

P O Box 368
 Fawnskin CA 92333
 May 7, 2004

MAY 10 2004
 ADVISORY PLANNING BOARD

County of San Bernardino
 Land Use Services Department, Planning Division
 385 N. Arrowhead Ave, First Floor
 San Bernardino CA 92415-0182
 Attn: MATTHEW W. SLOWIK

RE: Draft EIR for the Moon Camp Development Project/RCK Properties Inc.:
 General Plan Amendment/Official Land Use District Change from BV/RL-40 to BV/RS-7200,
 and Amendment to County Circulation Element for Realignment of North Shore Drive:
 Tentative Tract Map #16136, and Conditional Use Permit for a Boat Dock

Dear Mr. Slowik:

Thank you for the opportunity to review the DEIR for the above proposed projects. We oppose this Moon Camp project as presently designed because the DEIR fails to adequately evaluate the true impact this proposed project would cause in the critical issues of zoning change, water supply, and fire protection.

22-1

First, zone change (Section 5.1.2). The proposed project could not be a community benefit with 92 houses obstructing spectacular views of the forest and lake from existing houses as well as from the highway (Currently the **only** highway views of the lake and mountains in the entire valley are at the site of the proposed project) (Moving the highway would not only destroy views but would lead to increased traffic and speeding.) The proposed project would entail removal of more than 25% of the trees (including some eagle perches.) More than half of the proposed houses would abut the National Forest and Big Bear Lake, and we do not believe the change from rural to residential could be considered an extension of the purpose of the National Forest or of the Lake.

22-2

Secondly, the issue of water shortage (Section 5.3.6d). Section 5.3.6a of the DEIR states that the water supply must be proven prior to building permits, and that clearly has not been done for the proposed project as a whole, much less for individual lots. Further, the DEIR states that the water issue cannot be mitigated to below significance. The DEIR evaluates water production of the two wells on the property of the proposed project **when they were dug in 1987** and not on the extensive drought conditions that exist today. Mitigation on 5.3.6d presupposes current water restrictions, even though they are not presently enforced on the existing houses in the valley, much less in a proposed new development.

22-3

Lastly, fire protection (Section 5.3.1e-f). All of the evaluations of this Section were based on Fire Risk level 2, but the entire mountain area has been upgraded to Fire Risk level 1, rendering all the findings of the DEIR invalid! The Steering Committee evaluating status of fire protection in Big Bear Valley has determined that Fawnskin fails to meet any of the National Fire


22-4

Protection Association standards now, and additional houses will only compound the problem. (See enclosed.) Section 5.3.1 says fire sprinklers would be added in lieu of additional manpower. Fire sprinklers often burst in winter and thus malfunction, leading to additional waste of water. In Section 5.3.1..e-f, fire resistant vegetation would be planted by homeowners. Who would monitor this to make sure they are enforcing the rules? How about evacuations from the valley? Unmentioned in the DEIR is the impact of more evacuees. (The roads were highly congested when we evacuated in October 2003.)

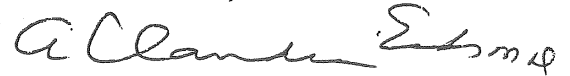
22-4

Thank you for your consideration of our opposition to this proposed Mooncamp project.

Very truly yours,



Donald L. Eads, MD



A. Claudia Eads, MD

Organizational Structure/Service Levels Task Group

Mission Elements and Service Levels

KEY:	High	Medium	Low	None
Fire Prevention	Emergency Response	Training	Administration	Disaster Preparedness
Fire Prev. Inspns. Medium	Fire Suppression Medium	In-House Programs Medium	Records Mgmt. Medium	Operations Ctr Low
Low	Medium	Medium	Medium	Low
Medium	None	Medium	High	High
				High
Public Education	Emergency Medical	Specialized Outside	Payroll	Neighborhood Prepared.
Medium	High	Medium	High	Medium
Medium	High	High	High	Medium
Medium	High	High	High	High
Development Review	Hazardous Materials	Command/Leadership	Purchasing	Business Prepared.
High	Low	Medium	High	None
High	Low	High	High	None
High	High	High	Medium	High
				High
Plan Checking	PCF Firefighters	Tactics & Strategy	Equip. Maintenance	Disaster Eqpt/Supplies
High	Low	Medium	High	Low
High	Medium	Medium	High	Low
High	LT-High/PCF-Medium	High	High	Medium
				Low

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FIRE DEPARTMENT SERVICE-LEVEL ANALYSIS

Determining the correct level of fire department services is a very difficult task according to the National Fire Protection Association (NFPA) Fire Protection Handbook. The seventeenth edition of the NFPA Handbook, pages 10-43, "Fire Department Services levels" states, "Public, fire, and other government administrators, organized labor, and the fire service in general have for many years sought to find a generally accepted method for the evaluation of services provided to a community by its fire protection agency. The approaches have been as varied as the fire service agencies being evaluated and the parties doing the evaluation. This has resulted in the application of inconsistent methodology and criteria.

For many years, material developed by NFPA has been used in the analysis of services provided by fire protection organizations. However, the application of NFPA material has been inconsistent, and NFPA material existing in 1991 is not entirely adequate for the evaluation of the comprehensive services provided by comprehensive fire/rescue agencies."

In 1991, an NFPA committee determined that the best program for the analysis of services would:

- Consider the total scope of services provided by the fire service agency.
- Set forth uniform definitions.
- Be primarily performance-based and user-friendly.
- Be founded on consensus and other standards to the greatest possible extent.
- Include user input.
- Be designed for specific community application.
- Be capable of self-application
- Include a validation process.

Based on these recommendations, we are going to develop a uniform set of definitions that are based on recognized city, county, state, and national standards. Each definition will be followed by a level of service ranging from None to High. We will bring back to you a chart showing the current level of service provided by each department based on the service level definitions in this document.

EMERGENCY RESPONSE

The goals and Objectives of fire control response is to provide a fire control system capable of controlling unfriendly fires before they reach the flashover stage within a structure or of a size that cannot be controlled with mutual aid resources outside of a structure.

The Goals and Objectives of medical aid is to provide a medical aid system capable of providing advanced life support and emergency transportation to all areas of the community at the paramedic level.

The Goals and Objective of Hazardous Material Response is to provide First Responder Personnel on the scene of an hazardous materials spill to secure the scene or to mitigate the emergency depending on the material(s) involved.

2.1 FIRE SUPPRESSION:

NFPA recommends the following response levels to structure fires; High hazard occupancies - 6 apparatus and 26 firefighters, Medium hazard occupancies - 4 apparatus and 17 firefighters, Low hazard occupancies 3 apparatus and 13 firefighters, Rural operations - 2 apparatus and 13 firefighters.

High level of service meets all of the NFPA requirements for High hazard occupancies.

Medium level of service meets the NFPA requirements for Medium hazard occupancies.

Low level of service meets the NFPA requirements for Low hazard occupancies.

None fails to meet any of the NFPA standards.

Response to Commentor No. 22

Donald L. Eads, M.D.

May 7, 2004

- 22-1 The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 22-2 Commentor refers to the Project's consistency with the County General Plan. Please refer to Response to Comment Nos. 13-9, 13-10, 13-12 and 13-16, which addresses this concern. Also, refer to Response to Comment Nos. 3-7, 13-88, 13-95 and 41-14, which address bald eagle concerns. The County will consider the Commentor's opinion during their deliberation on the project.
- 22-3 Commentor refers to current water restrictions and affects to water supply. Please refer to Response to Comment Nos. 1-3, 1-4, 1-5, 4-2 and 13-47, which addresses these concerns.
- 22-4 Commentor refers to fire hazards and affects to fire protection services. Please refer to Response to Comment Nos. 4-1, 4-4, and 13-27 to 13-36, which address these concerns.

County of San Bernardino, Land Use Dept./Planning Division
385 N. Arrowhead Ave., First Floor
San Bernardino, CA 92415-0182

RECEIVED
MAY 21 2004
LAND USE
ADVANCEMENT

Attn. Matthew W. Slowik

DRAFT EIR FOR MOON CAMP DEVELOPMENT PROJECT/RCK PROPERTIES INC.: GENERAL PLAN AMENDMENT/OFFICIAL LAND USE DISTRICT CHANGE FROM BV/RL-40 TO BV/RS-7200 AND AMENDMENT TO COUNTY CIRCULATION ELEMENT FOR REALIGNMENT OF NORTH SHORE DRIVE: TENTATIVE TRACT MAP #16136, AND CONDITIONAL USE PERMIT FOR A BOAT DOCK.

I have had the opportunity to review the draft EIR and I oppose the Moon Camp project as presently designed because the DEIR fails to adequately evaluate the true impact to our community of Fawnskin. The critical issues I address are:

Aesthetics and Land Use

The EIR does not consider the cumulative impact of traffic which will exist onto Highway 38 within a 1/2 mile from the 92 Moon Camp residential sites, the 134 sites at adjacent Marina Point and the existing traffic off Canyon. Not included in the EIR is the additional traffic of cars and trailers for the 100 dock marina at Moon Camp and the adjacent docks at Marina Point.

23-1

Cal Trans was not among the agencies consulted in this EIR yet the development as designed requires a rerouting of Highway 38. The road as proposed will not eliminate the traffic flow problem but allow the development of additional lake front parcels. Rerouting of Highway 38 will create a visual impact on this lakefront stretch of county scenic highway.

23-2

Before and after pictures from north, south, east and west are inadequate to neither show the development at build-out. Pictures do not depict the type of structures currently being built in the mountains nor show the loss of mature trees on the site. The visual impact cannot be mitigated.

23-3

The EIR fails to consider the cumulative visual impact of a 100 dock boat marina adjoining Marina Points' marine. Parking spaces for the cars at the marinas does not take into consideration maximum weekend and holiday usage. Number of parking spaces needed should reflect county code for other marinas along the north shore.

23-4

EIR does not address off site storage locations for the 100 boats and trailers during approximately 7 months of the year. | 23-5

EIR does not address the low lake level for the past several years and what the added boat capacity would do for safety and navigation | 23-6

EIR does not adequately address public access to neither the lakeshore nor the loss of shoreline since 1999. Picnicking, fishing and hiking have been reduced due to residential structures and loss of public access. | 23-7

Public Services:

EIR is premature and does not adequately address the cumulative impact of the water supply or lack there of for 95 additional residents with the 134 at Marina Point. On site wells have not proven to provide the water needed for build-out | 23-8

EIR does not address the current water conservation measure in effect and how the project will add to the water problem as it now exists in the Big Bear Valley. | 23-9

One-time developer fees assessed at construction would not mitigate the impact of new students at North Shore School. Consider 100 residences at Moon Camp and 134 at adjacent Marina Point. EIR 5.3-2 says the BVUSD schools are at maximum capacity and so do not have adequate school housing and replacement facilities are needed. With .02 students per household and the adjacent sites of Moon Camp and Marina Point with a combined capacity of 229 residences there would be approximately 45 new students generated. This impact to the already overcrowded conditions in our school is not mitigated. | 23-10

The EIR doe not admit to consulting the following agencies for input. Was an EIR document circulated to them?

United States Forest Service (the development is adjacent to the USFS on the north and east and needs to address eagle and biological concern.)

Department of Fish and Game (input necessary for shoreline Fish habitat.)

Cal Dept of Forestry and Fire Protection (harvesting and tree removal in Eagle habit.)

Army Corp of Engineers (input necessary for dredging to Deepen a site for boat docks.

Cal Trans (necessary to give input to the rerouting of our | 23-11

Scenic highway.

23-11

The proposed land use District change will have a substantial adverse effect on the surrounding property and the community of Fawnskin. I propose that the zoning remain as is and consider those who purchased in the area based on the current zoning.

23-12

Thank you for the opportunity to comment on this Moon Camp DEIR.

Sincerely,



Mary Lu Drake
39722 Flicker Road/ PO Box 164
Fawnskin, CA. 92333

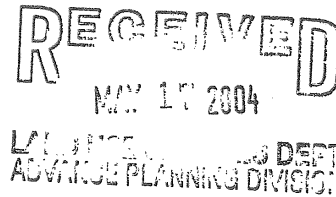
Response to Commentor No. 23

Mary Lu Drake

May 10, 2004

- 23-1 Commentor refers to cumulative traffic impacts associated with the Marina Point Development. Please refer to Response to Comment No. 13-2, which addresses this concern.
- 23-2 Section 5.4, *Aesthetics/Light and Glare*, analyses long-term scenic highway (State Route 38) impacts associated with the proposed project. As stated under Impact Statement 5.4-3, the analysis has concluded that significant and unavoidable impacts would occur in this regard as a result of project development. Also, refer to Response to Comment No. 13-5.
- 23-3 Commentor refers to the visual simulations not being reflective of build-out of the project area. Please refer to Response to Comment Nos. 13-54 and 13-55, which address this concern.
- 23-4 Cumulative visual impacts associated with the Marina Point development and the proposed marina facility are addressed in Response to Comment No. 13-56. Additionally, the project design must meet all County of San Bernardino parking code requirements or there must be a Parking variance granted by the County.
- 23-5 Commentor refers to off-site storage locations of boats and trailers and affects to the existing aesthetic character. Please refer to Response to Comment No. 13-57, which addresses this concern.
- 23-6 The Commentor refers to the low lake levels for the past several years and potential safety and navigation impacts associated with the added boat capacity. As stated in Section 5.2, *Recreation*, according to the Big Bear Municipal Water District Management Plan, the carrying capacity of the lake is 1,000 boats. Based upon boat use factors, project implementation would not exceed the boat carrying capacity of the lake. Thus, navigation of the lake would not be compromised by implementation of the proposed project. Boating safety would be ensured through individual boat users complying with boating regulations and procedures established by the Big Bear Municipal Water District. Also, refer to Response to Comment No. 13-35.
- 23-7 Commentor refers to decreased public access to the lakeshore. Please refer to Response to Comment No. 13-26, which addresses this concern. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 23-8 Commentor refers to water supply and cumulative affects to groundwater. Please refer to Response to Comment Nos. 1-3, 1-4, 1-5 and 21-3, which address this concern.
- 23-9 Commentor refers to existing water conservation measures and affects to water supply. Please refer to Response to Comment No. 18-1, which addresses this concern.

- 23-10 As stated under Impact Statement 5.3-3, based on correspondence with the Bear Valley Unified School District (BVUSD), the District anticipates that the Project may result in the need for additional facilities and may require modifications to schools of attendance. Although schools serving the Project are over capacity and replacement facilities are needed, the District has stated that it could serve the projected number of students that would be generated from the proposed Project following payment of school impact fees and compliance with all applicable requirements, codes, and ordinances. Currently, the District collects Developer's Fees for new construction. The current residential rate is \$0.82 per square foot. The Developer's fees are determined by a Developer Justification Study commissioned by the District every two years. BVUSD is currently in year four of a modest enrollment decline. Currently, the District seeks modest enrollment growth and the proposed Project would contribute to modest enrollment growth. Thus, payment of Developer Fees in accordance with the latest Developer Justification Study would reduce impacts to less than significant levels. Additionally, it is noted that CEQA does not require any additional action above and beyond payment of this fee.
- 23-11 Commentor refers to lack of agency consultation with various governmental agencies. Please refer to Response to Comment No. 13-5, which addresses this concern.
- 23-12 The County will consider the Commentor's opinion and comments during their deliberation on the project.



May 10th, 2004

County of San Bernardino
Land Use Services Department
Planning Division
385 N. Arrowhead Ave. First Flr.
San Bernardino, CA 92415-0182
Attn: Matthew W. Slowik

RE: Draft EIR for the Moon Camp Development Project/RCK Properties Inc:
General Plan Amendment/Official Land use district change from BV/RL-40 to
BV/RS-7200 and amendment to county circulation element for realignment of
North Shore Dr; Tentative tract map #16136, and conditional use permit for a
boat dock.

Thank you for the opportunity to review this document.

As a layperson, reading and trying to wind your way through complicated and
wordy material can be daunting. Trying to figure out what certain terms actually
mean can be frustrating. But I feel my points are valid and well thought
through.

After reading the information on the proposed projects I must state my
opposition to the venture. The DEIR fails to adequately evaluate the true impact
this project will cause the community in general and there will be very specific
detrimental effects as well.

24-1

As a resident of Fawnskin for the last three years, I can state that I am *not*
opposed to growth in this area, but the growth must be in line with the current
values and environment that is already established. Timing is also crucial. The
proposed project does not conform and is poorly timed.

Fire is the main problem facing all of the mountain properties and will be for the
next decade. In section 5.3-1 all the evaluations were based on Fire Risk level 2,
unfortunately for us all we are now at Level 1, which negates all of the findings.
Also in regard to fire, the impact of a development of this size would greatly
increase the amount of time to evacuate in case of a scenario like last October's.
This is not addressed at all in the DEIR. It is significant and tremendously
important to those of us who already live here. Last October was a frightening
and dangerous situation. Let's not make the next time worse.

24-2

Water is already in short supply for the valley. This also will not get any better in
the foreseeable future. No one is predicting an El Nino season anytime soon.

24-3

The DEIR in section 5.3-6 states that the project is exempt from SB221, but from all that I have read this is not true and should conform. It tremendously understates the crisis situation we are in and should be re-evaluated. No one can predict when the shortage will be reversed; we shouldn't overburden the system with ill proposed developments.

24-3

I purchased my home in Fawnskin for the beauty of the area and the proximity of the lake to my property. The expanding views and vistas of the lake greatly increase the value of the area. Everyone in Fawnskin currently shares the beauty of the scenery. The proposed project will greatly impact the rest of the residents in the area. It will change the topography significantly. The County designates state road 38 as a Scenic Highway. The DEIR already concludes that the impact to the aesthetics would be significant and unavoidable. The drawn views do not accurately show the impact on the area. They are not even drawn to scale. It must be revised to accurately show the damage to other resident's enjoyment of the area.

24-4

You must remember that Fawnskin is home to Bald Eagles and their rights must be protected. The growth in the area has been small and measured to keep the eagles safe and undisturbed. The proposed project does not take into consideration the destruction caused by construction and the noise and pollution that will be brought to Fawnskin. (section 5.8) The Eagle has been in danger because of man's misuse of land and chemicals. Do we think that this will be any less toxic to the creatures who call the area home?

24-5

Unfortunately I don't have the time to address every point that I found wanting or disturbing in the DEIR. I feel that this project is trying to be pushed through without the entire picture being viewed.

24-6

The Big Bear Valley is a beautiful place with many underlying problems, fire danger, water shortages, supply issues, electrical issues requiring the building of a new generator for peak overloads that we *already* have.

Please don't make it worse for the sake of a few dollars. We can have growth in the area that allows everyone to enjoy why we moved here in the first place. This project isn't it.

Sincerely,
Christine Florio



Christine Florio

PO Box 84

1154 Chickasaw Lane
Fawnskin CA 92333

Response to Commentor No. 24

Christine Florio

May 10, 2004

- 24-1 The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 24-2 Commentor refers to the accuracy of the current Fire Risk Level designation, increased traffic and affects to evacuation plans. Please refer to Response to Comment Nos. 4-1, 4-4 and 13-27 to 13-36, which address these concerns. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 24-3 Commentor refers to SB221 reporting requirements, water supply and affects to groundwater. Please refer to Response to Comment Nos. 1-3, 1-4, 1-5 and 13-42, which address these concerns. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 24-4 Commentor refers to development of the project area and affects to the existing aesthetic character. Please refer to Response to Comment Nos. 13-12, 13-54, 13-55, which address these concerns. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 24-5 Commentor refers to impacts to the bald eagle. Please refer to Response to Comment Nos. 3-7, 13-86, 13-88, 13-95 and 41-14, which address this concern. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 24-6 The County will consider the Commentor's opinion and comments during their deliberation on the project.

EVERETT H. GREENBERG
P.O. Box 130646
Big Bear Lake, CA 92315
(909) 585-3176

RECEIVED

MAY 11 2004

CURRENT PLANNING

RECEIVED
MAY 11 2004

**EIR USE ONLY
ADVISE PLANNING**

May 10, 2004

County of San Bernardino
Land Use Services Department, Planning Division
385 North Arrowhead Avenue, First Floor
San Bernardino, CA 92415-0182
Attn: Matthew W. Slowik

Re: DRAFT EIR FOR THE MOON CAMP DEVELOPMENT PROJECT/RCK
PROPERTIES, INC.: GENERAL PLAN AMENDMENT/OFFICAL LAND USE
DISTRICT CHANGE FROM BV/RL-40 TO BV/RS-7200 AND AMENDMENT TO
COUNTY CIRCULATION ELEMENT FOR REALIGNMENT OF NORTH SHORE
DRIVE; TENTATIVE TRACT MAP #16136, AND CONDITIONAL USE PERMIT
FOR A BOAT DOCK.

Sir,

Thank you for the opportunity to address some of the significant negative impacts this project would have on the community of Fawnskin and the Big Bear Valley.

SECTION 5.3.6 WATER: We are now in our sixth year of severe drought with no relief in sight. We do not import water from outside sources like most of the communities down the hill. The only water we receive is from precipitation in the form of rain and snow. The water company has established Conservation Stage II which mandates a ten percent reduction in water use, no new turf and a thirty percent reduction in outdoor water use. Additional development would have a severe adverse effect on an already stressed water system.

25-1

SECTION 5.1.3 CUMULATIVE IMPACT: If this zone change is approved it would have a significant negative impact on the area. We are presently facing water shortages and the need to build additional electric generating facilities just to meet the needs of the existing population. We also must face the immediate fire danger in our local mountains. Last

25-2

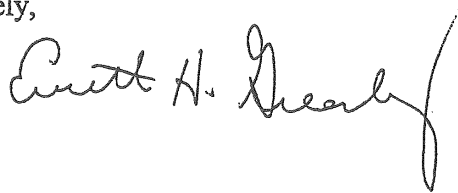
fall's fires pointed out the problems of evacuating this area. There are only three paved roads out of this valley. Also, additional fire and law enforcement resources would be required in order to serve the increased population and homes. I'm sure that by cutting down trees in order to re-route the Scenic Byway would reduce the highway to a Non-Scenic Byway.

25-2

As a long-time resident of this valley I urge you not to grant this zone change. It is my opinion that it would have a significant negative impact on this valley.

Again let me thank you for the opportunity to address this issue.

Sincerely,

A handwritten signature in cursive script that reads "Curt H. Gentry". The signature is written in dark ink and is positioned below the word "Sincerely,".

Cc: Friends of Fawnskin

Response to Commentor No. 25

Everett H. Greenberg

May 10, 2004

- 25-1 Commentor refers to water supply and affects to groundwater. Please refer to Response to Comment Nos. 1-3, 1-4, 1-5, 13-47 and 18-1, which address this concern. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 25-2 The Commentor has provided general comments regarding water resources, electrical service, fire hazards, law enforcement services, evacuation plans and aesthetics. Impacts regarding evacuation of the area are discussed in Response to Comment No. 13-32. The County will consider the Commentor's opinion and comments during their deliberation on the project.

County of San Bernardino,
 Land Use Department/Planning Division
 385 North Arrowhead Ave., First Floor
 San Bernardino, CA 92415-0182

RECEIVED
 MAY 11 2004
 LAND USE
 ADMINISTRATION DEPT.

ATTN: Matthew W. Slowik

**RESPONSES/COMMENTS/OBJECTIONS TO DRAFT EIR FOR MOON CAMP
 EIR, TENTATIVE TRACT MAP 16136**

GENERAL COMMENTS

- | | |
|--|------|
| 1. The EIR failed to adequately assess the collective or combined effect of both the project in question and other foreseeable projects (Marina Point and the 70 acres also in Fawnskin). See Kings County Farm Bureau v. City of Hanford, 221 Cal.App. 3d 692. | 26-1 |
| 2. The EIR failed to consider that there is still no defined water supply for the project. | 26-2 |
| 3. The EIR failed to consider the effect of recent fires on growth and development in the mountain areas. | 26-3 |
| 4. The EIR failed to delineate mitigation factors. It also failed to mention who will monitor and enforce such mitigation. Counties are notorious for not monitoring and enforcing mitigation. The EIR does mention some mitigation as being subject to CC&R's. However, the County will not enforce those CC&R's. Such mitigations are therefore illusionary. | 26-4 |
| 5. The EIR failed to consider input from California Department of Transportation, the United States Forest Service, and the California Department of Fish and Game, and the Army Corps of Engineers. Therefore, the EIR should be recalculated in order to receive input from those agencies. | 26-5 |
| 6. The EIR does not adequately address the impact of changing the zoning from R-40 to R-1. The EIR failed to specify why this, and other impacts, would be less than significant. Who has determined that the proposed zone change would be in the "public interest"? | 26-6 |

SPECIFIC COMMENTS

- | | |
|---|------|
| 1. Section 1.6. The County of San Bernardino has a history of not following its own General Plan. | 26-7 |
| 2. Section 5.2. The EIR failed to consider that all land below the high water line of Big Bear Lake is open to the public. Both Marina Point and Eagle Point had to provide for public access to the lake. Moon Camp should be required to likewise provide such public access. | 26-8 |

- | | |
|--|-------|
| 3. Section 5.2. The EIR failed to consider the impact of traffic, parking, and storage at the proposed 100-slip marina. | 26-9 |
| 4. Section 5.4. The EIR failed to consider the requirements of the San Bernardino County Light Ordinance, which has been adopted by CSA 53B. The proposed project is included in the CSA 53B area. | 26-10 |
| 5. Section 5.4. The simulated views fail to adequately depict what the view shed will be if SR 38 is realigned. The depicted structures are not in proportion to the site, are not spaced according to the plot plan, and are not show at full buildout. Eagle Point and Castle Glen, both products of the same developer, are more realistic of the type of structures that are currently being built in the Big Bear Valley, and with six-foot side setbacks, there would be no effective view of the lake and beyond. | 26-11 |
| 6. Section 5.4. The EIR failed to consider the impact the project would have on the view from the lake. At both Hamilton Ranch and Papoose Bay the view from the lake has been blighted by construction of houses along the shore. Recently, Lake Tahoe passed an ordinance prohibiting the construction of "monster homes" along the shoreline. This was done to protect the viewshed from the lake. | 26-12 |
| 7. Section 5.5.31. The EIR failed to state why the developer is only paying a pro rata share of a traffic signal at Stanfield Cutoff. If their project causes the impact, why not should they bear the full cost? | 26-13 |
| 8. Section 5.7.2 The EIR failed to consider funneling effect of noise from the highway into the adjacent residential areas. Noise from the highway is naturally amplified as it progresses up the hillside. | 26-14 |
| 9. Section 5.7.2 also failed to the increased noise caused by higher speeds on the straightened highway. | 26-15 |
| 10. In addition to the above sections and other traffic sections, the EIR failed to consider the cumulative impact of the proposed project, and other projects in the Big Bear Valley which will dump additional traffic onto the only three paved roads in and out of Big Bear Valley in the event of an emergency evacuation. | 26-16 |
| 11. Section 5.8. Although mitigation measures are proposed to mitigate the impact on eagle habitat. The EIR failed to recognize that in prior developments in Big Bear, where eagle mitigations were instituted, the eagles were effectively driven from those projects. | 26-17 |

Respectively Submitted,



Robert S. Drake
P.O. Box 164
Fawnskin, CA 92333
(909)866-2262

Response to Commentor No. 26

Robert S. Drake

May 11, 2004

- 26-1 Commentor refers to cumulative impacts associated with other foreseeable projects. Please refer to Response to Comment No. 13-2, which addresses this concern. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 26-2 Commentor refers to water supply and affects to groundwater. Please refer to Response to Comment Nos. 1-3, 1-4, and 1-5, which address this concern.
- 26-3 Commentor refers to fire risks associated with development of the project vicinity. Please refer to Response to Comment Nos. 4-1, 4-4, and 13-27 to 13-36, which address this concern.
- 26-4 Commentor refers to the enforcement process and procedures for implementation of mitigation measures. Please refer to Response to Comment No. 13-4, which addresses this concern.
- 26-5 Commentor refers to lack of consultation with various governmental agencies. Please refer to Response to Comment No. 13-5, which addresses this concern.
- 26-6 Commentor refers to the Project's consistency with the County General Plan. Please refer to Response to Comment No. 13-9, which addresses this concern.
- 26-7 The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 26-8 Commentor refers to the decrease of public access along the lakeshore. Please refer to Response to Comment No. 13-26, which addresses this concern.
- 26-9 Commentor refers to the marina facility and affects to traffic, parking and the existing aesthetic character. Please refer to Response to Comment Nos. 2-2, 13-20, 13-24 and 13-56, which address these concerns.
- 26-10 Commentor refers to light and glare impacts associated with development of the project area. Please refer to Response to Comment No. 13-52, which addresses this concern.
- 26-11 Commentor refers to the visual simulations not being reflective of build-out of the project area. Please refer to Response to Comment Nos. 13-54 and 13-55, which addresses this concern.
- 26-12 Commentor refers to impacts to views from the lake as a result of development of the project site. Please refer to Response to Comment Nos. 13-54 and 13-56, which address this concern.

- 26-13 The pro-rata share of the off-site improvements represents a fair share contribution by the Project Applicant to pay for the identified traffic improvements. It is recognized that existing development, the proposed project and future development projects contribute to existing and/or future roadway system deficiencies. Thus, it is appropriate for the proposed project to pay for a portion of the identified traffic improvements, as it would contribute a portion of the future traffic to the street system. Also, refer to Response to Comment No. 13-61.
- 26-14 Commentor refers to the funneling noise effect from increased traffic. Please refer to Response to Comment No. 13-80, which addresses this concern.
- 26-15 Although high vehicle speeds are conceivable along the straightened State Route 38, the modeling utilized the highest maximum-posted speed. Modeling the posted maximum speed is widely accepted acoustical methodology, as using an empirical observation would vary based upon particular driving habits and could lead to a skew in the results. The modeling represents the worst-case scenario in the evaluation of potential traffic-generated noise impacts on noise sensitive land uses (e.g., schools, residential and assisted care facilities). As indicated in Section 5.7, *Noise*, a 3.0-dBA change in noise levels is considered to be the minimum change in noise levels that is discernable by human hearing. As the proposed project does not exceed the thresholds in Table 5.7-6, *Significance of Changes in Cumulative Noise Exposure*, or those developed by the County of San Bernardino, a less than significant impact would result.
- 26-16 Commentor refers to increased traffic and affects to evacuation plans. Please refer to Response to Comment No. 13-32, which addresses this concern.
- 26-17 Commentor refers to impacts to the bald eagle. Please refer to Response to Comment No. 13-88, which addresses this concern.

RECEIVED
MAY 11 2004
ADMINISTRATIVE SERVICES

May 11, 2004
817 Coronado Terrace
Los Angeles, CA. 90026

Via U.S. Mail and Fax (909) 387-3223

Mr. Matthew W. Slowik
County of San Bernardino
Land Use Services Department, Planning Division
385 N. Arrowhead Ave., First Floor
San Bernardino, CA 92415-0182

RE: DRAFT EIR FOR THE MOON CAMP DEVELOPMENT PROJECT/RCK PROPERTIES INC.: GENERAL PLAN AMENDMENT/OFFICIAL LAND USE DISTRICT CHANGE FROM BV/RL-40 TO BV/RS-7200 AND AMENDMENT TO COUNTY CIRCULATION ELEMENT FOR REALIGNMENT OF NORTH SHORE DRIVE; TENTATIVE TRACT MAP #16136, AND CONDITIONAL USE PERMIT FOR A BOAT DOCK.

Dear Mr. Slowik,

We are writing to request that the County extend the deadline of May 17, 2004 for public responses to the DEIR for the Moon Camp Development Project. The DEIR is a very large complex document, which requires extensive time to research and evaluate.

RBF Consulting had two years to compile all of this information, giving the public a short six-week period to read, research and review the DEIR is not really fair to all involved and impacted by this proposed project. In addition, many reports and documents are referred to, but not included, in the DEIR, requiring additional time needed for research prior to comment.

We appreciate your considering our request for an extension. We may be reached at (213) 413-2460, fax (213) 413-6162, as well as the address above. Thank you for your consideration. We look forward to your response.

Sincerely,



Joseph Francuz



Barbara Francuz

27-1

Response to Commentor No. 27

Joseph and Barbara Francuz

May 11, 2004

- 27-1 Commentor refers to extending the deadline for providing comments on the Draft EIR. Please refer to Response to Comment No. 9-1, which addresses this concern.

May 11, 2004

County of San Bernardino
Land Use Services Department
Planning Division
385 N. Arrowhead Ave., First Floor
San Bernardino, CA 92415-0182

Attention: Matthew W. Slowik

To Whom It May Concern:

SUBJECT: DRAFT EIR FOR THE MOON CAMP DEVELOPMENT PROJECT/RCK PROPERTIES, INC.: GENERAL PLAN AMENDMENT/OFFICIAL LAND USE DISTRICT CHANGE FROM BV/RL-40 TO BV/RS-7200 AND AMENDMENT TO COUNTY CIRCULATION ELEMENT FOR REALIGNMENT OF NORTH SHORE DRIVE; TENTATIVE TRACT MAP #16136, AND CONDITIONAL USE PERMIT FOR A BOAT DOCK.

Thank you for the opportunity to review the Draft EIR.

I oppose this Moon Camp project as presently designed because the DEIR fails to evaluate the true impact this proposed project would cause to the critical issue of water. Section 5.3-6 states that the groundwater is already in overdraft condition. Why add to the environmental stress the North Shore is already feeling with water restrictions and the trees dying due to beetle infestation because of the drought?

28-1

Section 5.7 states that short-term (construction), long term, watercraft and cumulative noise would be less than significant. Many residents and vacationers staying on the North Shore are buying property there explicitly to escape the noise of the south shore or the cities below. Fawnskin residents are able to hear motorboats from across the lake, air traffic from the airport, and traffic from route 38. The Moon Camp project would not only provide noise pollution for it's current residents but the proposed Moon Camp residents and South Shore residents would certainly be affected by the noise pollution.

28-2

Sincerely,

Jane E. MacNett



402 MUSEUM DRIVE
LOS ANGELES, CA 90065

Response to Commentor No. 28

Jane E. MacNett

May 11, 2004

- 28-1 Commentor refers to water supply and affects to groundwater. Please refer to Response to Comment Nos. 1-3, 1-4, 1-5, 18-1 and 21-3, which address this concern.
- 28-2 Noise associated with the project would adhere to the standards and regulations set forth by the State of California and County of San Bernardino. Additionally, boating operations shall comply with the Big Bear Municipal Water District guidelines in regards to watercraft noise. According to the analysis conducted, vehicle noise generated from the proposed residential project would not increase noise levels within the area by more than 1dBA over "No Project" levels. In addition, air traffic from the airport is out of the scope of this DEIR since airports are not located within the vicinity of the project. Generally, residential neighborhoods are not a significant source of stationary noise pollution. Additionally, please refer to Response to Comment Nos. 13-85 and 26-15.

May 11, 2005

County of San Bernardino
Land Use Services Department, Planning Division
385 North Arrowhead Ave. 1st Floor
San Bernardino, CA 92415-0182

Attn: Matthew W. Slowik

RE: DRAFT EIR FOR THE MOON CAMP DEVELOPMENT PROJECT/RCK PROPERTIES INC.: GENERAL PLAN AMENDMENT/OFFICIAL LAND USE DISTRICT CHANGE FROM BV/RL-40 TO BV/RS-7200 AND AMENDMENT TO COUNTY CIRCULATION ELEMENT FOR REALIGNMENT OF NORTH SHORE DRIVE; TENTATIVE TRACT MAP #16136, AND CONDITIONAL USE PERMIT FOR A BOAT DOCK.

Dear Sir,

We would like to thank you for allowing us to review the Draft Environmental Impact Report. We have many issues with the proposed project and these are a few of them.

Section 5.1-2 Zoning Change. The DEIR states that according to the General Plan, a Land Use District Change requires that four statements listed be true. Number one and number four are not true. Number one states, the proposed land use district change be in the public interest. In the community of Fawnskin you will find that nine out of ten people are against this project. Number four states the proposed change will not have a substantial adverse effect on surrounding property. We think this project will change this community significantly. The property is now open space and much of it ties in with the National Forest. This supplies habitat for wild animals and gives them access to the lake. Changing the zoning to RS/7200 and building 92 houses with a gated community will block off this access.

29-1

Section 5.1-3 Cumulative Impact. There are other tracts Marina Point, one on Bruin Trail and the Big Bear Animal Park proposed for the North Shore area. These projects will have a major impact on the Fawnskin community.

29-2

Section 5.3-1 Fire Protection. This is one of our major concerns. The mitigations listed for Fire Protection is sprinkler systems in all the homes. This does not take into consideration that 90% of the calls are for medical aid. The Old Fire should teach us one thing. We are not prepared to evacuate people off the mountain in an emergency. We had four days warning and there were no tourists in the valley when we were told to evacuate. It still took some people over four hours to get off the mountain. That was with an alternate route opened up. Had the fire been near the Big Bear valley and only one route available there could have been many lives lost and extreme panic in the area. The county should not think of adding more people to the valley with the drought we are in and the condition of our forest.

29-3

Section 5.3-6 Water; The DEIR states this project is exempt from Senate Bill 221. Fawnskin water supply is independent from the rest of the Department Of Water And Power service area. We are only supplied by the wells in Fawnskin. The Fawnskin service area has 673 connections at this time. The addition of 92 connections is a 14% increase so this law applies. The potential wells to service this project were dug in 1987. Reviewing the historic rainfall tables this was in a normal rainfall cycle. We are in our sixth year of well below normal rainfall. There should be more tests of these wells and the entire North Shore agua system before any zone change could be considered. We have been warned of possible restrictions of water use including no outdoor watering this summer. We think the water issue is one of the most important issues of the DEIR and should be addressed before any zone change would be considered.

29-4

Sincerely


James C. McGrew


Lola E. McGrew

39760 Flicker Road
P. O. Box 493
Faenskin, CA 92333-0493

Response to Commentor No. 29

James C. McGrew and Lola E. McGrew

May 11, 2004

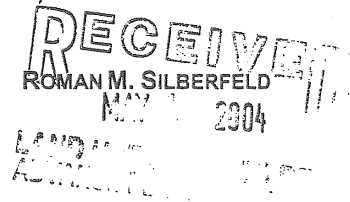
- 29-1 Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment Nos. 13-9, 13-10, 13-16 and 13-91. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 29-2 Commentor refers to cumulative impacts associated with other foreseeable projects. Please refer to Response to Comment No. 13-2, which addresses this concern. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 29-3 Commentor refers to mitigation measures for fire protection services, increased traffic and affects to evacuation plans. Please refer to Response to Comment Nos. 4-1, 4-4, and 13-27 to 13-36, which address these concerns. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 29-4 Commentor refers to reporting requirements of SB221, water supply and affects to groundwater. Please refer to Response to Comment Nos. 1-3, 1-4, 1-5, which address groundwater conditions; refer to Response to Comment Nos. 13-42, which addresses SB221; refer to Response to Comment Nos. 13-43 and 13-48, which address wells in the project vicinity; refer to Response to Comment No. 13-44, which addresses well testing; refer to Response to Comment Nos. 13-47 and 18-1, which address water conservation measures; and refer to Response to Comment No. 21-3, which addresses cumulative water impacts. The County will consider the Commentor's opinion and comments during their deliberation on the project.

ROBINS, KAPLAN, MILLER & CIRESI LLP

SUITE 3700
2049 CENTURY PARK EAST
LOS ANGELES, CA 90067-3211
TEL: 310-552-0130 FAX: 310-229-5800
www.rkmc.com

ATTORNEYS AT LAW

May 11, 2004



VIA FACSIMILE AND U.S. MAIL (909) 387-3223

Mr. Matthew W. Slowik
 County of San Bernardino
 Land Use Services Dept., Planning Division
 385 N. Arrowhead Ave., First Floor
 San Bernardino, CA 92415-0182

Re: Draft EIR for the Moon Camp Development Project/RCK Properties, Inc.:
 General Plan Amendment/Official Land Use District Change from BV/RL-40
 to BV/RS-7200 and Amendment to County Circulation Element for
 Realignment of North Shore Drive; Tentative Tract Map #16136, and
 Conditional Use Permit for a Boat Dock

Dear Mr. Slowik:

I am writing to request that the County extend the May 17 deadline for public responses to the DEIR for the Moon Camp Development Project. We request an extension of 90 days. The DEIR is a lengthy document, difficult to read and understand, and it requires extensive time to evaluate properly. There are many very complex impacts presented by this project and a long list of documents and reports referred to in the DEIR have not been provided. We are spending a great deal of extra time finding and reviewing the information in these other documents, plus locating information on issues that were omitted from the DEIR.

30-1

Thank you for your consideration in this request. I look forward to hearing from you.

Very truly yours

A handwritten signature in black ink, appearing to be "Roman M. Silberfeld", written over a horizontal line.

Roman M. Silberfeld

RMS:jt

Response to Commentor No. 30

Roman M. Silberfeld

May 11, 2004

- 30-1 Commentor refers to extending the deadline for providing comments on the Draft EIR. Please refer to Response to Comment No. 9-1, which addresses this concern.

WM. HAZEWINKEL & CO.

RECEIVED
MAY 1 2004

LAND USE SERVICES
ADVISORY BOARD

May 12, 2004

Mr. Matthew W. Slowik
County of San Bernardino
Land Use Services Department, Planning Division
5 N. Arrowhead Ave., First Floor
San Bernardino, CA 92415-0182
Via Facsimile and US Mail

Re: DRAFT EIR for the Moon Camp Development Project/RCK
Properties Inc.: General Plan Amendment/Official Land Use District
Change; Tentative Tract Map #16136, & conditional use permit for a
boat dock.


Dear Mr. Slowik,

I respectfully request that the County extend the May 17th deadline for the public to comment
on the Draft EIR for the Moon Camp Development Project. This document is extremely
large and requires a huge amount of time to review and comment upon. In addition, it refers
to a lot of documents that should be reviewed as well, but they are not provided in the Draft
EIR.

31-1

As residents and business owners in Fawnskin, we are very concerned about the significant
impacts upon our community that a proposed project of this magnitude would have, and feel
that we should be given adequate time to review this document, and provide our comments.

Thank you for considering our request.



William C. Hazewinkel

PO BOX 378, FAWNSKIN, CA 92333-0378 PHONE (909) 878-5577 FAX (909) 878-2249

Response to Commentor No. 31

William C. Hazewinkel

May 12, 2004

- 31-1 Commentor refers to extending the deadline for providing comments on the Draft EIR. Please refer to Response to Comment No. 9-1, which addresses this concern.

DRAFT

RECEIVED
MAY 10 2004
LAND USE SERVICES DEPT
ADVANCE PLANNING DIVISION

ROBERT R. HENRICH
P.O. BOX 282
FAWNSKIN, CA 92333
Phone 909-866-3300
Fax 909-866-4222
E-mail rileyh@hotmail.com

Wednesday, May 12, 2004

Matthew W. Slowik
Land Use Services Department
Planning Division
385 N. Arrowhead Ave., First Floor
San Bernardino, CA 92415-0182

RE: DRAFT EIR FOR THE MOON CAMP DEVELOPMENT PROJECT/RCK PROPERTIES INC., GENERAL PLAN AMENNDMENT/OFFICIAL LAND USE DISTRICT CHANGE FROM BV/rl-40 TO BVRS-7200 AND AMENDMENT TO COUNTY CIRCULATION ELEMENT FOR REALIGNMENT OF NORTH SHORE DRIVE; TENTATIVE TRACT MAP #1636, AND CONDITIONAL USE PERMIT FOR A BOAT DOCK.

Dear Mr. Slowik:

I am writing to request that the County extend the May 17th deadline for public responses to the to the DEIR for the Moon Camp Development Project. There is a long list of documents and reports referred to in the DEIR but not provided. We need time to find these documents and review them.

32-1

Thank you for your consideration.

Sincerely,


Robert R. Henrich

Response to Commentor No. 32

Robert R. Henrich

May 12, 2004

- 32-1 Commentor refers to extending the deadline for providing comments on the Draft EIR. Please refer to Response to Comment No. 9-1, which addresses this concern.

May 12, 2004

County of San Bernardino
 Land Use Services Department
 Planning Division
 385 N. Arrowhead Ave
 First Floor
 San Bernardino, Ca 92415-0182
 Attn: Mr. Matthew W. Slowik

RECEIVED
 MAY 13 2004
 LAND USE SERVICES DEPARTMENT
 ADVISORY PLANNING DIVISION

Re: Draft EIR for the Moon Camp Development Project.RCK Properties Inc: General Plan Amendment/Official Land Use District Change From BV/RL-40 to BV/RS-7200 and Amendment to County Circulation Element For Realignment of North Shore Drive; Tentative Tract Map #16136, And Conditional Use Permit For A Boat Dock.

Dear Mr. Slowik:

Thank You for the opportunity to review this document. After review I oppose the proposed Moon Camp project because the DEIR fails to adequately evaluate the true impact this proposed project would cause to the following critical issues:

In section 5.1-2, the DEIR states that according to the General Plan, a Land Use District Change requires that each of the following statements be true:

- 1) The proposed land use change is in the public interest, there will be community benefit and other existing and permitted uses will not be compromised. 33-1
OBJECTION: This proposed project is NOT a community benefit. This proposed change will benefit the developer exclusively.

- 2) The proposed land use change is consistent with the goals and policies of the General Plan, and will provide a reasonable logical extension of the existing land use pattern in the surrounding area. 33-2
OBJECTION: The majority of the property boundaries are bordered by National Forest Land or the Lake, the proposed change from rural to residential is not a logical extension.

- 3) The proposed land use change will not have a substantial adverse effect on surrounding property: 33-3
OBJECTION: The proposed change DOES have an adverse effect on surrounding property. The area is rural surrounded by National Forest and Lake; this proposed change will overburden this small parcel jeopardizing the surrounding properties by further depleting Fire Protection, Police Protection, Water Shortage, Wastewater, Noise & Lighting Glare.

In section 5.2-3, the DEIR states that this proposed project, combined with other future development, would increase the intensity of land uses in the area, but concludes that the impacts are less than significant. 33-4
OBJECTION: The cumulative effect of this proposed

project, plus the proposed Marina Point development, plus the proposed Brook side project, plus the expansion of the Discovery Center to handle more visitors, plus all the developments on the other side of the lake, given the water shortage, electricity shortage, fire danger, lack of evacuation abilities all go together to create an Extremely Significant Impact. Analyzing this project alone is a completely invalid, misleading and understated option. Cumulative impacts are significant.

33-4

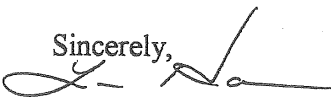
Section 5.8- Biological Resources. Although Biological Resources did not take into account the loss of trees in the evaluation. While a mitigation for eagles states that all trees over 20 inches in diameter will be protected, it does that only on individual lots and does not hold the developer to that standard for cutting roads and other structural changes required for the proposed project. Therefore, the analysis is misleading in pretending that this mitigation will protect the eagle perch trees. The analysis does not include ospreys, common visitors to the site. The bark beetle infestation coupled with the drought is destroying the forest. To further remove healthy trees for development will impact the wildlife.

33-5

The analysis is insufficient because it doesn't address the impact of the objections stated above. The negative impact should the proposed project be approved will be very significant to the community of human life and wildlife. In final, I close by saying "Cumulative Impacts are Significant" and further analysis is required to adequately address this proposed project.

33-6

Sincerely,



Lindi Holland
28081 Morro Court
Laguna Niguel, Ca 92677

100 Pine Oak Lane
Fawnskin, Ca

Response to Commentor No. 33

Lindi Holland

May 12, 2004

- 33-1 Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment No. 13-9, which addresses this concern. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 33-2 Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment No. 13-10, which addresses this concern. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 33-3 Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment No. 13-16, which addresses this concern. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 33-4 The Commentor refers to Impact Statement 5.2-3, which regards cumulative impacts associated with adverse physical effects to the environment as a result of recreational facilities. As the proposed project includes a marina facility, all construction activities would be subject to review and approval by the Big Bear Municipal Water District, which includes obtaining a Shorezone Alteration Permit. Each of the proposed developments identified by the Commentor would be responsible to mitigate incremental impacts to recreational facilities to less than significant levels. Also, refer to Response to Comment No. 13-2. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 33-5 Commentor refers to impacts to biological resources from tree removal, as well as impacts to the bald eagle and osprey. Please refer to Response to Comment No. 13-87, which addresses impacts to the Osprey; refer to Response to Comment No. 13-86, which addresses tree removal; and refer to Response to Comment Nos. 3-7, 13-88, 13-95 and 41-14, which address impacts to the bald eagle.
- 33-6 The County will consider the Commentor's opinion and comments during their deliberation on the project.

Anne Browning McIntosh AICP
City Planning and Administration

May 12, 2004

County of San Bernardino
Land Use Services Department, Planning Division
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415-0182
ATTN: MATTHEW W. SLOWIK

RECEIVED
MAY 12 2004
COUNTY OF SAN BERNARDINO
PLANNING DIVISION

RE: DRAFT EIR FOR THE MOON CAMP DEVELOPMENT- GPA, LAND USE CHANGE, TTM #16136, AND CUP

Dear Mr. Slowik:

I have read the Draft EIR for the Moon Camp development. This letter represents my comments on the Draft document.

Although I am concerned about all impacts of this project that may degrade the environment of the San Bernardino Mountains for years to come, I am particularly concerned about the inadequacy of the EIR in suggesting appropriate mitigation measures, which could mitigate the **LAND USE** and **AESTHETIC** impacts.

My overall concern is that the applicant and the EIR consultant believe that a 1970s suburban style subdivision development is appropriate for Fawnskin. The design of this project, from tract map to road design, to public improvements, to housing type reflect a development that is SO inappropriate for Fawnskin that it is difficult to even begin with suggestions. Architecture and land use planning has come so far in the past 30 years. A much more appropriate treatment of this land is possible with the right environmental analysis and design work.

Following are points that should be addressed:



(Refer to p, 2-2: 5.1-1) The San Bernardino County General Plan was written in 1989 and updated in 2001. Even with both of these updates, the land use designation for this site was determined to be RL-40. The County apparently did not choose to redesignate this property during the preparation of the General Plan or during the recent update. General Plans are intended to establish long-range planning policies. Therefore, the adoption of such a radical amendment to the Land Use Element, not based on a long-term view, but rather in reaction to a tract map request for a much higher density, IS an **unavoidable, significant impact**. To say that the requested amendment to the General Plan mitigates the land use impacts is a circular argument and does not meet the intent of CEQA to evaluate land use policy impacts.



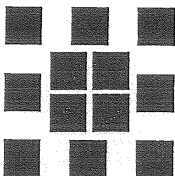
(Refer to p 5.1-6) The County policy LU-2a requires that the "design and siting of new residential development meet locational and development standards that

34-1

34-2

34-3

220 Highland Place
Monrovia, California 91016
Phone: (626) 357-9395
Fax: (626) 357-9286
Cell: (626) 665-3683



ensure compatibility with adjacent land uses and community character.”

This project does not meet this standard. This “residential subdivision” has been designed as a 1970s suburban, (NOT RURAL MOUNTAIN COMMUNITY) housing development complete with cul-de-sacs. It bears no resemblance to the development pattern of Fawnskin. Therefore, among the mitigation measures that should be included are:

- “redesign of the tract map to reflect the rural development pattern of the adjacent Fawnskin community including, but not limited to the prohibition of cul-de-sacs, gates, monument signs, and other features that reflect suburban rather than rural development.”
- All properties on the south side of the highway shall be “through” properties – with frontage on the highway as well as the lakefront to be consistent with existing development patterns on North Shore Drive.
- “Imposition of development standards that maintain the character of a mountain community” (more on this below.)



(Refer to 5.4-2 and corresponding mitigation measures) I wholeheartedly agree with the conclusion that long-term impacts on aesthetics and scenic vistas would be significant and cannot be mitigated to a level of insignificance (except with a reduced density project). However, I believe that **there are a number of additional mitigation measures that CAN and SHOULD be required to reduce the impacts as much as possible:**

- “For properties located to the south of the scenic highway, no cul-de-sacs shall be permitted so that views to the lake from the scenic highway are not blocked and so that existing land use development patterns are maintained.”
- **Remove** mitigation measure 5.4-2b. Two car garages with automatic openers do not say “mountain home” and should not be mandated. This requirement constitutes a project impact – NOT a mitigation measure!
- **Rewrite** mitigation measure 5.4-2c to require a view study for each lot, not a standard formula for all lots.
- **A mitigation measure should be written that defines specific property standards for each lot. These should be developed by a renowned land use designer, should be included in the environmental document as required mitigation measures and should require the following AT A MINIMUM:**

- A minimum of 30 foot distances between residential structures (or whatever distance is deemed appropriate by the land use designer);
- Traditional mountain architecture (i.e. log cabin, Maltby, chalet, etc.) must be used and cannot be uniform throughout the development.
- Native materials such as wood, rock, log, tin, etc. shall be incorporated into all structures
- There must be a range in housing sizes with a maximum of 2,500 square feet (or whatever is deemed consistent by the land use designer);
- A conditional use permit shall be required for all structures located south of the highway;
- Curbs, sidewalks and gutters shall be prohibited.

34-3

34-4

- Property line fences cannot be built as part of the development and will be discouraged subsequently.

34-4



(Refer to 5.4-3 and corresponding mitigation measures) I wholeheartedly agree that impacts on views from a scenic highway will be impacted and will be significant and cannot be mitigated to a level of insignificance (except with a reduced density project). However, I do not believe the mitigation measures are appropriate and go far enough to mitigate what CAN be mitigated. **There are a number of additional mitigation measures that CAN and SHOULD be required to reduce the impacts as much as possible:**

34-5

- Mitigation measure 5.4-3a should be rewritten to PROHIBIT "entry signs". There should be no "entry" because this development should not appear as a planned development or suburban subdivision as stated above. There should be no walls, no gates, no artificial barriers.
- A mitigation measure should be added that specifies that lots should be left in their native condition with native plantings ONLY. Lawns and other high water usage landscaping should be prohibited. Reforestation must occur in areas where mature trees and native plantings are removed.



(Refer to 5.4-4 and corresponding mitigation measures). There should be NO STREET LIGHTING permitted. Again, Fawnskin is rural in nature.

34-6



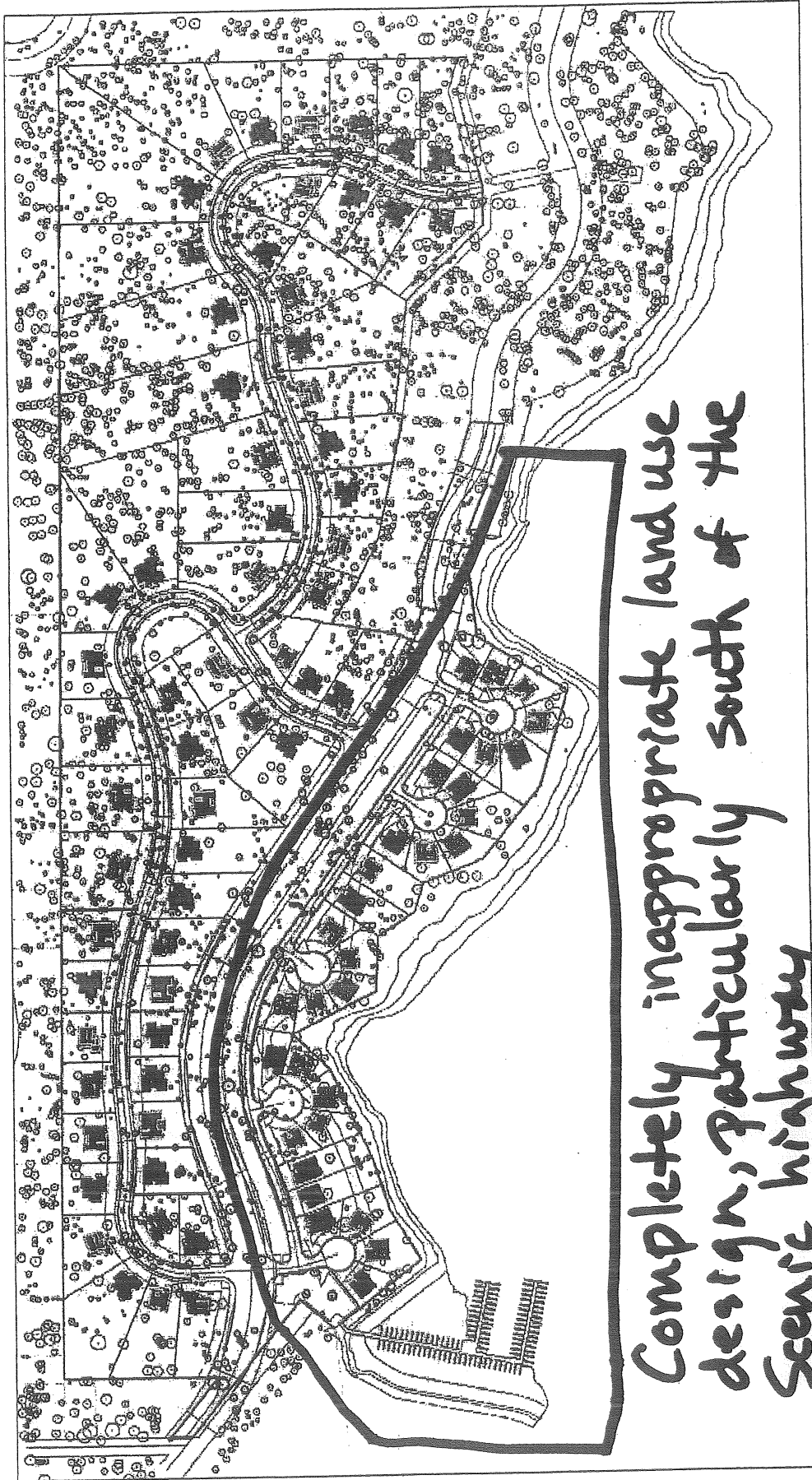
(Refer to Chapter 7 – project alternatives). My belief is that the County must seriously consider a "Reduced Project" alternative because such a project can reduce impacts to a level of insignificance. However, this EIR does not adequately evaluate either of the two suggested reduced project alternatives so that the County can make an informed decision. Among other analyses, the view analysis conducted for the project (Exhibits 5.4-1 to 5.4-7) should be conducted for the reduced project alternatives.

34-7

In summary, the proposed project, as designed, is completely inappropriate. Further analysis must be conducted regarding appropriate mitigation measures in the areas of land use, aesthetics, scenic highways and reduced project alternatives for this project.

Sincerely,

Anne Browning McIntosh, AICP
Property Owner – 1053 Bruin Trail, Fawnskin



Completely inappropriate land use design, particularly south of the scenic highway

Response to Commentor No. 34

Anne Browning McIntosh, AICP

May 12, 2004

- 34-1 The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 34-2 The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 34-3 Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment No. 13-20, which addresses this concern. The County will consider the Commentor's opinion and comments during their deliberation on the project. It is further noted that there is no "prohibition" of cul-de-sacs, gates, monument signs, etc., in the Big Bear Lake area. Please refer also to Section 7.0, *Alternatives to the Proposed Project*, of the EIR which presents reduced density alternatives.
- 34-4 It is noted that the Commentor agrees with the conclusion that long-term impacts on aesthetics and scenic vistas would be significant and cannot be mitigated to a level less than significant. The project is proposed to be designed to comply with mountain development standards.
- 34-5 Please refer to Mitigation Measure 5.3-6d regarding water conservation measures.
- 34-6 The street lighting is required to comply with the adopted Night Sky Ordinance and Mitigation Measure 5.4-4a refers to the incorporation of low intensity lighting.
- 34-7 The County will consider the Commentor's opinion and comments during their deliberation on the project.

May 12, 2004

County of San Bernardino
Land Use Services Department, Planning Division
385 North Arrowhead Ave., First Floor
San Bernardino, CA 92415-0182

RECEIVED
MAY 13 2004
ADVISE PLANNING DIVISION

Attn. Matthew W. Slowik

RE: DRAFT EIR FOR THE MOON CAMP DEVELOPMENT PROJECT/RCK
PROPERTIES INC.: GENERAL PLAN AMENDMENT/OFFICIAL LAND USE
DISTRICT CHANGE FROM BV/RL-40 TO BV/RS-7200 AND AMENDMENT TO
COUNTY CIRCULATION ELEMENT FOR REALIGNMENT OF NORTH SHORE
DRIVE; TENTATIVE TRACT MAP #16136, AND CONDITIONAL USE PERMIT
FOR A BOAT DOCK.


Dear Sir,

I am writing in response to the May 17 cut off date for responses to the Draft
Environmental Impact Report for the above named project. The report is written in
language that is difficult for the average person to read. There are other documents that
would be helpful to read in reviewing this DEIR.

35-1

Please consider extending the date for comments on the DEIR so that more people can
comment on this project.

Thank You,


James C. McGrew
39760 Flicker Road
P. O. Box 493
Fawnskin, CA 92346-0493