

## VII. STATEMENT OF OVERRIDING CONSIDERATIONS

In accordance with CEQA Guidelines Section 15093 and other applicable law, the County has, in determining whether or not to approve the proposed project, balanced the economic, social, technological, and other project benefits against its unavoidable environmental risks. The County of San Bernardino has determined that the significant unavoidable adverse project impacts related to the bald eagle, which may remain after mitigation, are acceptable and are outweighed by specific social, economic and other benefits of the project. In making this determination, the following factors and public benefits were considered as overriding considerations to the identified unavoidable significant adverse impacts of the proposed project:

- The proposed project provides a standard of quality that is considered appropriately matched with the quality of the physical environment and surroundings of Big Bear Lake and the San Bernardino mountain region.
- The proposed project retains and protects the existing mountain character of the community, an identified goal of the **Bear Valley Community Plan**, by preserving viewsheds of the lake and leaving harmonious open spaces conservation areas. For example, the proposed project designates 9.0 acres to habitat, open space, and conservation areas, as well as the perpetual protection and maintenance of designated habitat areas on site and a 10-acre [offsite](#) parcel comprised of pristine pebble plain habitat. In addition, the proposed project designates nearly an acre to neighborhood lake access. The proposed project does not include any residential development along the lakeshore, conserving the scenic beauty of the lakeshore.
- The proposed project has a lower density than other residential uses in the immediate area. The proposed project, therefore, diversifies the housing types, lot sizes and density ranges available within the community.
- The proposed project will promote significant economic development within the community, including construction jobs, increased recreation, and increased tourism. As identified by the **Bear Valley Community Plan**, the local economy is driven by recreation and tourism. Construction and real estate sales, once a significant segment of the Bear Valley economy, has been hard hit by the recession and general lack of high quality building sites. The proposed project will add 50 high quality lake view building sites and provide jobs during both the construction of the streets and related infrastructure as well as later construction of individual custom homes. Custom home construction takes place over a number of years and greatly benefits the smaller local entrepreneurial contractors which further enhances the local economic benefits.
- [The project will result in the construction of much needed potable water infrastructure in the area of the project. Project will install water main lines and fire hydrants within the tract. The existing Fawnskin residents on the eastern border of the tract currently have no water lines and no fire hydrants \(they are all on individual private wells.\) The project's water system and fire flow will be directly adjacent to the existing residential uses and available to County Fire in protecting those homes.](#)

- The project's water well FP2, will be connected to the DWP Fawnskin Water System and provide 100 gallons per minute of additional capacity from a different aqua fire than the Fawnskin Water System currently utilizes.
- Project will also pay to construct approximately Two Million Dollars (\$2,000,000) in water system improvements, including water main lines, upgrade the existing booster station, and installing 50 kilowatt generator for power outages within the Fawnskin Water System. The project will also pay \$712,575.00 in water capacity fees which are used to improve DWP's existing community water system.
- Mitigation measures proposed in the FEIR provide for the avoidance of direct impacts to the American Bald Eagle. Project will set aside approximately nine (9) acres of area within the project site for Bald Eagle and rare plant habitat, including approximately 2,500 linear feet of lakefront area. These conservation areas will be protected by a conservation easement managed by a California Department of Fish and Wildlife approved Conservation Entity. Conservation areas will be managed pursuant to a Long Term Management Plan approved by the Conservation Entity accompanied by a non-wasting endowment to cover the cost of habitat maintenance and enhancement activities. All identified eagle perch trees will be preserved in place and if an eagle perch tree needs to be removed for health and safety reasons, it will be replaced on a 5:1 basis.
- Project will create an .82 acre Lake Front lot providing perpetual neighborhood lake access.
- Project proposes no lakefront construction, thereby preserving the scenic highway view shed.
- Project includes the world's first Ashy-Gray Indian Paintbrush reserve, 5.39 acres of permanent conservation area.
- Project will construct a Caltrans Class 2 bike lane pursuant to the Big Bear Bike Master Plan to allow for bike traffic adjacent to the project.

The County of San Bernardino, as the Lead Agency and having reviewed the FEIR and public records, adopts this Statement of Overriding Considerations, which has balanced the benefits of the Project against its significant unavoidable adverse impacts in reaching a decision to approve the Project.