

eastern lots, and more. Remnant vegetation representing wet meadow and willow scrub communities are scattered among ruderal vegetation along the lakeshore (p.4.3-5) and will be considered by the Certification process.

RWQCB-8

## TMDLs

P.4.4-10 mentions the Regional Board's implementation of the 2007 Total Maximum Daily Load (TMDL) for nutrients, including phosphorus regulation. This TMDL also addresses prevention of proliferating noxious aquatic plants through excess nutrient loading. Also, a TMDL for mercury is under development. In accordance with Clean Water Act (CWA) Section 303(d), Big Bear Lake is additionally listed as impaired by polychlorinated biphenyls (PCBs) and therefore a TMDL is planned for future adoption. Metals (copper) and sedimentation/siltation may be delisted in the future (footnote 3), and these planned TMDLs may be substituted for through other data collection programs ("Other Actions" on Regional Board website).

RWQCB-9

## Stormwater Permits

On January 29, 2010, the Regional Board adopted Order No. R8-2010-0036 (NPDES Permit No. CAS618036), replacing Order No. R8-2002-0012, the previous San Bernardino County municipal separate storm sewer system, or "San Bernardino County MS4 Permit<sup>2</sup>." RRDEIR p.4.4-10 and Volume II – Appendices (and elsewhere in the text) should reflect that change. Order No. R8-2010-0036 (see p.18, 34, and 50) contains updated discussion about TMDL compliance, more than what is referred to on RRDEIR p.4.4-11.

RWQCB-10

Aside from comments that follow, the RRDEIR Hydrology and Water Quality Section 4.4 contains satisfactory discussion about stormwater runoff permits<sup>3</sup>, the required Water Quality Management Plan (WQMP), minimization of Hydraulic Conditions of Concern (p.4.4-8), and Best Management Practices (p.2-22, p. 4.4-17, -18), including Mitigation Measures HYD-1 through HYD-19 (4.4-15-23). We encourage the concept that several management measures may be combined (RRDEIR p.4.4-21) to control and filter the discharge of point source and non-point source pollutants to the Lake and groundwater, both during construction and for the post-construction life of the Project, in compliance with the MS4 Permit and WQMP, the proposed Storm Water Pollution Prevention Plan (SWPPP), and the TMDLs.

RWQCB-11

RRDEIR p.4.4-12 (Site Design, Treatment Control) discusses maximizing open ground integrated with the proposed paved areas on the site, thereby minimizing impervious areas. We believe that maximizing open areas will retain optimum onsite precipitation and supplement natural recharge to the site's two groundwater subbasins<sup>4</sup>. RRDEIR p.4.4-12

RWQCB-12

<sup>2</sup> Title is "Waste Discharge Requirements for the San Bernardino County Flood Control District, the County of San Bernardino, and the Incorporated Cities of San Bernardino County within the Santa Ana Region, Area-Wide Urban Storm Water Runoff Management Program."

<sup>3</sup> Both the San Bernardino County MS4 Permit and the SWRCB's General Permit for Discharges of Storm Water Associated with Construction Activity, Order No. 99-08-DWQ (RRDEIR on p.4.4-14).

<sup>4</sup> The "North Shore Subarea A Basin" and "Grout Creek Subarea D Basin" are separated by a groundwater divide along the length of the site (RRDEIR p.4.4-2, -6) and could potentially suffer overdraft from extraction (existing supply well FP4; any future wells).

could include that this principle is one of several low impact development principles (LID; see San Bernardino County MS4 Permit p.84) strongly encouraged by the Regional Board, the SWRCB, and the Local Government Commission.

RWQCB-12

RRDEIR p.4.4-7 states that "the outfall to the Lake will remain largely unchanged in both location and quantity," but it appears to Board staff that the comprehensive BMPs listed in Section 4.4 (which we support) should decrease the rate and volumes of surface water runoff to the Lake. LID implementation could include the design of Project-level features such as rain barrels and snow containment bins (not dumpsters) in which to capture, place, and temporarily store a greater volume of precipitation.

RWQCB-13

One BMP, the bioretention basin, is intended to concentrate phosphorus and total nitrogen within basin vegetation, as an off-line natural treatment system (NTS). We encourage its use but caution that flow from its designed outlet should be frequently sampled to determine treatment efficacy. Studies remain inconclusive on possible NTS impacts to the life functions of amphibians and other wildlife (egg integrity). Netting and fencing could be considered to keep wildlife out of the bioretention basin.

RWQCB-14

### Dewatering

If dewatering discharges will occur to the Lake or any of the site drainages (as indicated on RRDEIR p.4.4-16), a separate National Pollutant Discharge Elimination System (NPDES) permit and waste discharge requirements (WDRs) for wastewater discharges to surface waters of the state will be necessary. RWQCB Order No. Order No. R8-2009-0003, NPDES No. CAG998001, a regional general *de minimus* permit revised last year, is applicable to most of these discharges. Further information can be obtained by contacting the RWQCB Permitting and Compliance Section staff at (951) 782-4130, and Order No. R8-2009-0003 may be reviewed at

RWQCB-15

[http://www.swrcb.ca.gov/santaana/board\\_decisions/adopted\\_orders/orders/2009/09\\_003\\_deminimus\\_permit\\_wdr.pdf](http://www.swrcb.ca.gov/santaana/board_decisions/adopted_orders/orders/2009/09_003_deminimus_permit_wdr.pdf)

If you have any questions, please contact Glenn Robertson of my staff at (951) 782-3259, or [grobertson@waterboards.ca.gov](mailto:grobertson@waterboards.ca.gov), or me at (951) 782-3234, [madelson@waterboards.ca.gov](mailto:madelson@waterboards.ca.gov)

Sincerely,



Mark G. Adelson, Chief  
Regional Planning Programs Section

RWQCB-16

Cc: State Clearinghouse  
California Dept. of Fish and Game, Ontario – Anna Milloy  
U.S. Fish and Wildlife Service, Carlsbad – Nancy Ferguson  
U.S. Army Corps of Engineers, Los Angeles – Jason Lambert  
Big Bear Municipal Water District – Mike Stephenson

X:Groberts on Magnolia/Data/CEQA/CEQA Responses/ DEIR – County of San Bernardino – Moon Camp Marina.doc

## California Regional Water Quality Control Board (RWQCB)

### *Response to RWQCB-1*

Comment noted. No response is necessary. The RWQCB comments will be considered for incorporation into the RRDEIR No. 1.

### *Response to RWQCB-2*

We are pleased that the RWQCB staff commends the extensive reduction of the Project from the 2005 proposal. The Project will meet the requirements of any adopted management plan, which covers the Project's area.

### *Response to RWQCB-3*

The 55-slip marina will accommodate boats up to 20 feet in length. Pumpout facilities are not anticipated for the marina. As previously stated in the 2005 Final EIR, the Initial Study prepared for the Project in February 2002 addressed the potential impacts associated with hazards and hazardous materials. The Initial Study concluded that the Project would include hazardous materials that are typical of residential developments (household chemicals, pesticides, etc.). It is also stated that the Project would include the storage of fuels associated with the marina facility. All hazardous materials would be subject to all local, State, and federal regulations pertaining to the transport, use and storage of such material, which would ensure that any potentially significant impact regarding hazardous materials would be reduced to less than significant levels (please refer to Response VII (a, c) in the Initial Study).

### *Response to RWQCB-4*

The Project will comply with all water quality standards, including all anti-degradation policies. Cumulative impacts to water quality standards were considered. Post-project runoff flows will generally follow existing drainage patterns with culverts crossings at low points along the highway conveying water ultimately into Big Bear Lake. The Project will incorporate Best Management Practices (BMPs) to ensure no degradation of water quality and compliance with water quality standards. The Preliminary Water Quality Management Plan (WQMP) prepared by CASC Engineering includes all the BMPs that are proposed to be incorporated during the construction of the Project.

### *Response to RWQCB-5*

Comment noted. To avoid impeding wildlife movement, roadways and pipeline will be carried over drainages by bridges or wide "soft-bottomed" arched culvert systems.

### *Response to RWQCB-6*

The portion of the drainages that are impacted versus not impacted are now indicated on Exhibit 4.3-4 with measured linear distances of the impacted segments. No launch ramp is proposed to be constructed as a part of the Alternative Project.

### *Response to RWQCB-7*

Comment noted. Consultation with the Regional Board Staff concerning any potential Section 401 Certification issues will occur.

*Response to RWQCB-8*

Comment noted. The comment does not raise any issue regarding the EIR and, therefore, no further response is required.

*Response to RWQCB-9*

Comment noted. The comment does not raise any issue regarding the EIR and, therefore, no further response is required.

*Response to RWQCB-10*

A discussion of Regional Board Order No. R8-2010-0036 has replaced the discussion of Regional Board No. R8-2002-0012 and all text and appendices have been updated.

*Response to RWQCB-11*

Comment noted. This comment does not raise any issue with the EIR and, therefore, no response is necessary.

*Response to RWQCB-12*

Comment noted. The EIR has been revised to note these goals in the Project's low impact development standards.

*Response to RWQCB-13*

Comment noted. This comment does not raise any issue with the EIR and, therefore, no response is necessary.

*Response to RWQCB-14*

We are pleased that the RWQCB encourages the use of the off-line natural treatment system (NTS), which will be monitored for treatment efficacy.

*Response to RWQCB-15*

Comment noted. This comment does not raise any issue with the EIR and, therefore, no response is necessary.

*Response to RWQCB-16*

Comment noted. This comment does not raise any issue with the EIR and, therefore, no response is necessary.





# Big Bear Municipal Water District

BBMWD

## Lake Management

May 12, 2010

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

RECEIVED  
MAY 12 2010  
LAND USE SERVICES DEPT.  
ADVANCE PLANNING DIVISION

**Board of Directors**  
Todd Murphy - Division 1  
Paula Fashempour - Division 2  
Skip Suhay - Division 3  
John Eminger - Division 4  
Vince Smith - Division 5

Re: Draft Recirculated EIR for the Moon Camp Development Project/RCK Properties Inc.  
(SCH #2002021105)

Dear Mr. Slowik,

The Big Bear Municipal Water District (District) appreciates this opportunity to comment on the referenced Moon Camp development project EIR. The document correctly identifies the District as being one of the agencies that will need to issue permits. The District's involvement will include irrevocably converting a marina permit to a yacht club with attendant annual fees and performance criteria. Additionally, if construction is proposed at or below the high water elevation of the Lake a shorezone alternation permit will be required.

BBMWD-1

The project includes plans for the construction of a boat launch ramp at the marina. New regulations adopted by the District in 2009 places obligations on operators/owners of launch ramps to prevent invasive species from being introduced into the Lake. The launch ramp cannot be used unless an inspector approved by the District is present on the launch ramp while a vessel is being launched or retrieved. When the inspector is absent from the launch ramp, the launch ramp must be blocked or otherwise secured in a manner that prevents a vessel from being launched. Two fully staffed public launch ramps are located on the north shore of the Lake, and Captain Johns Fawn Harbor is also available for launching with District approved inspectors. Because of this new requirement both Eagles Knoll Estates marina and Bear Valley Estates marina have closed their launch ramps and direct members to the public launch facilities.

BBMWD-2

The District suggests, but does not insist, that the launch ramp at the proposed marina be removed from the plans to avoid any possibility that unsupervised boat launching might occur.

BBMWD-3

Respectfully,

Scott Heule  
General Manager

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## 2.2.5 - Regional

### Big Bear Municipal Water District (BBMWD)

*Response to BBMWD-1 through -3*

The commenter describes the regulations regarding launching from marinas in Big Bear Lake and suggests that the marina be removed. The developer has withdrawn his proposal to construct a launch ramp; therefore, the Project will not include any launch ramps. The Project proposes to construct a 55-slip private marina that will only be available to the homeowners within the tract. No launch ramp is included in the Project's design. Homeowners wishing to launch boats for use on Big Bear Lake, or to access the private marina via water will need to use public launch ramps. This condition precludes the possibility of illegal and/or unsupervised launching of boats that could introduce invasive species to the lake.

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**BIG BEAR WATERMASTER**

FOR

BIG BEAR MUNICIPAL WATER DISTRICT VS. NORTH FORK WATER CO. ET AL  
CASE NO. 165493--COUNTY OF SAN BERNARDINO**WATERMASTER MEMBERS:**DONALD E. EVENSON  
R. ROBERT NEUFELD  
MICHAEL L. HUFFSTUTLER**MAILING ADDRESS**P. O. BOX 1839  
REDLANDS, CA 92373-0581  
(909) 793-2503

May 27, 2010

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

RE: Draft Re-Circulated EIR for the Moon Camp Development Project

Dear Mr. Slowik:

The Big Bear Watermaster is responsible to ensure that the rights of the parties to the Judgment in Case No. 165493, as rendered by The Superior Court of the State of California for the County of San Bernardino, are protected. As defined in the Judgment, these rights include the right of Bear Valley Mutual Water Company ("Mutual") to divert and store, for subsequent beneficial use, all of the flow of Bear Creek in Big Bear Lake, and the right of Big Bear Municipal Water District ("BBMWD"), to the extent there is surplus storage capacity in the Lake, to store water in the Lake, including water acquired by providing Mutual with water supplies in-lieu of releasing water from the Lake for their needs.

The Big Bear Watermaster Committee has reviewed the Draft Re-Circulated EIR for the Moon Camp Development Project and is concerned that the document has not adequately demonstrated that the two project wells (Well FP2 and Well FP4) that are proposed to provide the water supply for the development will not be producing water from the Lake. Both wells are very close to the Lake and have static water levels that appear to be comparable to current lake levels. The Draft EIR (page 4.9-9) provides some information for Project Well FP-2 that indicates "the majority of the groundwater produced by FP-2 would be from the aquifer underlying Subarea A." The draft EIR does not address the impacts from Project Well FP-4 nor does it provide an estimate of the term "majority."

Because the water stored in Big Bear Lake belongs to Mutual and BBMWD, the Big Bear Watermaster Committee requests that the Draft EIR fully address the potential impacts of production from both project wells on the Lake, provide an estimate of the amount of water that would be produced from the Lake, and define the corresponding measures to mitigate these impacts.

Respectfully,

*Donald E. Evenson*

Donald E. Evenson

*R. Robert Neufeld*

R. Robert Neufeld

*Michael L. Huffstutler*

Michael L. Huffstutler

RECEIVED  
JUN 03 2010  
LAND USE SERVICES DEPT.  
ADVANCE PLANNING DIVISION

BBW-1

BBW-2

BBW-3

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## Big Bear Watermaster (BBW)

### *Response to BBW-1*

The potential impact of pumping Well FP-2 on the surface water in Big Bear Lake would be minimal. Well FP-2 produces groundwater from an aquifer system that is deeper than the bottom of Big Bear Lake and is separated from the lake bottom by multiple silt and clay layers. The top of perforations for Well FP-2 occur approximately 60 feet below ground surface (bgs) at an elevation of approximately 6,686 feet above msl. The high surface water elevation in the lake is 6,743 feet above msl and the average depth of the lake is 30 feet (Big Bear Municipal Water District Website, 2012). Thus, the elevation of the bottom of Big Bear Lake is approximately 27 feet above the top of perforations for Well FP-2. The geologic log for Well FP-2 shows multiple silt and clay layers between the land surface and top of perforations (see 2020 Final EIR Appendix F). If the silt and clay layers extend beneath the lake, they would provide some hydraulic separation between the lake water and aquifer system. While it is possible that some vertical leakage could occur from the lake into the aquifer system of FP-2, the majority of groundwater produced by FP-2 would be from the aquifer underlying Subarea A.

### *Response to BBW-2*

As with Well FP-2, the aquifer system in which Well FP-4 is perforated is not in direct hydraulic communication with Big Bear Lake. This well is further from the lake than FP-2 (approximately 600 feet), with perforations that begin approximately 100 feet bgs. Pumping test data for Well FP-4 shows that pumping this well at a sustained rate of 3.5 gallons per minute (gpm) results in approximately 2 feet of drawdown in the nearest private well, which is approximately 250 feet away. Thus, drawdown in the aquifer system beneath the lake would be significantly less than 2 feet and any induced vertical leakage of surface water from the lake into the aquifer, as a result of pumping FP-4, would be negligible.

Additionally, the May 1, 2009, letter report from Thomas Harder Groundwater Consulting, page 3 of 11, describes his findings and concludes that: “The potential impact of pumping well FP-2 on the surface water in Big Bear Lake would be minimal.”

The analysis of pumping impacts is included in RRDEIR No. 1, Section 4.9, Utilities.

### *Response to BBW-3*

It is not possible, based on existing data and analyses, to estimate, with any certainty, the amount of water from the Lake that would ultimately be produced by FP-2 and FP-4. Given the available information, it is expected to be less than 50 percent of the total produced from Well FP-2 and significantly less, if any, from Well FP-4. For comparison, the total volume of Big Bear Lake during high water conditions is 73,370 acre-feet (BBMWD 2010). Thus, assuming 50 percent of water supplied to the development was a result of induced leakage into the wells from surface water in the lake (50 percent of 14 acre-feet/year or 7 acre-feet/year), the percent reduction in lake volume would be approximately 0.0095 percent (less than 1/1000 of a percent). The assumed leakage into wells from Big Bear Lake would be approximately 0.05 percent (5/100 of a percent) of average annual lake inflow of 14,700 acre-feet/year. For further comparison, the lake loses approximately 10,600 acre-feet/year to evaporation, which is approximately 1,500 times more than is estimated to be lost as a result of induced flow into the Moon Camp Development wells. Thus, the impact of groundwater pumping for the development on surface water resources in Big Bear Lake would be negligible.

Additionally, the May 1, 2009, letter report from Thomas Harder Groundwater Consulting, page 3 of 11, describes his findings and concludes that: “The potential impact of pumping well FP-2 on the surface water in Big Bear Lake would be minimal” (Appendix F of this 2020 Final EIR).

The analysis of pumping impacts is included in RRDEIR No. 1, Section 4.9, Utilities.



# SPECIAL DISTRICTS DEPARTMENT



COUNTY OF SAN BERNARDINO

157 West Fifth Street, Second Floor • San Bernardino, CA 92415-0450 • (909) 387-5940  
Fax (909) 387-5968

JEFFREY O. RIGNEY  
Director

April 9, 2010

Mr. Matthew W. Slowik  
County of San Bernardino  
Advanced Planning Department  
385 North Arrowhead Avenue  
San Bernardino, CA 92415-0182

RECEIVED  
APR 12 2010  
AND USE SERVICES DEPT.  
ADVANCE PLANNING DIVISION

**SUBJECT: REVIEW COMMENTS / ENVIRONMENTAL IMPACT REPORT  
MOON CAMP DEVELOPMENT PROJECT / RCK PROPERTIES INC.  
COUNTY SERVICE AREAS 53, ZONES B&C**

Dear Mr. Slowik,

The Special Districts Department, on behalf of County Service Area 53, Improvement Zones B&C (District), would like to thank you for the opportunity to review and provide comments on the revised Environmental Impact Report (EIR) for the above-mentioned project. Our understanding is that the proposed project has been reduced from the original 95 lots to 50 lots and 7 lettered lots. However, our review of your documents did identify the following items as items of concern that should be considered prior to taking any action to approve and adopt the findings in the study:

SDD-1

### Section 4.9: Utilities

- **4.9.4 Water Service Alternatives** - This section describes three alternatives for water being provided to the project. Alternative No. 1 is unrealistic as the Fawnskin Community has historically resisted all attempts to become part of the City of Big Bear Lake, and would have to agree to the annexation through an election process. Alternatives No. 2 and 3 indicate CSA 53 C as the water purveyor and the project falls within its service area. However, further reference is made to water requirements as identified in the Water Feasibility Study prepared for the Big Bear Department of Water and Power (DWP). Please be advised that CSA 53 C operates under different rules and regulations, standards and specifications than the DWP. A water feasibility study would need to be performed by CSA 53 C to determine on and off-site requirements for water service to the project. Compliance with the requirements of the study would be a condition of water service.

SDD-2

Again, the District appreciates the opportunity to review your CEQA compliance documents and would appreciate receiving comments on the above-mentioned concerns. Should you have any questions or comments regarding the content of this letter, please call.

SDD-3

Sincerely,

James A. Oravets  
Division Manager

GREGORY C. DEVEREAUX  
County Administrative Officer

Board of Supervisors			
BRAD MITZELFELT .....	First District	NEIL DERRY .....	Third District
PAUL BIANE .....	Second District	GARY C. OVITT .....	Fourth District
JOSIE GONZALES .....	Fifth District		

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## County of San Bernardino Special Districts Department (SDD)

### *Response to SDD-1*

Comment noted. This comment does not raise any issue with the EIR and, therefore, no substantive response is necessary.

### *Response to SDD-2*

Comment noted. Subsequent to the circulation of the RRDEIR No. 1, it was determined that it was infeasible to have County Service Area (CSA) 53C as the water supplier to the Project, due to the lack of water distribution facilities operated by CSA 53C in the area. This analysis of CSA 53C is provided in Section 4.9, Utilities, of the RRDEIR No. 1. By way of an Outside Service Agreement for Potable Water entered into between CSA 53C and the City of Big Bear Lake Department of Water and Power, the Department of Water and Power will be the water supplier to the Project.

### *Response to SDD-3*

Comment noted. This comment does not raise any issue with the EIR and, therefore, no substantive response is necessary.

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**Slowik, Matt - LUS - Advance Planning**

---

**From:** Adam Keats [akeats@biologicaldiversity.org]  
**Sent:** Friday, June 04, 2010 4:57 PM  
**To:** Slowik, Matt - LUS - Advance Planning  
**Subject:** Mooncamp development comments  
**Attachments:** CBD comments re Mooncamp development.pdf

Mr. Slowik,

Please find attached comments regarding the proposed Mooncamp development project.

If you have any trouble opening the attachment, please do not hesitate to contact me.

—Adam

---

Adam Keats  
Senior Counsel • Urban Wildlands Program Director  
CENTER for BIOLOGICAL DIVERSITY  
351 California St., Suite 600  
San Francisco, CA 94104  
415-436-9682 x304 • Fax 415-436 9683  
[akeats@biologicaldiversity.org](mailto:akeats@biologicaldiversity.org)

CBD-1





CENTER for BIOLOGICAL DIVERSITY

June 4, 2010

County of San Bernardino  
Land Use Services Department, Planning Division  
385 North Arrowhead Avenue 1<sup>st</sup> Floor  
San Bernardino, California 92415-0182  
[mslowik@lusc.sbcounty.gov](mailto:mslowik@lusc.sbcounty.gov)

Attn: Matthew Slowik

*via electronic mail*

Re: Draft Re-Circulated Environmental Impact Report for the Moon Camp  
Development Project/RCK Properties Inc. (SCH #2002021105)

Dear Mr. Slowik:

The Center for Biological Diversity is pleased to have the opportunity to comment on the above-entitled Draft EIR for the proposed Moon Camp Development Project. The Center is a nonprofit environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 42,000 members worldwide, including members in San Bernardino County and the Big Bear Lake area who will be directly affected by approval of the Mooncamp project.

The Center has had the opportunity to review the Draft EIR and also had the opportunity to review the comments thereto, dated June 4, 2010, submitted by Friends of Fawnskin ("FOF"). We wish to express our complete agreement with the comments submitted by FOF, and therefore adopt them in their entirety and fully incorporate them into these comments as expressions of our concerns for the proposed Mooncamp project.

We look forward to San Bernardino's close review of the comments and concerns submitted by FOF and other concerned citizens, neighbors, and groups, and expect that the Draft EIR will be substantially amended and altered in consideration of those concerns.

Thank you for keeping the Center notified of developments regarding this project, and to that end please keep the Center on the list of interested persons for this project.

Sincerely,

Adam Keats

Arizona • California • Nevada • New Mexico • Alaska • Oregon • Montana • Illinois • Minnesota • Vermont • Washington, DC

Adam Keats, Senior Counsel • 351 California St., Suite 600 • San Francisco, CA 94104  
Phone: 415-436-9682 x304 • Fax: 415-436-9683 • [akeats@biologicaldiversity.org](mailto:akeats@biologicaldiversity.org)

CBD-1

## 2.2.6 - Organizations

### Center of Biological Diversity (CBD)

*Response to CBD-1*

Comment noted. Please see Responses to Friends of Fawnskin, below. No additional comment is needed.

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