & Bob Chambler
echambler@verizon.net
controlledclimate@msn.com
Sent from my iPad

Reference: Whitehaven Estates Oak Hills, Ca. Parcel #0357-062-01-0000

Dear Planning Commissioners,

I AM OPPOSED to this development and the requested rezoning. I opposed the project in 2009. The county also denied the project at that time. This project is in conflict with the Oak Hills Community Plan and again should be denied.

The project doesn't require 2.5 acre minimum **lot size** now required for all build able lots in Oak Hills.

There is **insufficient supply water** for the proposed development. The stated elevation of the proposed homes on the higher lots would cause the **water pressure** to be below acceptable standards for domestic and fire sprinkler requirements.

Water pressure must be provided as this proposed development is in an extreme **fire danger** area.

This development would cause **Traffic flow** problems.

One of the reasons why we chose to move to this area was due to the location and proximity to open space. This development **would not blend** with the natural terrain or **Country Living** desired by the Oak Hills residence.

Your decision regarding the approval or denial of the request to rezone this area should once again mirror the Commissions decision in 2009 to deny the project and rezoning.

Your vote will have a great impact on our **Country Living Community**. We wish to **KEEP OAK HILLS RURAL**.

I implore you **NOT** to approve the request to rezone this area.

Patricia Williams
13822 Mission Street
Oak Hills, CA 92345

From: [Mdr Racing](#)
To: [Nieves, Tom](#)
Subject: ZONING PARCEL #0357-062-01-0000
Date: Saturday, August 8, 2020 8:40:58 PM
Attachments: [2020 zoning response.doc](#)

Against rezoning. See Attached letter.

Patricia Williams
13822 Mission St.
Oak Hills, CA 92345

EXHIBIT F

Conditions of Approval

CONDITIONS OF APPROVAL:

Whitehaven Estates
Planned Development and Tentative Tract 18533

GENERAL REQUIREMENTS

Conditions of Operation and Procedures

Land Use Services – Planning (909) 387-8311

1. Project Approval Description. Planned Development Permit (PDP) that includes a preliminary and final development plan for a 54-unit single family residential project with a 39-acre open space conservation lot for the Oro Grande Wash and two lettered lots for detention basins, and Tentative Tract Map 18533, to subdivide approximately 155-acres into fifty-four single-family residential lots, one open space lot and two lettered detention basin lots. This project is approved to be constructed and operated in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the Conditions of Approval, the approved PDP and Tentative Tract Map, and all other required and approved reports.

The developer shall provide a copy of the approved conditions and the site plan to every current and future Project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project Site.

APN: 0357-062-01; Project No: P201700742/PROJ-2020-00147.

2. Concurrent Filings. The project includes a General Plan Amendment to change the Land Use Zoning District from Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Community Plan Floodway (OH/FW) to Oak Hills Rural Living (OH/RL).
3. Project Location. The project is located at the southwest corner of Braceo Street and Whitehaven Street in the Community of Oak Hills (1st supervisorial District).
4. Revisions. Any proposed change to the approved Tentative Tract Map and/or the conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Planning for review and approval.
5. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its “indemnitees” (herein collectively the County’s elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

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

attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

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

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

6. Expiration. This conditional approval shall become null and void unless all conditions have been completed and the Tentative Map has been deemed complete by the County Surveyor for purposes of recordation within thirty-six (36) months following the effective approval date, unless an extension of time is granted.

PLEASE NOTE: This will be the ONLY notice given of the approval expiration date. The "developer" is responsible for initiation of any extension request.

7. Continuous Effect/Revocation. All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner, developer or other interested party to correct the non-complying situation.
8. Extension of Time. Where circumstances cause delays, which do not permit compliance with the required recordation time limit, the developer may submit for review and approval an application requesting an extension of time. County Planning may grant such requests for extensions of time in compliance with the State Map Act Section 66452.6. An Extension of Time may be granted upon a successful review of an Extension of Time application, which includes a justification of the delay in recordation, a plan of action for completion and submittal of the appropriate fee, not less than 30 days prior to the expiration date. The granting of an extension request is a discretionary action that may be subject to additional or revised conditions of approval.
9. Project Account. The Project account number is PROJ-2020-00147. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works and County Counsel). Upon notice, the "developer" shall deposit additional funds to maintain or return the account to a positive balance. The "developer" is responsible for all expenses charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 shall be in the project account at the time of project approval and the initiation of the Condition Compliance Review. Sufficient funds shall remain in the account to cover all estimated charges that may be made during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and/or operation of each approved use.

-
10. Condition Compliance. Condition compliance confirmation for purposes of the Final Map recordation will be coordinated by the County Surveyor.
 11. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
 12. Additional Permits. The property owner, developer, and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These may include:
 - a) FEDERAL: United States Fish and Wildlife Service, Army Corp of Engineers
 - b) STATE: California Department of Fish and Wildlife, Regional Water Quality Control Board (RWQCB) –Lahontan Region, Mojave Desert Air Quality Management District (SCAQMD).
 - c) COUNTY: Land Use Services Department; Public Health-Environmental Health Services (DEHS), Department of Public Works, AND
 - d) LOCAL: San Bernardino County Fire Department, Local Agency Formation Commission (LAFCO)
 13. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste, including during construction.
 14. GHG – Operational Standards. The developer shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project:
 - a. Waste Stream Reduction. The developer shall provide to all tenants and homeowners County-approved informational materials about methods and need to reduce the solid waste stream and available recycling services.
 - b. Vehicle Trip Reduction. The developer shall provide to all tenants and homeowners County-approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include: participation in established ride-sharing programs, creating a new ride-share employee vanpool, and/or providing a web site or message board for coordinating rides.
 - c. Provide Educational Materials. The developer shall provide to all tenants and homeowners education materials and about reducing waste and available recycling services. The education materials shall be submitted to County Planning for review and approval.
 - d. Landscape Equipment. The developer shall require in the landscape maintenance contract and/or in onsite procedures that a minimum of 20% of the landscape maintenance equipment shall be electric-powered.
 15. Construction Hours. Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards.
 16. Improvements. All improvements, including but not limited to, landscaping, fencing, walls, ditches, sewer/wastewater treatment, open space, detention basins and related pumping systems, parkways, walkways, medians, trails and streetlights, shall be maintained in good

condition by the subdivider until such improvements are conveyed to individual property owners, or until an association or public agency accepts the maintenance responsibility.

Land Use Services – Code Enforcement Division (909) 387-8311

17. Enforcement. If any County enforcement activities are required to enforce compliance with the conditions of approval, the property owner shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees.
18. Weed Abatement. The applicant shall comply with San Bernardino County weed abatement regulations [SBCC§ 23.031-23.043] and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

County Fire Department – Community Safety Division (909) 386-8465

19. Fire Jurisdiction. The above referenced Project is under the jurisdiction of the San Bernardino County Fire Department, herein “Fire Department”. Prior to any construction occurring on any parcel, the developer shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.
20. Expiration. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred within 180 days of any previous inspection. After a construction permit or Fire Condition Letter becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.
21. Additional Requirements. In addition to the Fire requirements stated herein, other on-site and off-site improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
22. Fire Fee. The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division (909) 386-8400.

Land Use Services – Land Development – Drainage (909) 387-8311

23. Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off site - on site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed.

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24. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
 25. Additional Drainage Requirements. In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
 26. Erosion Control Installation. Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.
 27. Continuous BMP Maintenance. The property owner/"developer" is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to ensure peak performance of all BMPs. Furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those pertaining to confined space and waste disposal methods in effect at the time such maintenance occurs.
 28. BMP Enforcement. In the event the property owner/"developer" (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or "developer", including administrative costs, attorney's fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

Public Works - Solid Waste Management (909) 386-8732

29. Franchise Hauler Service Area. This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area (CR&R).

PRIOR TO ISSUANCE OF GRADING PERMITS
The following shall be completed:

Land Use Services - Building and Safety (909) 387- 8311

30. Retaining Wall Plans. Submit plans and obtain separate building permits for any required walls or retaining walls.
31. Geology Report. A geology report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review prior to grading permits.
32. Geotechnical (Soil) Report. When earthwork quantities exceed 5,000 cubic yards, a geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits.
33. Grading Plans. One copy of the proposed engineered grading plans shall be submitted for plan review with appropriate fees and approval of these obtained, when earthwork quantities exceed fifty (50) cubic yards.
34. Erosion Control Plan. One copy of the proposed engineered erosion and sediment control plans shall be submitted for plan review with appropriate fees and approval of these obtained.
35. Erosion Control Devices. Prior to land disturbance, erosion control devices must be installed at all perimeter openings and slopes. No sediment is to leave the job site.
36. NPDES –NOI. Submit a copy of the Notice of Intent (NOI) obtained from the Regional Water Quality Control Board in compliance with the National Pollutant Discharge Elimination System (NPDES), when proposed grading is one acre or more. Contact local Regional Water Quality Control Board for information.
37. WDID. Submit a copy of the Regional Water Quality Control Board (RWQCB) permit letter with the Waste Discharge Identification (WDID) number assigned by the RWQCB when proposed grading is one acre or more. The letter must include the total land disturbance area including all clearing, grading, and/or excavation areas. Contact the local RWQCB for more information.

Land Use Services - Planning (909) 387- 8311

38. AQ-Dust Control Plan. The “developer” shall prepare, submit for review and obtain approval from County Planning of both a Dust Control Plan (DCP) consistent with SCAQMD guidelines and a signed letter agreeing to include in any construction contracts/ subcontracts a requirement that project contractors adhere to the requirements of the DCP. The DCP shall include the following requirements:
 - a) Exposed soil shall be kept continually moist to reduce fugitive dust during all grading and construction activities, through application of water sprayed a minimum of two times each day.
 - b) Any portion of the site to be graded shall be pre-watered to a depth of three feet prior to the onset of grading activities.

- c) During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall cease until wind speeds no longer exceed 25 mph.
- d) Any area that will remain undeveloped for a period of more than 30 days shall be stabilized using either chemical stabilizers and/or a desert wildflower mix hydroseed on the affected portion of the site.
- e) Storage piles that are to be left in place for more than three working days shall be sprayed with a non-toxic soil binder, covered with plastic or revegetated.
- f) Imported fill and exported excess cut shall be adequately watered prior to transport, covered during transport, and watered prior to unloading on the project site.
- g) Storm water control systems shall be installed to prevent off-site mud deposition.
- h) All trucks hauling dirt away from the site shall be covered.
- i) Construction vehicle tires shall be washed, prior to leaving the project site.
- j) Rumble plates shall be installed at construction exits from dirt driveways.
- k) Paved access driveways and streets shall be washed and swept daily when there are visible signs of dirt track-out.
- l) Street sweeping shall be conducted daily when visible soil accumulations occur along site access roadways to remove dirt dropped or tracked-out by construction vehicles. Site access driveways and adjacent streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday and after street sweeping.

39. AQ - Construction. The “developer” shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce vehicle and equipment emissions and other impacts to air quality by implementing the following measures and submitting documentation of compliance: The developer/construction contractors shall do the following:
- a) Provide documentation prior to beginning construction demonstrating that the project will comply with all MDAQMD regulations including 402, 403, 431.1, 431.2, 1113 and 1403.
 - b) Each contractor shall certify to the developer prior to construction-use that all equipment engines are properly maintained and have been tuned-up within last 6 months.
 - c) Each contractor shall minimize the use of diesel-powered vehicles and equipment through the use of electric, gasoline or CNG-powered equipment. All diesel engines shall have aqueous diesel filters and diesel particulate filters.
 - d) All gasoline-powered equipment shall have catalytic converters.
 - e) Provide onsite electrical power to encourage use of electric tools.
 - f) Minimize concurrent use of equipment through equipment phasing.
 - g) Provide traffic control during construction to reduce wait times.
 - h) Provide on-site food service for construction workers to reduce offsite trips.
 - i) Implement the County approved Dust Control Plan (DCP)
 - j) Suspend use of all construction equipment operations during second stage smog alerts. NOTE: For daily forecast, call (800) 367-4710 (San Bernardino and Riverside counties).
40. Noise. The developer will submit for review and obtain approval of an agreement letter that stipulates that all construction contracts/subcontracts contain as a requirement that the following noise attenuation measures be implemented:

- a) Noise levels of any project use or activity will be maintained at or below adopted County noise standards (SBCC 83.01.080). The use of noise-producing signals, including horns, whistles, alarms, and bells, will be for safety warning purposes only.
- b) Exterior construction activities will be limited between 7 a.m. and 7 p.m. There will be no exterior construction activities on Sundays or National Holidays.
- c) Construction equipment will be muffled per manufacturer's specifications. Electrically powered equipment will be used instead of pneumatic or internal combustion powered equipment, where feasible.
All stationary construction equipment will be placed in a manner so that emitted noise is directed away from sensitive receptors nearest the project site.

County Fire Department – Community Safety Division (909) 386-8465

41. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix IIIA of the Uniform Fire Code. [F05]
42. Additional Requirements. In addition to the Fire requirements stated herein, other on-site and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office. [F01A]
43. Street Signs. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed. Standard 901.4.4 [F72]
44. Fire Flow Test. Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to either produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied or you must install an approved fire sprinkler system. This requirement shall be completed prior to combination inspection by Building and Safety. [F05B]

Public Works – Solid Waste Management Division (909) 386-8701

45. Construction and Demolition Waste Management Plan (CDWMP) – Part 1. The developer shall prepare, submit, and obtain approval from Solid Waste Management Division (SWMD) of a "Construction Waste Management Recycling Plan (CDWMP), Part I. The CDWMP shall list the types and volumes of solid waste materials expected to be generated from grading and construction. The Plan shall include options to divert from landfill disposal materials for reuse or recycling by a minimum of 50 percent of total volume.

Upon completion of construction, the developer shall complete SWMD's CDWMP Part 2. This summary shall provide documentation of diversion of materials including but not limited to receipts or letters from diversion facilities or certification regarding reuse of materials on site.

Public Health – Environmental Health Services (DEHS) (800) 442-2283

46. The project area has a high probability of containing vectors. DEHS Vector Control Section will determine the need for vector survey and any required control programs. A vector clearance letter shall be submitted to DEHS/Land Use. For information, contact Vector Control at 1-800-442-2283.

Public Works – Surveyor (909) 387-8149

47. Monumentation. If any activity on this project will disturb any land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying prior to commencement of any activity with the potential to disturb said monumentation, and appropriate documents shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

Land Use Services - Land Development - Drainage (909) 387-8311

48. Grading Plans. Grading plans shall be submitted to Land Development Division for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
49. NPDES Permit. An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov
50. Regional Board Permit. Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
51. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$550 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
52. Storm Drain Plans. Permanent drainage improvements will be required to intercept and conduct larger drainage flows through or around the site in an approved manner. Submit Storm Drain Plans for review and approval.
53. Drainage Easements. Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities/or concentration of runoff from the site. Proof of recordation shall be provided to the Land Development Division

54. FEMA Flood Zone. The project is located within Flood Zone D according to FEMA Panel Number 06071C7180H dated 08/28/2008. Flood Hazards are undetermined in this area but possible.
55. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
56. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Santa Ana Watershed Region. Copies of the WQMP guidance and template can be found at: (<http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx>)
57. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
58. Streambed Alteration Agreement. California Department of Fish and Wildlife (CDFW) must be notified per Fish and Game Code (FGC) §1602. A streambed alteration agreement shall be provided prior to Grading permit issuance. Link to CDFW website at: <https://www.wildlife.ca.gov/Conservation/LSA>

**PRIOR TO RECORDATION OF THE FINAL MAP
The Following Conditions Shall Be Completed**

Land Use Services – Planning (909) 387-8311

59. CC&R's. The CC&R's shall be submitted for review and approval by the County Planning Division. The approved CC&R's shall be recorded concurrently with the final map and a recorded copy submitted to the County Planning Division.
60. Home Owners Association. A Homeowners Association (HOA), or other entity approved by Planning, shall be established for the purpose of maintenance of all common areas. A copy of the by-laws shall be submitted for review and approval to the County Planning Division. Provide and record a reciprocal agreement to assure maintenance of all common areas, including landscaping, site access points and off-street parking areas, and to assure common ingress and egress between parcels.
61. Landscaping Plans. The developer shall submit and obtain approval of three sets of a Landscape Documentation Package, prepared by a Certified Landscape Professional in compliance with SBCC Chapter 83.10, Landscape Standards, and in compliance with the State Model Water Efficient Landscape Ordinance, as well as the East Valley Area Plan requirements. At a minimum, landscaping shall be in the required setbacks along the street frontages, adjacent to the structures, and within the parking areas. Planting plans shall utilize indigenous plant material, when possible, to minimize water consumption.

Land Use Services - Building & Safety Division (909) 387-8311

62. Geology Report. A geology report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review prior to recordation of the final map.
63. Geotechnical (Soil) Report. When earthwork quantities exceed 5,000 cubic yards, a geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to recordation of the final map.
64. CDP/B&S. A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the B&S, prior to recordation of the Parcel Map (Statements in quotations shall be verbatim):

“Land Use Services Department / Building and Safety Division (909) 387-8311”

- **“Retaining Wall Plans:** Submit plans and obtain separate permits for any required walls, retaining walls or trash enclosures.”
- **“Geology Report:** A geology report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review prior to final project approval.”
- **“Geotechnical (Soil) Report:** When earthwork quantities exceed 5,000 cubic yards, a geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits.”

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- **"Grading Plans:** Grading plans shall be submitted to Building and Safety for review and approval prior to grading/land disturbance of more than 50 Cu Yards."
 - **"Erosion & Sediment Control Plan:** An erosion and sediment control plan shall be submitted to and approved by the Building Official."
 - **"Erosion Control Installation:** Erosion control devices must be installed at all perimeter openings and slopes prior to any land disturbance or grading. No sediment is to leave the job site."
 - **"Construction Plans:** Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division."
 - **"Temporary Use Permit:** A Temporary Use Permit (T.U.P.) for the office trailer will be required or it must be placed on a permanent foundation per State H.C.D. guidelines. A T.U.P. is only valid for a maximum of five (5) years."

Public Health - Environmental Health Services (DEHS) (800) 442-2283

65. Water purveyor shall be **Phelan Pinon Hills CSD** or EHS approved.
66. Water Verification. Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. This letter shall reference the P201700742 TT18533 and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with project address will suffice. For information, contact the Water Section at 1-800-442-2283.
67. Applicant shall obtain and maintain a valid water system permit with DEHS and meet Title 22, CCR requirements pertaining to the type of water system. The public water supply system shall be maintained and operated by an entity acceptable to DEHS. For information, contact the Water Section at 1-800-442-2283.
68. The water purveyor shall be EHS approved **individual wells/new water system** Source water shall meet water quality and quantity standards. A registered hydro-geologist, registered geologist, or registered engineering geologist shall conduct a **hydro-geologic study** of the groundwater basin in the project area. A report of the study, signed and stamped by the geologist, shall be submitted to EHS and the County of San Bernardino geologist for review and approval. The report shall provide sufficient information for EHS to make an informed decision regarding the availability of a **sustained water supply** to this project. The report shall state individual and/or cumulative impacts this project will have on the surrounding groundwater basin. The report shall provide mitigation measures (if needed) to offset any potential negative impacts to the area's groundwater basin. The report shall provide the methods and resources used by the geologist to form his opinion regarding water quantity and quality for this project. The report shall contain a definitive statement regarding sustained water yields for this project.

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- A) The report shall address the following items; **Purpose and scope of investigation, Area of investigation, Geology, Water bearing strata, Bedrock, Extraction, Recharge, Local wells (pump test static levels, pumping levels, and recovery times), Water quality, Maps, Graphs, Supporting data, Etc.** Provide a summary of all findings in the report.
- B) Individual wells may be permitted on each lot. They shall meet water quality standards for bacteria, inorganic chemicals, gross alpha activity, and general mineral and general physical constituents. Individual wells shall meet the quantity requirements of a “state small” water system (3gpm for 24hrs). The well locations and all pertinent information shall be noted on the Composite Development Plan. A note shall be placed on the CDP stating, **“Individual wells shall be utilized as domestic water source for each lot and shall be installed prior to the issuance of building permits.” Contact the EHS/Water Section at 1-800-442-2283 for information.** (Note: Water quality information from the hydrogeological report shall be used to determine all water quality requirements for the wells except bacteria and nitrate.)
69. A water system permit will be required and concurrently approved by the State Water Resources Control Board – Division of Drinking Water. Applicant shall submit preliminary technical report at least 6 months before initiating construction of any water-related development. Source of water shall meet water quality and quantity standards. Test results, which show source meets water quality and quantity standards shall be submitted to the Division of Environmental Health Services (DEHS). For information, contact the Water Section at 1-800-442-2283 and SWRCB-DDW at 916-449-5577. Technical report should include the following:
70. The name of each public water system for which any service area boundary is within three miles, as measured through existing public rights-of-way, of any boundary of the applicant’s proposed public water system’s service area.
71. A discussion of the feasibility of each of the adjacent public water systems identified pursuant to paragraph (1) annexing, connecting, or otherwise supplying domestic water to the applicant’s proposed new public water system’s service area. The applicant shall consult with each adjacent public water system in preparing the report and shall include in the report any information provided by each adjacent public water system regarding the feasibility of annexing, connecting, or otherwise supplying domestic water to that service area.
72. A discussion of all actions taken by the applicant to secure a supply of domestic water from an existing public water system for the proposed new public water system’s service area.
73. All sources of domestic water supply for the proposed new public water system.
74. The estimated cost to construct, operate, and maintain the proposed new public water system, including long-term operation and maintenance costs and a potential rate structure.
75. A comparison of the costs associated with the construction, operation and maintenance, and long-term sustainability of the proposed new public water system to the costs associated with providing water to the proposed new public water system’s service area through annexation by, consolidation with, or connection to an existing public water system.

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76. A discussion of all actions taken by the applicant to pursue a contract for managerial or operational oversight from an existing public water system.
 77. An analysis of whether a proposed new public water system's total projected water supplies available during normal, single dry, or multiple dry water years during a 20-year projection will meet the projected water demand for the service area.
 78. Any information provided by the local agency formation commission. The applicant shall consult with the local agency formation commission if any adjacent public water system identified pursuant to paragraph (1) is a local agency as defined by Section 56054 of the Government Code.
 79. Any existing wells on the lot shall (1) be properly destroyed under permit OR (2) have been constructed to "California Well Standards" and be used as a source of water (industrial and/or domestic) for the project. Contact DEHS/Water Section for more information at 1-800-442-2283.
 80. Method of sewage disposal shall be **Hesperia Water District** or EHS approved.
 81. Method of sewage disposal shall an EHS approved onsite wastewater treatment system (OWTS) and conform to the Local Agency Management Program May 2017. OWTS options (see page 60 of LAMP):
 - A) Require the project to be sewered with an out of agency agreement and LAFCO approval.
 - B) Require a Supplement Treatment Plant for the entire project with approved operation and maintenance.
 - C) Require larger lot sizes of 2 ½ acres.
 - D) Require individual supplemental treatment systems in lieu of septic systems.
 - E) Allow septic systems and install monitoring well (s) with a mechanism for sampling established.
 82. Applicant shall procure a **verification** letter from the sewer service provider. This letter shall state whether or not sewer connection and **service** shall be made available to the project by the sewerage agency. The letter shall reference **P201700742 TT18533** and the Assessor's Parcel Number(s).
 83. The following note shall be placed on a Composite Development Plan (CDP): "An approved percolation report, (DEHS reference number) prepared by (person/firm name & credentials) on (date prepared), is on file with DEHS. For information, please contact DEHS at 1-800-442-2283.
 84. Existing onsite wastewater treatment system (OWTS) can be used if applicant provides OWTS certification from a qualified professional (i.e., Professional Engineer (P.E.), Registered Environmental Health Specialist (REHS), C42 contractor, Certified Engineering Geologist (C.E.G.), etc.) that the system functions properly, meets code, and has the capacity required for the proposed project. Applicant shall provide documentation outlining methods used in determining function. For information on the OWTS Certification form, contact DEHS at 1-800-442-2283.
 85. The community use onsite wastewater treatment system (OWTS) shall be utilized subject to the following conditions:

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- A) Multiple ownership septic systems shall be operated under permit from DEHS. Easements and expansion areas for such systems shall be shown on the tentative parcel map.
- B) Advanced Treatment Units operations and maintenance shall be conducted by factory qualified service provider. For more information, contact the Wastewater Section at 1-800-442-2283.
86. Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer service provider, submit to DEHS verification of Local Agency Formation Commission (LAFCO) approval of either:
- A) Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or,
- B) Out-of-agency service agreement for service outside a water and/or sewer service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant to the provisions of Government Code Section 56133. Submit verification of LAFCO authorization of said Out-of-Agency service agreement to DEHS.
87. Written clearance shall be obtained from the designated California Regional Water Quality Control Board (listed below) and a copy forwarded to the Division of Environmental Health Services for projects with design flows greater than 10,000 gallons per day.
- Lahontan Region, 15095 Amargosa Road Bldg. 2 Suite 210 Victorville, CA 92392 (760) 241-6583.
88. The following are the steps that must be completed to meet the requirements for installation and/or finance of the on-site/off-site water system and/or sewer system.
- A) Where the water and/or sewer system is to be installed prior to recordation, it is the developer's responsibility to submit to the TRANSPORTATION/FLOOD CONTROL DEPARTMENT, SURVEYOR DIVISION, a copy of the approved plan and a signed statement from the utility of jurisdiction confirming that the improvement has been installed and accepted.
- B) Where a bond is posted in lieu of installation of the improvement, the developer shall submit the approved plans and determined amount or a signed statement from an acceptable governmental entity, that financial arrangements have been completed and submitted to the TRANSPORTATION/FLOOD CONTROL DEPARTMENT, SURVEYOR DIVISION.
89. The following are the steps that must be completed to meet the requirements for installation and/or finance of the on-site/off-site water system and/or sewer system.
- A) Where the water and/or sewer system is to be installed prior to recordation, submit a signed statement to DEHS from the approved utility of jurisdiction confirming the improvement has been installed and accepted.

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- B) Where a bond is to be posted in lieu of installation of the improvement, the developer shall submit evidence of financial arrangements agreeable to the water purveyor and/or sewerage entity to DEHS for review and approval.
90. Sewer Verification. Applicant shall procure a verification letter from the sewerage agency with jurisdiction. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewerage agency. The letter shall reference the Assessor's Parcel Number.
91. LAFCO. Submit verification of annexation to DEHS for any project that require water or sewer connection outside a purveyor's jurisdiction. For information, contact LAFCO at (909) 387-5866.
92. Preliminary Acoustic Information. Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standard(s), San Bernardino Development Code Section 87.0905(b). The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the DEHS for review and approval. For information and acoustical checklist, contact DEHS at (800) 422-2283.
93. Existing Wells. Any existing wells on the lot shall (1) be properly destroyed under permit OR (2) have been constructed to "California Well Standards" and be used as a source of water (industrial and/or domestic) for the project. Contact DEHS/Water Section for more information at (800) 442-2283.

Land Use Services - Land Development - Drainage (909) 387-8311

94. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a safety manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$550 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
95. Drainage Easements. Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities/or concentration of runoff from the site. Proof of recordation shall be provided to the Land Development Division.
96. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
97. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Santa Ana Watershed Region. Copies of the WQMP guidance and template can be found at: (<http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx>)

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98. NPDES Permit. An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov
99. Regional Board Permit. Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
100. On-site Flows. On-site flows need to be directed to the nearest County road or drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
101. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
102. Grading Plans. Grading and Erosion control plans shall be submitted for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
103. CDP/LDD - Drainage. A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the LDD, prior to recordation of the Final Map (statements in quotations shall be verbatim):
- “Land Use Services Department – Land Development Division – Drainage Section (909) 387-8311”
- “Revisions to WQMP. If the Owner wishes to deviate from the approved WQMP dated [REDACTED], the Owner(s) shall submit a revised WQMP along with grading plans for the lot. Submit necessary fees per the latest fee schedule for review, Inspection and approval.”
 - “NPDES Permit: An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov”
 - “Regional Board Permit: Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.”

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- “Natural Drainage. Natural Drainage Course(s) and/or Easement(s) shall not be occupied or obstructed, unless specific approval is given by County Land Use Services Department - Land Development Division/Drainage Section for each lot/parcel.”
 - “FEMA Flood Zone. The project is located within Flood Zone ___D___ according to FEMA Panel Number 06071C7180H dated _08/28/2008. Flood Hazards are undetermined in this area but possible.
 - “Grading Plans. Grading and Erosion control plans shall be submitted for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.”
 - “Additional Drainage Improvements. At the time each lot/parcel is developed, a California Registered Civil Engineer (RCE) shall prepare/design complete drainage improvement plans and profiles. After these are submitted for review and approval additional "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time.”
 - “Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private registered engineer shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.”
 - “WQMP Improvements. All required WQMP improvements shall be completed by the applicant, inspected and approved by County Public Works. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.”
 - “WQMP Operations and Maintenance. Operation and maintenance requirements for all Source Control, Site Design, and Treatment Control BMPs shall be identified within the Water Quality Management Plan (WQMP). All maintenance or replacement of BMPs proposed as part of the WQMP is the sole responsibility of the Owner in accordance with the terms of the WQMP Agreement.”
 - “Streambed Alteration Agreement. California Department of Fish and Wildlife (CDFW) must be notified per Fish and Game Code (FGC) §1602. A streambed alteration agreement shall be provided prior to Grading permit issuance. Link to CDFW website at <https://www.wildlife.ca.gov/Conservation/LSA>.”

Land Use Services - Land Development - Roads (909) 387-8311

104. Road Dedication/Improvements. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed

required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California.

Whitehaven Road (Local – 60')

- Street Improvements. Design AC Dike with match up paving 18 feet from centerline.
- Curb Returns. A 35-foot radius return grant of easement is required at the intersection of Whitehaven Road and Braceo Street. The curb return shall be designed per County Standard 110. Adequate easement shall be provided to ensure future sidewalk improvements are within Public right-of-way.

Braceo Street (1/4 Section Line –88')

- Road Dedication. A 44-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
- Street Improvements. Design AC Dike with match up paving 18-foot wide from centerline with a minimum 26 paved section within a 40 foot right-of-way.
- Curb Returns. A 35-foot radius return grant of easement is required at the intersection of Braceo Street and "A" Street. The curb return shall be designed per County Standard 110. Adequate easement shall be provided to ensure any future sidewalk improvements are within Public right-of-way.
- Cul-de-sac Design. The proposed cul-de-sac shall be designed to County Standard 120. turnarounds at end of the cul-de-sac shall be in accordance with the requirements of the County Department of Public Works and Fire Department.

"A", "B", "C", "D" and "E" Streets (Private –50')

- Road Dedication. A 50-foot grant of easement is required to provide a full-width right-of-way of 50 feet.
- Street Improvements. Design AC dike with match up paving 36 feet full width of the street.
- Curb Returns. A 20-foot return grant of easement is required at the intersection of "B" Street and Whitehaven Street, and "C" Street and Whitehaven Street. The curb returns shall be designed per County Standard 110. Adequate easement shall be provided to ensure any future sidewalk improvements are within Public right-of-way.
- Cul-de-sac Design. The proposed cul-de-sac shall be designed to County Standard 120.

105. Road Standards and Design. All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Desert Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.

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106. Street Improvement Plans. The developer shall submit for review and obtain approval of street improvement plans prior to construction. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction. Any utility affecting construction shall be relocated as necessary without cost to the County. Street improvement plans shall not be approved until all necessary right-of-way is acquired.
107. CMRS Exclusion. Road improvements required for this development will **not** be entered into the County Maintained Road System (CMRS).
108. CDP/LDD - Roads. A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the LDD prior to recordation of the Parcel Map (Statements in quotations shall be verbatim):

“Land Use Services Department / Land Development Division – Roads (909) 387-8311”

- a. “Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.”
- b. “Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.”
- c. “Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works. Completion of road and drainage improvements does not imply acceptance for maintenance by the County.”
- d. “Structural Section Testing. Prior to occupancy, a thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to the County Public Works.”
- e. “Private Roads/Improvements. Prior to occupancy, construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria.”
- f. “CMRS Exclusion. Roads within this development will not be entered into the County Maintained Road System (CMRS).”
- g. “Regional Transportation Fee. This project falls within the Regional Transportation Facilities Mitigation Plan for the Hesperia Subarea. This fee shall be paid by a cashier’s check to the Department of Public Works Business Office prior to the issuance of building permits.”

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- h. “Local Transportation Fee. This project falls within the Oak hills- Zone A Local Area Transportation Facilities Fee Plan. This fee shall be paid by a cashier’s check to the Department of Public Works Business Office prior to occupancy.”
- i. “Private Roads/Improvements. Prior to occupancy, construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria.”
109. Improvement Securities. Any required public road, drainage, and/or utility improvements for subdivisions shall be bonded in accordance with County Development code unless constructed and approved prior to recordation. All necessary fees shall be provided in accordance with the latest fee schedule.
110. Maintenance Bond. Once all required public road, drainage, and/or utility improvements have been constructed and approved, a maintenance bond for a period of one year shall be required to insure satisfactory condition of all improvements. Submit necessary fees, per the latest fee schedule, for new securities.
111. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
112. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
113. Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.
114. Slope Easements and Tests. Slope rights shall be dedicated, where necessary. Slope stability tests are required for road cuts or road fills per recommendations of the Geotechnical Engineer to the satisfaction of County Public Works.
115. Access Restriction. An approved type wall/barrier shall be required along the rear of double frontage lots and shall be constructed outside of public right-of-way.
116. Turnarounds. Turnarounds at dead end streets shall be in accordance with the requirements of the County Department of Public Works and Fire Department.

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117. Street Type Entrance. Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.
 118. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
 119. Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of County Public Works confirming the adequacy of the grade.
 120. Caltrans Approval. Obtain comments and approvals from Caltrans for access requirements and working within their right-of-way.
 121. Physical Access. Physical access shall be required to all newly created parcels. Physical access is defined as a route which is traversable in a standard (two-wheel drive) sedan. The Developer's Engineer or Surveyor shall submit a signed and sealed letter, to Land Development Division certifying that physical access has been completed.

Public Works – Surveyor (909) 387-8149

122. Final Map. A Tentative and Final Map is required in compliance with the Subdivision Map Act and the San Bernardino County Development Code.
123. Lot Line Adjustment. The Lot Line Adjustment noted on the tentative map will need to be filed concurrently with the Final Map application.
124. Non-interference Letter. Subdivider shall present evidence to the County Surveyor's Office that he has tried to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
125. Easements of Record. Easements of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easement of record, which cannot be relinquished or relocated, shall be redesigned.
126. Payment of Actual Cost Fees. Review of the Final Map by our office is based on actual cost, and requires an initial \$8,000.00 deposit. Prior to recordation of the map all fees due to our office for the project shall be paid in full.
127. Title Report. A current Title Report prepared for subdivision purposes is required at the time the map is submitted to our office for review.
128. Final Monumentation. Final Monumentation, not set prior to recordation, shall be bonded for with a cash deposit to the County Surveyor's Office as established per the current County Fee Ordinance on file with the Clerk of the Board.

County Fire Department – Community Safety Division (909) 386-8465

129. Fire Fees. The required fees shall be paid.

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130. CDP/Fire. The project applicant shall submit for review and approval a "Composite Development Plan" (CDP). The following statements shall be placed verbatim on the CDP.
- a. "This project is protected by the County Fire Department. Prior to building permits being issued on any parcel, the applicant shall comply with the adopted California Fire Code requirements and all other applicable codes, ordinances, and standards of San Bernardino County Department standards."
 - b. "Individual lot owners shall be required to provide their own fire protection measures as determined and approved by the Fire Department prior to any building permit issuance. Fire protection measures may include Fire Department approval of:"
 - "Automatic fire sprinklers for all structures."
 - "Surfacing of access roads and driveways."
 - c. "All construction shall adhere to the applicable standards and requirements of the Fire Safety Review Area One (FS1) overlay district, as adopted in the San Bernardino County Development Code. In Fire Hazard Areas, the applicant shall contact the San Bernardino County Building & Safety Division for variances concerning modified one-hour fire resistive construction for exterior walls."
 - d. "The street addresses shall be posted with a minimum of four-inch (4") numbers, visible from the street, and during the hours of darkness the numbers shall be internally electrically illuminated with a low voltage power source. Posted numbers shall contrast with their background and be legible from the street in accordance with the Uniform Fire Code. Where building setbacks exceed fifty feet (50') from the roadway, additional contrasting four-inch (4") numbers shall be displayed at the property access entrances."
 - e. "Prior to combustibles being placed on the project site, an approved paved road shall be installed. The topcoat of asphalt does not need to be installed until final inspection."
 - f. "Not less than two (2) complete sets of Building Plans shall be submitted to the Fire Department for review and approval."

Public Works - Traffic Division (909) 387-8186

125. Prior to recordation of the subdivision map, all street names shall be reviewed and approved by the Department of Public Works, Traffic Division pursuant to 87.06.050(j) of the Development Code.

PRIOR TO ISSUANCE OF BUILDING PERMITS

The Following Shall Be Completed

Public Works – Surveyor (909) 387-8149

126. Monumentation. If any activity on this project will disturb any land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying prior to commencement of any activity with the potential to disturb said monumentation, and appropriate documents shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

County Fire Department – Community Safety Division (909) 386-8465

127. Paved Road. Prior to combustibles being placed on the project site, an approved paved road shall be installed. The topcoat of asphalt does not need to be installed until final inspection.
128. Fire Flow Operational. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job-site.
129. Street Sign. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed.
130. Hydrant Marker. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three feet (3') from the hydrant and at least six feet (6') high above the adjacent road.
131. Fire Hydrants. Additional Fire Hydrants shall be required on cul-de-sac roads greater than 350 feet long. No cul-de-sacs over 600 feet long will be allowed.

Land Use Services Dept. / Land Development Division – Road Section (909) 387-8311

132. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
133. Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road

encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.

PRIOR TO FINAL INSPECTION OR OCCUPANCY

The Following Shall Be Completed

Public Works – Surveyor (909) 387-8149

134. Monumentation. If any activity on this project will disturb any land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying prior to commencement of any activity with the potential to disturb said monumentation, and appropriate documents shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

Land Use Services Department – Planning Division (909) 387-8311

135. CCRF/Occupancy. Prior to occupancy/use, all Condition Compliance Release Forms (CCRF) shall be completed to the satisfaction of County Planning with appropriate authorizing signatures from each affected agency.

Public Works - Solid Waste Management (909) 387-8701

136. Construction and Demolition Waste Management Plan (CDWMP) Part 2. The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. This summary shall provide documentation of actual diversion of materials including but not limited to receipts, invoices or letters from diversion facilities or certification of reuse of materials on site. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 50% of total weight or volume of all construction waste.

County Fire Department – Community Safety Division (909) 386-8465

137. Key Box. An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service
138. Radio Control. Where an automatic electric security gate is used, an approved Fire Department radio operated controller is required.

Land Use Services Dept. / Land Development Division – Drainage Section (909) 387-8311

139. Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.
140. WQMP Improvements. All required WQMP improvements shall be completed by the applicant, inspected and approved by County Public Works. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.

Land Use Services Dept. / Land Development Division – Road Section (909) 387-8311

141. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works. Completion of road and drainage improvements does not imply acceptance for maintenance by the County.
142. Private Roads/Improvements. All required on-site and off-site improvements shall be completed by the applicant. Construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria.
143. Condition of Road Improvements. At the time of occupancy for all structures, the condition of all required on-site and off-site improvements shall be acceptable to County Public Works.
144. Structural Section Testing. A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to County Public Works.
145. CMRS Exclusion. Roads within this development will not be entered into the County Maintained Road System (CMRS).
146. Landscape Maintenance. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by the County Public Works/Current Planning, maintained by the adjacent property owner or other County-approved entity.

Public Works - Traffic Division (909) 387-8186

147. This project falls within the Local Area Transportation Fee Plan Area for the Oak Hills - Zone A area. The Local Area Transportation Plan Fee (Plan Fee) shall be paid by a cashier's check to the Department of Public Works Business Office during the application process. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted and prior to the building occupancy/use is issue or granted. The Plan Fee is subject to change periodically. The current Local Area Transportation Fee Schedule can be found at the following website:
<http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>

END OF CONDITIONS

EXHIBIT G

CDFW Letter



July 17, 2020

Tom Nieves
 Contract Planner
 County of San Bernardino
 385 North Arrowhead Avenue, First Floor
 San Bernardino, California 92415-0187

Whitehaven Estates (Project)
 Mitigated Negative Declaration (MND)
 SCH# 2020060430

Dear Mr. Nieves:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an MND from the County of San Bernardino for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California’s **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The “CEQA Guidelines” are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Tom Nieves, Contract Planner
County of San Bernardino
July 17, 2020
Page 2 of 15

proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code..

PROJECT DESCRIPTION SUMMARY

Proponent: Bruno Mancinelli

Objective: The objective of the Project is to change the land use designation from Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and subdivide the area into 54 single-family residential lots, one 39-acre open space lot and two lettered detention basins for drainage on approximately 155 acres.

Location: The southwest corner of Whitehaven Street and Braceo Street, in the community of Oak Hills; APN: 0357-062-01-0000, USGS Quad: Hesperia and Cajon Summit, Calif.; Within the City of Victorville, County of San Bernardino, State of California, San Bernardino Meridian, Section 7, Township 3N, Range 5W

Timeframe: Unknown

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County of San Bernardino in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, CDFW concludes that a Mitigated Negative Declaration is appropriate for the Project.

I. Mitigation Measure or Alternative and Related Impact Shortcoming

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS?

COMMENT 1: BIO-X, Special Status Plant Species

Section IV, Page 19

Issue: The MND lacks analysis of potential impacts to special status plant species. An expired biological report was provided and mentioned the presence of five listed or special status species, but the MND does not include measures for them or other potential special status plants. As short-joint beavertail, a rare species (1B.2) that can grow in disturbed habitat, has been mapped on the Project site (CNDDDB, 2020; CNPS, 2020), CDFW has concerns sensitive plant species are present and not mitigated for.

Specific impact: A botanical field survey to identify all plants to the taxonomic level necessary to determine rarity and listing status was not performed. The MND lacks analysis of potential impact, and avoidance, minimization, and mitigation measures for special status plant species.

Why impact would occur: Botanical field surveys should be conducted during times of year when plants are evident and identifiable (i.e. flowering or fruiting), which may warrant multiple surveys during the season to capture floristic diversity (CDFW, 2018). Habitats, such as desert plant communities that have annual and short-lived perennial plants as major floristic components may require yearly surveys to accurately document baseline conditions for purposes of impact assessment (CDFW, 2018).

Evidence impact would be significant: Sensitive plant species are listed under CESA as threatened, or endangered, or proposed or candidates for listing; designated as rare under the Native Plant Protection Act; or plants that otherwise meet the definition of rare, threatened, or endangered species under CEQA. Plants constituting California Rare Plant Ranks 1A, 1B, 2A, and 2B generally meet the criteria of a CESA-listed species and should be considered as an endangered, rare or threatened species for the purposes of CEQA analysis. Take of any CESA-listed species is prohibited except as authorized by state law (Fish and Game Code, §§ 2080 & 2085). Fish and Game Code Sections 1900–1913 includes provisions that prohibit the take of endangered and rare plants from the wild and a salvage requirement for landowners.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Project Description and Related Impact Shortcoming)

Mitigation Measure 1:

To minimize significant impacts: To ensure that Project impacts to biological resources are fully analyzed, CDFW recommends the County of Bernardino require a thorough floristic-based assessment of special status plants and natural

communities. The assessment should be performed by a qualified biologist following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW, March 2018) or most recent version.

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline=1>

Note that CDFW generally considers biological field assessments for rare plants valid for a period of up to three years. Should short-joint beavertail or other special status plants be present, CDFW recommends the inclusion of the following mitigation measure:

MM-X: Special Status Plant Species. Should any CESA-listed plant species be present at the Project site, the Project Proponent shall obtain an incidental take permit for those species prior to the start of Project activities. Should short-joint beavertail or other special status plants or natural communities be present in the Project area, a qualified biologist shall develop species specific avoidance, minimization, and mitigation measures to ensure there is no net reduction in the size or viability of the local population.

COMMENT 2: BIO-X, Desert Tortoise

Section IV, Page 19

Issue: CDFW has concerns that a protocol level survey was not conducted for desert tortoise, a threatened species. The biological assessment states desert tortoise has been mapped within 5 miles from the Project site, however there are no measures in place to address avoidance, minimization, or mitigation measures should desert tortoise enter the Project site during the life of the Project.

Specific impact: Project activities have the potential to take desert tortoise, a CESA-listed species.

Why impact would occur: The MND does not ensure a qualified biologist, experienced in locating desert tortoise individuals in all life stages and their sign, completed a survey following CDFW approved protocols. Additionally, should desert tortoise presence be confirmed, during surveys or within the Project timeframe, the MND lacks avoidance, minimization and mitigation to avoid take.

Evidence impact would be significant: Desert tortoise is a CESA-listed species. Take (hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill) is prohibited unless authorized by state law (Fish and Game Code, §§ 2080 & 2085).

Mitigation Measure 2:

To minimize significant impacts: If the Project, including the Project construction or any Project-related activity during the life of the Project, results in take of CESA listed species, CDFW recommends that the Project proponent seek appropriate authorization prior to Project implementation through an incidental take permit (ITP). CDFW recommends adding to the following measure:

MM BIO-4: Desert Tortoise Surveys. A qualified biologist shall conduct a protocol level presence or absence survey no more than 14 days prior to initiating Project activities in accordance with the survey methodology described in U.S. Fish and Wildlife Service Desert Tortoise (Mojave Population) Field Manual. In addition, the survey shall utilize perpendicular survey routes and 100-percent visual coverage of the Project area and 50-foot buffer zone for desert tortoise and their sign. If the survey confirms absence, a qualified biological monitor shall remain on-site during all Project activities to confirm desert tortoise do not enter the Project site. If the survey confirms presence, the Project Proponent shall obtain an ITP for desert tortoise prior to the start of Project activities. If the biological monitor during the life of the Project encounters a desert tortoise, work shall be suspended, and the Project Proponent shall obtain an ITP for the species prior to the restarting Project activities.

Focused surveys should be conducted for desert tortoises following this approved CDFW protocol:

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=174633&inline>

- CDFW recommends that the County of San Bernardino condition the environmental document to include on-site worker education about any sensitive wildlife species that may occur in the area.
- Additionally, CDFW requests to be contacted immediately should sensitive wildlife species be present in the Project area.

COMMENT 3: BIO-X, Burrowing Owl

Section IV, Page 29

Issue: CDFW has concerns that a protocol level survey was not performed for burrowing owls, a Species of Special Concern. The biological assessment mentions burrowing owls have been mapped within 5 miles of the project location but were not surveyed or mitigated for. A protocol level survey is needed to fully determine impact. Survey information should include the qualifications of the surveyor and describe actions that will be taken should burrowing owl presence be confirmed during the survey.

Additionally, the MND does not address avoidance, minimization, or mitigation measures.

Specific impact: Project-related activities have potential to take burrowing owl individuals and their nests and may result in loss of burrowing owl habitat.

Why impact would occur: Potentially significant impacts to burrowing owls are not mitigated to the extent feasible.

Evidence impact would be significant: Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513. Take is defined in Fish and Game Code Section 86 as “hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill.” Burrowing owls are dependent on burrows at all times of the year for survival and/or reproduction, evicting them from nesting, roosting, and satellite burrows may lead to indirect impacts or take. Loss of access to burrows will likely result in varying levels of increased stress on burrowing owls and could depress reproduction, increase predation, increase energetic costs, and introduce risks posed by having to find and compete for available burrows (CDFG, 2012). Eviction of burrowing owls is a potentially significant impact under CEQA

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Mitigation Measure or Alternative and Related Impact Shortcoming)

Mitigation Measure 3:

To minimize significant impacts: CDFW recommends including the following measure in the environmental document:

MM BIO-X: Pre-construction Burrowing Owl Survey. Burrowing owl surveys shall be conducted by a qualified biologist at least 14 days prior to any Project activities, at any time of year. Surveys shall be completed following the recommendations and guidelines provided within the Staff Report on Burrowing Owl Mitigation (CDFG, March 2012) or most recent version by a qualified biologist. If an active burrowing owl burrow is detected within any Project disturbance area, or within a 500-foot buffer of the disturbance area, a 300-foot radius buffer zone surrounding the burrow shall be flagged, and no impacts to soils or vegetation or noise levels above 65 dBA shall be permitted while the burrow remains active or occupied. Disturbance-free buffers may be modified based on site-specific conditions in consultation with CDFW. The qualified biologist shall monitor active burrows daily and will increase buffer sizes as needed if owls show signs of disturbance. If active burrowing owl burrows are located within any work area and impact cannot be avoided, a qualified

biologist shall submit a burrowing owl exclusion plan to CDFW for review and approval. The burrowing owl exclusion plan shall include permanent compensatory mitigation consistent with the recommendations in the Staff Report on Burrowing Owl Mitigation such that the habitat acreage, number of burrows and burrowing owls impacted are replaced. Passive relocation shall take place outside the nesting season (1 February to 31 August).

CDFW approved protocol for burrowing owl surveys can be found here.

- <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83842&inline>

COMMENT 4: BIO-X, Mohave Ground Squirrel (MGS)

Section IV, Page 19

Issue: CDFW recommends assessing habitat suitability for MGS because the site was found to be within the geographic range of MGS. CDFW recommends mitigation for MGS be provided.

Specific impact: The Project is within the geographic range of Mohave ground squirrel.

Why impact would occur: MGS are known to have historically occupied areas in the region and are state-listed as threatened, thereby giving species protection under CESA. MGS is found in several habitat types identified on the Project site. Should MGS presence be confirmed, the measure lacks avoidance, minimization and mitigation to avoid take.

Evidence impact would be significant: CDFW has discretionary authority over activities that could result in the “take” of any species listed as candidate, threatened, or endangered, pursuant to CESA. CDFW considers adverse impacts to CESA-listed species, for the purposes of CEQA, to be significant without mitigation. Take of any CESA-listed species is prohibited except as authorized by state law (Fish and Game Code, §§ 2080 & 2085).

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Mitigation Measure or Alternative and Related Impact Shortcoming)

Mitigation Measure 4:

To minimize significant impacts: CDFW recommends County of San Bernardino assume presence of MGS and condition the environmental document to include pre-construction surveys for MGS.

MM BIO-X: Pre-Construction Mohave Ground Squirrel Survey. Pre-construction surveys following the *Mohave Ground Squirrel Survey Guidelines* (CDFG, 2010) or most recent version shall be performed by a qualified biologist authorized by a Memorandum of Understanding issued by CDFW. The pre-construction surveys shall cover the Project Area and a 50-foot buffer zone. Should Mohave ground squirrel presence be confirmed during the survey, the Project Proponent shall obtain an ITP for Mohave ground squirrel prior to the start of Project activities. CDFW shall be notified if Mohave ground squirrel presence is confirmed during the pre-construction survey.

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83975&inline>

MM BIO-X: Mohave Ground Squirrel Observations. If a Project, including Project construction or any Project-related activity during the life of the Project, results in take of CESA-listed species, CDFW recommends that the Project proponent seek appropriate authorization prior to Project implementation. This may include an incidental take permit (ITP). Information on how to obtain an ITP can be found at <https://wildlife.ca.gov/Conservation/CESA/Permitting/Incidental-Take-Permits>.

Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS; or have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

COMMENT 5: Need for a Lake and Streambed Alteration Agreement

Section IV, Page 19

Issue: The environmental document does not mitigate for mapped channels/dry washes identified within the Project Area.

Specific impact: Aerial imagery confirms multiple dry washes are impacted by Project activities.

Why impact would occur: The environmental document lacks avoidance, minimization, and mitigation measures for the biological resource. Project activities describe construction of fifty-four residential lots and detention basins. Use of equipment in the area and construction activities have the potential to impact the bed, bank, and channel of the ephemeral stream as well as associated vegetation.

Evidence impact would be significant: Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one

or more of the following: substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream or lake.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Project Description and Related Impact Shortcoming)

Mitigation Measure 5:

To minimize significant impacts: Information on how to submit a Notification of Lake or Streambed Alteration can be found at <https://wildlife.ca.gov/Conservation/LSA>. CDFW requests that the County of San Bernardino include the following new mitigation measure in the Final MND:

MM BIO-X: Notification of Lake and Streambed Alteration. Prior to commencement of Project activities, the Project Proponent shall submit a Notification of Lake or Streambed Alteration to CDFW's Lake and Streambed Alteration Program. Upon receipt of a complete notification and associated fees, CDFW shall determine if Project activities may substantially adversely affect existing fish and wildlife resources. The Project Proponent shall obtain a CDFW-executed Lake or Streambed Alteration Agreement, authorizing impacts to resources associated with the Project, or a letter from CDFW stating an Agreement is not required.

II. Editorial Comments and/or Suggestions

MM-X: On-site Education. A qualified biologist shall conduct an education program for all persons employed or otherwise working on the Project site prior to performing any work on-site. The program shall consist of a presentation that includes a discussion of the biology of the habitats and species that may be present at the site. The qualified biologist shall also include as part of the education program information about the distribution and habitat needs of any special status species that may be present, legal protections for those species, penalties for violations, and mitigation measures. Education should include but not be limited to desert tortoise, burrowing owl, special status plant species, and nesting birds. Interpretation shall be provided for non-English speaking workers, and the same instruction shall be provided for any new workers prior to their performing work on site.

MM BIO-X: Minimize Impacts on Other Species. A qualified biologist shall be onsite prior to and during all ground- and habitat-disturbing activities to move out of harm's way wildlife that would otherwise be injured or killed from Project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as

Tom Nieves, Contract Planner
County of San Bernardino
July 17, 2020
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far a necessary to ensure their safety. Measures shall be taken to prevent wildlife from re-entering the Project site. Only biologists with authorization from CDFW shall move CESA-listed species.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

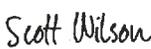
FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the County of San Bernardino in identifying and mitigating Project impacts on biological resources. Questions regarding this letter or further coordination should be directed to Julia Karo, Environmental Scientist at Julia.Karo@Wildlife.ca.gov.

Sincerely,

DocuSigned by:

8091B1A9242F49C...

Scott Wilson
Environmental Program Manager

ec: Office of Planning and Research, State Clearinghouse, Sacramento
Attachment 1

Tom Nieves, Contract Planner
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REFERENCES

California Department of Fish and Wildlife (CDFW). 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. Website
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>

California Department of Fish and Game (CDFG). 2012. Staff Report on Burrowing Owl Mitigation.

California Department of Fish and Game (CDFG). 2010. Mohave Ground Squirrel Survey Guidelines.

ATTACHMENT 1

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

PURPOSE OF THE MMRP

The purpose of the MMRP is to ensure compliance with mitigation measures during project implementation. Mitigation measures must be implemented within the time periods indicated in the table below.

TABLE OF MITIGATION MEASURES

The following items are identified for each mitigation measure: Mitigation Measure, Implementation Schedule, and Responsible Party for implementing the mitigation measure. The Mitigation Measure column summarizes the mitigation requirements. The Implementation Schedule column shows the date or phase when each mitigation measure will be implemented. The Responsible Party column identifies the person or agency that is primarily responsible for implementing the mitigation measure.

Mitigation Measure	Implementation Schedule	Responsible Party
<p>MM BIO-X: <u>Special Status Plant Species.</u> Should any CESA-listed plant species be present at the Project site, the Project Proponent shall obtain an incidental take permit for those species prior to the start of Project activities. Should white pygmy-poppy or other special status plants or natural communities be present in the Project area, a qualified biologist shall develop species specific avoidance, minimization, and mitigation measures to ensure there is no net reduction in the size or viability of the local population.</p>	<p>Before commencing ground- or vegetation-disturbing activities</p>	<p>Project Proponent</p>
<p>MM BIO-X: <u>Desert Tortoise Surveys.</u> A qualified biologist shall conduct a protocol level presence or absence survey no more than 14 days prior to initiating Project activities in accordance with procedures described in Chapter 6 of the US Fish and Wildlife Service Desert Tortoise (Mojave Population) Field Manual. In addition, the survey shall utilize perpendicular survey routes and 100-percent visual coverage of the Project area and 50-foot buffer zone for desert tortoise and their sign. If the survey confirms absence, a qualified</p>	<p>Before commencing ground- or vegetation-disturbing activities/Entire Project</p>	<p>Project Proponent</p>

<p>biological monitor shall remain on-site during all Project activities to confirm desert tortoise do not enter the Project site. If the survey confirms presence, the Project Proponent shall obtain an ITP for desert tortoise prior to the start of Project activities. If the biological monitor during the life of the Project encounters a desert tortoise, work shall be suspended, and the Project Proponent shall obtain an ITP for the species prior to the restarting Project activities.</p>		
<p>MM BIO-X: <u>Pre-construction Burrowing Owl Survey</u>. Burrowing owl surveys shall be conducted at least 14 days prior to any Project activities, at any time of year. Surveys shall be completed following the recommendations and guidelines provided within the <i>Staff Report on Burrowing Owl Mitigation</i> (CDFG, March 2012) or most recent version by a qualified biologist. If an active burrowing owl burrow is detected within any Project disturbance area, or within a 500-foot buffer of the disturbance area, a 300- foot radius buffer zone surrounding the burrow shall be flagged, and no impacts to soils or vegetation or noise levels above 65 dBA shall be permitted while the burrow remains active or occupied. Disturbance-free buffers may be modified based on site-specific conditions in consultation with CDFW. The qualified biologist shall monitor active burrows daily and will increase buffer sizes as needed if owls show signs of disturbance. If active burrowing owl burrows are located within any work area, a qualified biologist shall submit a burrowing owl exclusion plan to CDFW for review and approval. The burrowing owl exclusion plan shall include permanent compensatory mitigation consistent with the recommendations in the <i>Staff Report on Burrowing Owl Mitigation</i> such that the habitat acreage, number of burrows and burrowing owls impacted are replaced. Passive relocation shall take place outside the nesting season (1 February to 31 August).</p>	<p>Before commencing ground- or vegetation-disturbing activities/Entire Project</p>	<p>Project Proponent</p>

<p>MM BIO-X: <u>Pre-Construction Mohave Ground Squirrel Survey.</u> Pre-construction surveys following the <i>Mohave Ground Squirrel Survey Guidelines</i> (CDFG, 2010) or most recent version shall be performed by a qualified biologist authorized by a Memorandum of Understanding issued by CDFW. The pre-construction surveys shall cover the Project Area and a 50-foot buffer zone. Should Mohave ground squirrel presence be confirmed during the survey, the Project Proponent shall obtain an ITP for Mohave ground squirrel prior to the start of Project activities. CDFW shall be notified if Mohave ground squirrel presence is confirmed during the pre-construction survey.</p>	<p>Before commencing ground- or vegetation-disturbing activities/Entire Project</p>	<p>Project Proponent</p>
<p>MM BIO-X: <u>Mohave Ground Squirrel Observations.</u> If a Project, including Project construction or any Project-related activity during the life of the Project, results in take of CESA-listed species, CDFW recommends that the Project proponent seek appropriate authorization prior to Project implementation. This may include an incidental take permit (ITP).</p>	<p>Entire Project</p>	<p>Project Proponent</p>
<p>MM-X: <u>Notification of Lake and Streambed Alteration.</u> Prior to commencement of Project activities, the Project Proponent shall submit a Notification of Lake or Streambed Alteration to CDFW's Lake and Streambed Alteration Program. Upon receipt of a complete notification and associated fees, CDFW shall determine if Project activities may substantially adversely affect existing fish and wildlife resources. The Project Proponent shall obtain a CDFW-executed Lake or Streambed Alteration Agreement, authorizing impacts to resources associated with the Project, or a letter from CDFW stating an Agreement is not required.</p>	<p>Before commencing ground- or vegetation-disturbing activities</p>	<p>Project Proponent</p>
<p>MM-X: <u>On-site Education.</u> A qualified biologist shall conduct an education program for all persons employed or otherwise working on the Project site prior to performing any work on-site. The program shall consist of a presentation that</p>	<p>Before commencing ground- or vegetation-disturbing</p>	<p>Project Proponent</p>

<p>includes a discussion of the biology of the habitats and species that may be present at the site. The qualified biologist shall also include as part of the education program information about the distribution and habitat needs of any special status species that may be present, legal protections for those species, penalties for violations, and mitigation measures. Education should include but not be limited to desert tortoise, burrowing owl, special status plant species, and nesting birds. Interpretation shall be provided for non-English speaking workers, and the same instruction shall be provided for any new workers prior to their performing work on-site.</p>	<p>activities/Entire Project</p>	
<p>MM-BIO-X: Minimize Impacts on Other Species. A qualified biologist shall be onsite prior to and during all ground- and habitat-disturbing activities to move out of harm's way wildlife that would otherwise be injured or killed from Project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far as necessary to ensure their safety. Measures shall be taken to prevent wildlife from re-entering the Project site. Only biologists with authorization from CDFW shall move CESA-listed species.</p>	<p>Before commencing ground- or vegetation-disturbing activities/Entire Project</p>	<p>Project Proponent</p>