

From: Marina McClay <marina.mcclay@gmail.com>
Sent: Friday, August 14, 2026 10:31 AM
To: Board Meeting Comments <BoardMeetingComments@cob.sbcounty.gov>
Cc: Gutierrez, Iris <Iris.Gutierrez@bos.sbcounty.gov>
Subject: RE: Project No. PMISC-2026-00029 – Proposed Repeal and Rewrite of Development Code Chapter 88.03 (Surface Mining and Reclamation)

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Dear Supervisor,

I join fellow concerned residents of Twentynine Palms and Wonder Valley in opposition to Project No.

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PMISC-2026-00029. This proposed rewrite to Chapter 88.03 of the County Development Code strips San Bernardino County of its vital local permitting oversight and creates dangerous environmental vulnerabilities for our communities. Please VOTE NO!

I agree with our local environmental agencies that completely waiving county-level mining permits on federal lands is a severe misstep for the following critical reasons:

- **Surrender of Local Authority:** Our local elected leaders—not federal agencies—should maintain the final say over industrial operations that directly impact county residents. Local communities deserve a process to ensure public participation and information sharing for mining projects in the County.
- **Bypassing the California Environmental Quality Act (CEQA):** By removing the requirement for a local County permit, this rewrite effectively eliminates the standard legal trigger for CEQA review. Bypassing CEQA strips our communities of mandatory environmental impact reports, enforceable local mitigation measures, and legally protected opportunities for public hearings.
- **Threats to Sensitive Desert Ecosystems:** Handing sole oversight to federal processes places our most vulnerable lands at risk. For example, speculative operations like the Dateline Resources rare-earth claims near Joshua Tree National Park could proceed without rigorous local scrutiny regarding water depletion, toxic dust, heavy truck traffic, and visual blight.

In light of these concerns, and the current Administration's track record and stated priorities concerning Federal lands, I respectfully request the following actions:

1. Changes must be made to the proposal to clarify that mining projects on federal lands are subject to CEQA and the California Surface Mining and Reclamation Act (SMARA), policies that provide reasonable protections and public participation requirements.
2. The County needs to update its Memorandum of Understanding (MOU) to align with modern environmental review procedures. Currently, the outdated MOU allows a path for mining projects to bypass CEQA and SMARA regulations.
3. In particular, the new Section 88.03.040(b) needs to be revised or eliminated so as to retain vital local oversight and public participation.

San Bernardino County has a long history of balancing industry with local stewardship. This ordinance dismantles that balance, leaving our desert communities unprotected against federal environmental rollbacks.

I respectfully request that you protect your constituents, retain local oversight, and *vote against* the adoption of the proposed repeal and reenactment of the Development Code unless or until changes have been made. Alternatively, please delay consideration of this item to allow more time for the public to review and comment on these proposed changes.

Thank you for your time, leadership, and consideration of our community's future.

Sincerely,

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