

May 21, 2004

RECEIVED
MAY 24 2004
CURRENT PLANNING

County of San Bernardino
Land use Services Department
Planning Division
385 N. Arrowhead Avenue, 1st Flr.
San Bernardino, CA 92415-0182

RECEIVED
MAY 25 2004
LAND USE
ADVANCE PLANNING

Attention: Matthew W. Slowik

RE: Draft EIR for the Moon Camp Development Project/RCK Properties, Inc.

Dear Mr. Slowik,

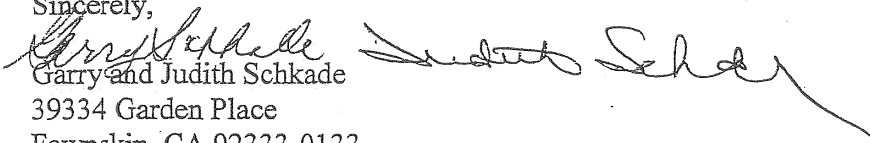
Thank you for this opportunity to review this document. My husband and I have been homeowners in Fawnskin since 1996. We have enjoyed the clean air, wildlife, and stress-free life living in a mountain atmosphere has afforded us during our retirement years.

Garry and I oppose the Moon Camp project as presently designed because the DEIR fails to adequately evaluate the true impact this project would cause mainly due to the shortage of water in Big Bear. Our own use of water has been restricted for another year with further reductions in usage to continue due to an ongoing draught. It makes no sense to allow this or any corporation to build housing on the hill when we have an extreme lack of water, the largest fire hazard in the country, trees dying by the millions in the forest, and only a two lane road if an evacuation occurs again this year. Most households have at least two cars, so that would mean a minimum of 400 more cars on the hill. Last year was frightening enough, taking four hours to get off the hill during the fires. The loss in lives could be enormous if fires hit the Big Bear area this season.

51-1

Please address these issues and reconsider allowing such a project to prevail.

Sincerely,


Garry and Judith Schkade
39334 Garden Place
Fawnskin, CA 92333-0133

Response to Commentor No. 51

Garry and Judith Schkade

May 21, 2004

- 51-1 Commentor refers to traffic impacts and affects to evacuation plans. Please refer to Response to Comment No. 13-32, which addresses this concern. The County will consider the Commentor's opinion during their deliberation on the project.

May 27, 2004

To Whom it may concern,

In regards to the letter about the mooncamp development project on 62 acres in the Big Bear area (Fawnskin).

I have some concerns should the zone change be allowed. The proposal calls for 95 residential lots. I have concerns about water. There is already a shortage of water available for the homes and lots that are there now. What will happen when the already developed vacant lots get built upon? That will require even more water than the area is using now and that does not even include the proposed 95 lots.

52-1

What about the wildlife that lives in the area and needs the trees or the natural undisturbed ground to make their homes.

52-2

Also of concern is the lake. The proposal calls for a boat dock and that means more boats and pollution into the lake.

52-3

I certainly think a consideration for all the unbuilt lots and what will happen when they all have homes on them should be thought about now, as those developments are already in but the burden to the water system, lake, wildlife, etc. has not occurred as the houses are not all built yet.

52-4

With these things in mind I do NOT think it would be a good idea to put in 95 more lots and take more forest away from the plants, animals, insects, and other things that need it.

52-5

Response to Commentor No. 52

Stephen Youngerman

May 27, 2004

- 52-1 Commentor refer to water supply and the affects to groundwater. Please refer to Response to Comment Nos. 1-3, 1-4, 1-5 and 18-1, which addresses this concern. The County will consider the Commentor's opinion during their deliberation on the project.
- 52-2 Impacts to biological resources are discussed in Section 5.8, *Biological Resources*, in the EIR.
- 52-3 Commentor refers to the proposed marina facility and affects to the water quality of the lake. Please refer to Response to Comment No. 13-99, which addresses this concern.
- 52-4 The County will consider the Commentor's opinion during their deliberation on the project.
- 52-5 The County will consider the Commentor's opinion during their deliberation on the project.

MARC & MILDRED MANDEL
10446 LAKEWOOD BLVD., SUITE 104
DOWNEY, CA 90241-2763
(562) 861-0657

RECEIVED
JUL 02 2004
LAND USE SERVICES DEPT.

June 28, 2004

RECEIVED

JUL 02 2004

RBF CONSULTING

Matthew W. Slowik, Sr. Associate Planner
County of San Bernardino,
Land Use Services Dept., Planning Div.
385 N. Arrowhead Ave., 1st Floor
San Bernardino, CA 92415-0182

RE: Applicant: MOONCAMP DEVELOPMENT PROJECT / RCK PROPERTIES, INC.

Dear Mr. Slowik,

We are property owners in Fawnskin at 955 Deer Trail Lane, Parcel # 0304-422-05 and we are filing our comments referencing the draft *EIR* and objections to the above noted project. Please see the two (2) page attachment to this letter.

Also, this is a request for all regular and special notices regarding the noted project to be promptly sent to us at:

MARC & MILDRED MANDEL
10446 LAKEWOOD BLVD., SUITE 104
DOWNEY, CA 90241-2763

Thank you for your prompt attention to this request.

Sincerely yours,


Marc Mandel

Enclosures: Attachment pages 1 & 2

CC: F o F Advisory Committee

ATTACHMENT TO LETTER DATED 6/4/2004

THE FOLLOWING IS A LIST OF RESPONSES AND OBJECTIONS TO THE NOTED PROJECT AND THE **DRAFT EIR** THAT WE HAVE TO THE **GENERAL PLAN / LAND USE DISTRICT AMENDMENT AND TENTATIVE TRACT 16136**.

1. We are concerned about the project on the basis that the proposed lake front lots would destroy the lake-view from the existing highway and eliminate public access. | 53-1
2. We are concerned about the project on the basis that the project would require the realignment of State Route 38 northward so as to provide adequate lake front lots. | 53-2
3. We object to the project on the basis that currently there is insufficient water in Fawnskin to support 92 additional residences. In addition, the insufficient water supply, if further taxed, would create a greater problem in case of a major fire in the area of which there is a high potential due to the lack of rain and snow. As you are aware, the water problem in Big Bear is critical and reports are that this situation will continue for some years to come. We are on restricted watering use. | 53-3
4. We object to the project on the basis that a 92 home subdivision will create serious light pollution in the Fawnskin area. | 53-4
5. We are concerned about the project on the basis that the number of trees, approximately 750 or 25% of the trees in the project area that would have to be removed to: A) relocate the highway, B) create home sites, C) create roads within the project and D) create easements. | 53-5
6. We are concerned about the project on the basis that any down-zoning would destroy the eagle winter habitat. As an example, on one tree in the project area there have been as many as three eagles seen perched on one tree. | 53-6
7. We are concerned about the project on the basis that with people now building large houses on minimum-sizes lots in Big Bear, any down-zoning in Fawnskin would be inconsistent with the mountain character of Fawnskin. In addition, the density of lots projected is tighter than some major city lots including some areas of Los Angeles City. | 53-7
8. We are concerned about the project on the basis that State Route 38 in the project area would not adequately support traffic flow in that area, creating traffic problems by increasing the current 300 trips per day to at least 900 trips per day. | 53-8
9. We are concerned about the project on the basis that any proposed moving of State Route 38 would increase traffic noise levels to the existing residences above and near the development. | 53-9

CONTINUED ON ATTACHMENT PAGE 2

ATTACHMENT PAGE 1

10. We are concerned about the project on the basis that the increase of sewage would be beyond the capacity of the existing treatment plant. | 53-10
11. We are concerned about the project on the basis that it would create air pollution due to: A) the increase vehicle traffic and B) the increase number of fireplaces. In winter we now experience an inversion layer due to the fireplaces and any increase would be intolerable. | 53-11
12. We are concerned about the project on the basis that the increase in population in the project area would increase the noise pollution. | 53-12
13. We object to the project on the basis that the development could cause an increase in various fees that the existing residents would have to pay, i.e. sewer, etc. | 53-13
14. We object to the project on the basis that there are endangered species, both animal and plant life, in the project area that would be destroyed. | 53-14
15. We are concerned about the project on the basis that the 100 private dock marina: 1) removes public access to the lake, 2) adds noise pollution, and 3) adds air pollution. | 53-15
16. We object to the project on the basis that no zoning changes are acceptable. | 53-16
17. We object to the project on the basis that the project area should be held as a controlled "Public Use Area" and a preserve for natural habitat. | 53-17
18. We are concerned about the project on the basis that in addition to the various pollution items noted above, there is another pollution item and that is *light*. With all the proposed homes, the amount of light will create a great annoyance | 53-18

Response to Commentor No. 53

Marc and Mildred Mandel

June 28, 2004

- 53-1 Section 5.4, *Aesthetics/Light and Glare*, concludes that project implementation would result in significant and unavoidable impacts for viewshed alterations involving existing residents to the north, south, east and west of the project site. Additionally, significant and unavoidable impacts have been identified for views from State Route 38, a scenic highway, to the south and from the south shore of Big Bear Lake. If the County of San Bernardino approves the project, the County shall be required to cite their findings in accordance with Section 15091 of CEQA and prepare a Statement of Overriding Considerations in accordance with section 15093 of CEQA. Public access is discussed in Response to Comment No. 13-26.
- 53-2 The Commentor refers to the realignment of State Route 38, but does not refer to any specific environmental impacts. No further response is necessary.
- 53-3 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 21-3, which address this concern.
- 53-4 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.
- 53-5 Commentor refers to the loss of trees and the affects to biological resources. Please refer to Response to Comment No. 13-86, which addresses this concern.
- 53-6 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.
- 53-7 The Commentor refers to the project's density and impacts to the existing aesthetic character. Please refer to Response to Comment No. 53-1, which addresses this concern. The County will consider the Commentor's opinion during their deliberation on the project.
- 53-8 Commentor refers to the density of the project and affects to traffic. Please refer to Response to Comment Nos. 13-58 to 13-65, which address this concern.
- 53-9 Commentor refers to the realignment of the highway and affects to the existing noise environment. Please refer to Response to Comment Nos. 13-80, 13-81 and 26-15, which address this concern.
- 53-10 As stated in the EIR and Sewer Feasibility Report, the existing Big Bear Area Regional Wastewater Agency (BBARWA) sewer system located to the east of the project site would be capable of handling wastewater flow from the proposed project. Thus, the proposed project would not result in the need to construct new wastewater facilities or require the expansion of new wastewater facilities. The proposed project would be required to comply with applicable BBARWA (and Collecting Agencies, if

required) rules and regulations pertaining to construction and operation of facilities, in addition to required payment of all new and modified facility fees. To ensure that impacts remain at less than significant levels, mitigation measures have been recommended. Mitigation for the project includes that the Project Applicant shall provide evidence to the County of San Bernardino that the BBARWA has sufficient transmission and treatment plant capacity to accept sewage flows from the project site.

- 53-11 Regarding vehicular emissions, the project would result in an overall increase in the local and regional pollutant load due to direct impacts from vehicle emissions. Combined mobile and area source emissions would exceed SCAQMD thresholds for ROG, CO and PM₁₀. These exceedances are considered significant and cannot be mitigated to a less than significant level. If the County of San Bernardino approves the project, the County shall be required to cite their findings in accordance with Section 15091 of CEQA and prepare a Statement of Overriding Considerations in accordance with Section 15093 of CEQA.
- Please refer to Response to Comment No. 19-6 for impacts regarding fireplaces.
- 53-12 Commentor refers to the increase in population and affects to the noise environment. Please refer to Response to Comment No. 28-2, which addresses this concern.
- 53-13 The County will consider the Commentor's opinion during their deliberation on the project.
- 53-14 Section 5.8, *Biological Resources*, discusses impacts to biological resources as a result of project implementation. As stated in Response to Comment No. 13-88, the EIR analysis has been modified to conclude that project implementation would result in significant and unavoidable impacts to wintering bald eagle populations. If the County of San Bernardino approves the project, the County shall be required to cite their findings in accordance with Section 15091 of CEQA and prepare a Statement of Overriding Considerations in accordance with section 15093 of CEQA.
- 53-15 Commentor refers to the proposed marina facility and affects to public access, noise levels, and air quality. Please refer to Response to Comment Nos. 13-26, which addresses public access; refer to Response to Comment No. 28-2, which addresses noise; and refer to Response to Comment No. 19-14, which address air quality.
- 53-16 The County will consider the Commentor's opinion during their deliberation on the project.
- 53-17 The project site is private property and not designated for public use areas. However, the County will consider the Commentor's opinion during their deliberation on the project.
- 53-18 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.

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14.3 LIST OF COMMENTORS: 45-DAY RECIRCULATION REVIEW

FEDERAL, STATE AND LOCAL GOVERNMENT AGENCIES

1. Mark Butala, Southern California Association of Governments
2. Kelly Rozich, County of San Bernardino
3. Terry Roberts, California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit

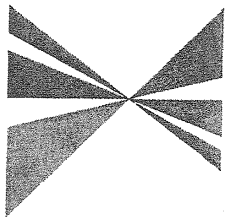
PRIVATE/SPECIAL INTEREST GROUPS

4. Bryan Wilkie, The Gas Company
5. Timothy Krantz, San Bernardino Valley Audubon Society
6. Erv Nichols, Sierra Club
7. Sandy Steers, Friends of Fawnskin
8. David Goodward, San Bernardino Valley Audubon Society

INDIVIDUALS

9. Carol Enos
10. Betty Conroy
11. Diane Shattuck
12. Sandra Ellis
13. Rush Wallace
14. Loretta Gardner
15. Unknown
16. George Kast
17. Robert Drake
18. Mary Lu Drake
19. Sandy Steers
20. Donald Wheeler and Wheeler Family
21. Lisa Patterson
22. Roman Silberfeld
23. Nancy and Bill Hazewinkel
24. Daniel Levenick
25. James and Lola McGrew
26. Peter and Mary Tennyson
27. Bradley and Cathy Winch
28. B.J. Finlayson-Pitts and James Pitts
29. Michael Karp

SOUTHERN CALIFORNIA



ASSOCIATION of GOVERNMENTS

Main Office

818 West Seventh Street

12th Floor

Los Angeles, California

90017-3435

t (213) 236-1800

f (213) 236-1825

www.scag.ca.gov

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Orange County: Chris Norby, Orange County • John Beauman, Brea • Lou Bone, Tustin • Art Brown, Buena Park • Richard Chavez, Anaheim • Debbie Cook, Huntington Beach • Cathryn eYoung, Laguna Niguel • Richard Dixon, Lake Forest • Marilyn Poe, Los Alamitos • Todd Ogeway, Newport Beach

Riverside County: Jeff Stone, Riverside County • Thomas Buckley, Lake Elsinore • Bonnie Ickinger, Moreno Valley • Ron Loveridge, Riverside • Greg Pettis, Cathedral City • Ron Roberts, Temecula

San Bernardino County: Gary Ovitt, San Bernardino County • Lawrence Dale, Barstow • Paul Eaton, Montclair • Lee Ann Garcia, Grand Terrace • Susan Longville, San Bernardino • Deborah Robertson, Rialto • Alan Wapner, Upland

Santa Clara County: Judy Mikels, Ventura County • Ben Becerra, Simi Valley • Carl Morehouse, San Bernardino • Toni Young, Port Hueneme

San Diego County Transportation Authority: Lou Brea, County of Orange

Southern California Transportation Commission: Ben Lowe, Hemet

San Bernardino County Transportation Commission: Keith Millhouse, Moorpark

April 5, 2005

RECEIVED
APR 11 2005

LAND USE SERVICES DEPT.
ADVANCE PLANNING DIVISION

Mr. Matthew Slowick
County of San Bernardino, Planning Division
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA 92415-0182

RE: SCAG Clearinghouse No. I 20050123 Moon Camp Residential Subdivision Projection, Revised Biological Resources Section, DEIR

Dear Mr. Slowick:

Thank you for submitting the Moon Camp Residential Subdivision Projection for review and comment. As a statewide clearinghouse for regionally significant projects, SCAG reviews the consistency of local plans, projects and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

We have reviewed the Moon Camp Residential Subdivision Projection, and have determined that the proposed Project is not regionally significant per SCAG Intergovernmental Review (IGR) Criteria and California Environmental Quality Act (CEQA) Guidelines (Section 15206). Therefore, the proposed Project does not warrant comments at this time. Should there be a change in the scope of the proposed Project, we would appreciate the opportunity to review and comment at that time.

A description of the proposed Project was published in SCAG's March 1-15, 2005 Intergovernmental Review Clearinghouse Report for public review and comment.

The project title and SCAG Clearinghouse number should be used in all correspondence with SCAG concerning this Project. Correspondence should be sent to the attention of the Clearinghouse Coordinator. If you have any questions, please contact me at (213) 236-1867. Thank you.

Sincerely,

MARK BUTALA
Senior Regional Planner
Intergovernmental Review

1-1



Response to Commentor No. 1

Mark Butala, Southern California Association of Governments

April 5, 2005

- 1-1 The Southern California Association of Governments (SCAG) has reviewed the Recirculated Public Review Draft EIR and has determined that the proposed project is not regionally significant per SCAG Intergovernmental Review Criteria and CEQA guidelines (Section 15206). No further response to this comment is necessary at this time.

COMMENT NO. 2

Slowik, Matt - Planning

From: Rozich, Kelly-DPW

Sent: Tuesday, April 12, 2005 3:25 PM

To: Slowik, Matt - Planning

Subject: RE: Comments on Revised Biological Resources Section of Draft EIR - Mooncamp Development

We have no comments.

| 2-1

Thank you,

Kelly A. Rozich (rose-itch)
(909) 387-8114
Senior Associate Planner
Environmental Management Division
San Bernardino County Public Works Department

Response to Commentor No. 2

Kelly Rozich, San Bernardino County Public Works Department
April 12, 2005

- 2-1 The San Bernardino County Public Works Department, Environmental Management Division has no comments on the Recirculated Public Review Draft EIR. No further response to this comment is necessary at this time.



Arnold
Schwarzenegger
Governor

April 18, 2005

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



COMMENT NO. 3

RECEIVED Sean Walsh
Director
APR 20 2005
LAND USE SERVICES DEPT.
ADVANCE PLANNING DIVISION

Matthew Slowik
San Bernardino County Land Use Services Department
385 N. Arrowhead Ave., 1st Floor
San Bernardino, CA 92415-0182

Subject: Moon Camp
SCH#: 2002021105

Dear Matthew Slowik:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on April 15, 2005, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts
Director, State Clearinghouse

3-1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2002021105
Project Title Moon Camp
Lead Agency San Bernardino County Land Use Services Department

Type EIR Draft EIR
Description GPA/OLUD to establish a 95-lot residential subdivision, with 92 numbered lots and 3 lettered lots.

Lead Agency Contact

Name Matthew Slowik
Agency San Bernardino County Land Use Services Department
Phone (909) 387-4147 **Fax**
email
Address 385 N. Arrowhead Ave., 1st Floor
City San Bernardino **State** CA **Zip** 92415-0182

Project Location

County San Bernardino
City
Region
Cross Streets Canyon Road and Polique Canyon Road
Parcel No. 0304-082-14; 0304-091-12, 13, 21
Township 2N **Range** 1W **Section** 13 **Base** SBBM

Proximity to:

Highways 38
Airports
Railways
Waterways Big Bear Lake
Schools
Land Use BV/RL-40 (Rural Living - 40 acre minimum lot size)

Project Issues Cumulative Effects; Vegetation; Wetland/Riparian; Wildlife

Reviewing Agencies Resources Agency; Regional Water Quality Control Board, Region 8; Department of Parks and Recreation; Native American Heritage Commission; Department of Forestry and Fire Protection; Office of Emergency Services; Department of Health Services; Department of Fish and Game, Region 6; Department of Water Resources; California Highway Patrol; Caltrans, District 8; State Lands Commission

Date Received 03/02/2005 **Start of Review** 03/02/2005 **End of Review** 04/15/2005

Response to Commentor No. 3


Terry Roberts, California Governor's Office of Planning and Research, State Clearinghouse and Planning Units

April 18, 2005

- 3-1 The Commentor acknowledges that the Recirculated Public Review Draft EIR has complied with State Clearinghouse review requirements and has been forwarded to select State agencies for review. No further response to this comment is necessary at this time.

COMMENT NO. 4



A  Sempra Energy company

RECEIVED
MAR 31 2005
LAND USE SERVICES DEPT.
ADVANCE PLANNING DIVISION

MAR 30 2005
Southern California
Gas Company
19800 Jorgensen Avenue
Redlands, CA 92374-9720
CURRENT PLANNING

Mailing Address:
PO Box 3003, SC8031
Redlands, CA 92373-0306

March 24, 2005

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

Attention: Matthew Slowik, Senior Associate Planner

Re: Notice of Availability of the Revised Biological Resources Section of the Draft Environmental Impact Report for the Mooncamp Development Project (Case No. TTM 16136)
City of Big Bear

Thank you for the opportunity to respond to the above-referenced project. Please note that Southern California Gas Company has facilities in the area where the above named project is proposed. Gas service to the project could be provided without any significant impact on the environment. The service would be in accordance with the Company's policies and extension rules on file with the California Public Utilities Commission at the time contractual arrangements are made.

You should be aware that this letter is not to be interpreted as a contractual commitment to serve the proposed project, but only as an informational service. The availability of natural gas service, as set forth in this letter, is based upon present conditions of gas supply and regulatory policies. As a public utility, The Southern California Gas Company is under the jurisdiction of the California Public Utilities Commission. We can also be affected by actions of federal regulatory agencies. Should these agencies take any action, which affects gas supply, or the conditions under which service is available, gas service will be provided in accordance with revised conditions.

Typical demand use for:

- | | | | |
|----|------------------------------|---|-------------------------------|
| a. | Residential | (System Area Average/Use Per Meter) <u>Yearly</u> | |
| | Single Family | | 799 therms/year dwelling unit |
| | Multi-Family 4 or less units | | 482 therms/year dwelling unit |
| | Multi-Family 5 or more units | | 483 therms/year dwelling unit |

These averages are based on total gas consumption in residential units served by Southern California Gas Company, and it should not be implied that any particular home, apartment or tract of homes will use these amounts of energy.

4-1

b. Commercial

Due to the fact that construction varies so widely (a glass building vs. a heavily insulated building) and there is such a wide variation in types of materials and , a typical demand figure is not available for this type of construction. Calculations would need to be made after the building has been designed.

We have Demand Side Management programs available to commercial/industrial customers to provide assistance in selecting the most effective applications of energy of our energy conservation programs, please contact our Commercial/Industrial Support Center at 1-800-GAS-2000.

Sincerely,



Bryan Wilkie
Technical Supervisor

BPW/ocf

4-1

Response to Commentor No. 4

Bryan Wilkie, The Gas Company

March 24, 2005

- 4-1 As indicated by The Gas Company during the 45-day public review period for the Recirculated Draft EIR (Comment Letter No. 8, dated April 21, 2004) it has been acknowledged that gas service to the project could be provided without any significant impact to the environment. No further response to this comment is necessary at this time.

April 14, 2005

Subject: Comments on the Supplemental Biological Impact Assessment of the proposed Moon Camp Residential Subdivision, T.T. 16136

RECEIVED
APR 16 2005
LAND USE SERVICES DEPT.
ADVANCE PLANNING DIVISION

ATTN: Mr. Matt Slowik, Sr. Assoc. Planner
County of San Bernardino
385 N. Arrowhead Avenue, Third Floor
San Bernardino, CA 92415-0182

FROM: Dr. Timothy Krantz
University of Redlands
1200 East Colton Avenue, Duke Hall
Redlands, CA 92373-0999

Dear Mr. Slowik:

Upon review of the Supplemental Biological Resources Impact Assessment (BRIA) circulated for the Moon Camp project, the following comments are respectfully submitted.

The BRIA identifies a long list rare plant species considered to have a high probability of occurring on site. In fact, several additional special status species are known to occur on the property (*Mimulus purpureus p.*, *Pyrocoma uniflora gossypina*, et al.) and others are likely to occur on site. Focused rare plant surveys were completed during July 2003 by BonTerra consultants. This was an exceptionally dry year and many annual species (ie. *Mimulus purpureus p.*) failed to flower in that season. Furthermore, July is too late to reliably see many of the earlier flowering species. For example, this year has been an unusually wet year and should be very good for plant surveys. However, I just completed a plant taxonomy field trip for a University of Redlands class and found many species already in full flower, and some already with mature fruits. The EIR as much as admits that **the previous survey for rare plants was inadequate** by drafting the newly proposed Mitigation Measure 5.8-1a, which calls for another focused survey prior to issuance of grading permits; and then off-site mitigation at a ratio of 3:1 for each acre of sensitive plant habitat destroyed by the development.

5-1

We believe that the focused rare plant surveys should be completed prior to certification of the Final EIR. In this good rainfall year, the survey could be completed by the end of June, and potential modifications to the development plan could be considered to avoid sensitive resources to the extent possible.

5-2

The DEIR and Supplemental BRIA minimize the significance of the impacts to pebble plains habitat. In fact, although the (inadequate) rare plant survey identified only 0.69ac of pebble plain habitat on site, the full extent of pebble plain habitat is most likely significantly greater than that. Even so, the DEIR then minimizes the relative degree of significance by saying that in comparison with the total distribution of this habitat type (379ac), the project site only contains 0.18% of the total distribution. **One should keep in mind that this is the entire distribution of this plant community in the world!** Furthermore, no other pebble plains are known to occur in the vicinity of the

5-3

project (Fawnskin area); a fact that will be borne out when the applicants attempt to identify mitigation acreage that is not already protected on public lands.

5-3

The DEIR and Supplemental BRIA identify nine bald eagle perch trees on site. These trees are occasionally used, primarily for perching with a direct line-of-sight to prey on the lake (foraging habitat). **Any proposed dredging, including the adjacent Marina Point project to the west, will result in deepening and, therefore, lessening the suitability of the shoreline habitat for foraging bald eagles.**

5-4

Mitigation 5.8-1b regards bald eagle perch trees. Simply identifying eagle perch trees on private lots has not been successfully implemented on several other residential subdivisions in Big Bear Valley, most notably the Eagle Point and Castle Glen subdivisions in the City of Big Bear Lake. In both of these cases, the Homeowners Association (HOA) was supposedly charged with enforcing the building restrictions for homes constructed on lots with bald eagle perch trees. The result, after 15 years, has been that homes have extended their irrigated (sod) landscaping under the trees, thereby weakening them. Jeffrey pines need no additional irrigation, and in fact may suffer root rot and other diseases when structures are built within the drip-lines of the trees, or if over-watered.

5-5

We believe the only tenable mitigation measure to protect wintering bald eagle perch trees is the establishment of non-salable letter lots to ensure that residences, driveways, roads, and irrigated landscaping do not encroach on them. In fact when one considers the presence of five of the perch trees *and* the pebble plain habitat occurring together in the west portion of the project site, it would appear that this may represent a dual-purpose conservation Letter Lot. Any letter lot, created for the purpose of conservation of bald eagle perch trees and/or pebble plain habitat should be conveyed to a natural resources management entity with a Conservation Easement, as called for in Mitigation Measure 5.8-1a. Any parcels acquired or set aside for mitigation of sensitive biological resources should also have conditions requiring funding to be set aside for the purpose of maintenance and stewardship of such resources in perpetuity. These funds should be placed in an escrow account for use by the designated conservation steward entity.

5-6

Thank you for this opportunity to provide comments. Should you have any further questions, please call me at (909)335-5149.

Sincerely,



Dr. Timothy P. Krantz, on behalf of the Board of Directors,
San Bernardino Valley Audubon Society

Cc: Adam Keats, Center for Biological Diversity

Response to Commentor No. 5

Timothy Krantz, San Bernardino Valley Audubon Society

April 14, 2005

- 5-1 Although the species referenced were not identified as occurring on the project site, they were identified in the Draft EIR section and biological technical report for the project and determined to have a high potential to occur on the project site. The EIR section and biological technical report stated that surveys for special status plants were inconclusive because they were conducted during an exceptionally dry year, necessitating an additional survey as required by Mitigation Measure 5.8-1a, and identified potential impacts to special status plants as significant.
- 5-2 Surveys were not conducted this year because the ultimate disposition of the project site has yet to be determined. Focused plant surveys will be scheduled if and when the project is approved by the County of San Bernardino. Mitigation Measure 5.8-1a requires that surveys shall be conducted during a spring with adequate rainfall to ensure proper identification of special status plants on the project site and appropriate mitigation acreage.
- 5-3 The area designated open Jeffrey pine forest was identified according to topography, soil types, and plant species composition observed during focused surveys in 2002. According to the 2002 Pebble Plain Habitat Management Guide, a point system to qualify pebble plain habitat was developed. To qualify as a pebble plain a given area must possess enough indicator species to attain a score of four points. Strong indicator species, each worth two points, often occur on pebble plains and rarely occur off pebble plains. Weak indicator species, each worth one point, often occur on pebble plains and frequently occur off pebble plains. The project site contains one strong indicator species, silver-haired ivesia, which was restricted to the 0.62 acre of pebble plain habitat mapped. Two weak indicator species, Parish's rock-cress and ash-gray Indian paint brush, were observed within the mapped pebble plain habitat and in scattered patches within the open Jeffrey pine habitat type. Therefore, the 0.62 acre of pebble plain attained the required four points and the area designated open Jeffrey pine forest attained only two points according to the 2002 Pebble Plain Habitat Management Guide point system. Implementation of Mitigation Measure 5.8-1a would ensure that botanical surveys are repeated prior to clearing or grading to more precisely map the concentration of special status plants and habitats. Following surveys, the habitat types and acreages will be revised according to the habitat definitions in the 2002 Pebble Plain Habitat Management Guide and mitigated appropriately at a 3:1 ratio. Furthermore, implementation of Mitigation Measure 5.8-1a requires that a mitigation site is identified prior to any vegetation clearing, grading, or other site disturbance on the project site. Therefore, the project would not be allowed to move forward until a mitigation site is identified and purchased.
- 5-4 The Draft EIR section and biological technical report identify project-related impacts to bald eagles and their perch trees as significant and unavoidable impacts and significant and unavoidable cumulative impacts.

- 5-5 Please refer to Response to Comment No. 5-4. Mitigation Measures 5.8-1b and 5.8-1c prohibit development that may occur within the project site and in the individual lots from impacting these trees and their root structures. Mitigation Measures 5.8-1b and 5.8-1c are hereby revised as follows:

5.8-1b Trees identified on Exhibits 3 and 4 of the Bald Eagle Survey Report (Appendix E, see attached) as eagle perch locations shall be preserved in place upon project completion and shall not be removed under any circumstances. Any development that may occur within the project site and in the individual lots must avoid impacts to these trees and their root structures. All construction or landscaping improvements, including irrigation, will be prohibited on or around the exposed root structures or within the dripline of these trees. These restrictions on development of the individual tentative tracts must be clearly presented and explained to any potential prospective developers and/or homeowners prior to assumption of title and close of escrow. This measure shall be identified as a Note on the Composite Development Plan.

5.8-1c Prior to vegetation clearing, grading, or other disturbance, the project site shall be surveyed to identify all large trees (i.e., greater than 20-inches in diameter at 4.5 feet from the ground) within 600 feet from the high water line. Trees identified on the project site as having a diameter in excess of 20-inches at four feet from the ground within 600 feet of the shoreline shall be documented and tagged. Any development that may occur within the project site and in the individual lots must avoid impacts to tagged trees and their root structures. All construction or landscaping improvements, including irrigation, will be prohibited on or around the exposed root structures or within the dripline of these trees. These restrictions on development of the individual tentative tracts must be clearly presented and explained to any potential prospective developers and/or homeowners prior to assumption of title and close of escrow. This measure shall be identified as a Note on the Composite Development Plan.

- 5-6 Comment is noted. The County will consider the Commentor's opinion and comments during the deliberations on the project.



April 15, 2005

VIA FACSIMILE

County of San Bernardino
Land Use Services Department, Planning Division
385 North Arrowhead Avenue 1st Floor
San Bernardino, California 92415-0182
Attn: Matthew Slowik

RE: "Revised Biological Resources Section of the DEIR for the Moon Camp Development Project/RCK Properties Inc.."

The Big Bear Group of the Sierra Club, representing over 200 members in the Big Bear Valley, appreciates the opportunity to comment on the Revised Biological Resources Section of the DEIR for the proposed Moon Camp Development project in Fawnskin, California.

Our position is that this revised evaluation of the impacts to the biological resources still proves to be inadequate due to its underestimation of the impacts and its suggestion of mitigations that in the past have proven to be ineffective. In recent investigations regarding the mitigations required by the EIR's of completed projects around the Big Bear Valley, it has been shown that these mitigations, especially in the cases of those for bald eagles and for pebble plains habitat: 1) have often not been implemented by the developers; 2) have frequently not been enforced by the lead agencies involved; 3) have done little or nothing to stop the decline of these species throughout the Valley and 4) have been forgotten about over the long term. For the most part, all record of similar mitigations have been buried in the file archives of the lead agencies, including the County, with no steps taken to preserve the information and make certain that future generations of employees receive it or track, monitor and enforce the mitigations into perpetuity. These measures have thus proven to be impractical and ineffective in the mitigation of impacts from the projects. None of this has been accounted for in this revised section or anywhere else in this DEIR with regards to the resulting impacts on the biological resources.

6-1

This new biological resources section completely underestimates the impact on bald eagles in Big Bear Valley and throughout Southern California. The bald eagle population has been in steady decline throughout Southern California and in the Big

6-2

Bear Valley over the past two decades. One highly effective way for populations in this whole region to begin to recover would be for the eagles to once again begin nesting in this region as they had done in the past, prior to the human-caused impacts that drove them away. The north shore of Big Bear Lake is one of the last remaining areas where this nesting may be possible and the development of this project would most likely serve to eliminate that possibility. None of these larger range impacts on the bald eagle have been evaluated in this revised section or anywhere in this DEIR.

6-2

The pebble plains habitats and the montane meadow habitats are both declining throughout the valley, primarily due to human pressures. The actual size of both these habitats on the proposed project site have been severely underestimated. In addition, the relative size to the total of these habitats still remaining has been underestimated, resulting in a severe understatement in the impacts of this proposed project on the total range and viability of these habitats into the future.

6-3

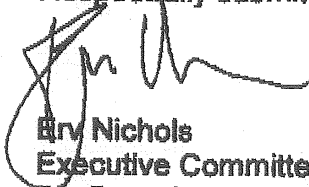
Many sections and statements within the current General Plan for the County of San Bernardino focuses on the goals of maintaining and protecting the existing natural habitats within the County and especially within the Mountain areas. The revised biological resources section of this DEIR fails to evaluate how the adverse impacts that are defined will impact the County's ability to adhere to these goals.

6-4

The Big Bear Group of the Sierra Club finds that this revised Biological Resources section, and therefore the complete DEIR for this proposed Moon Camp project is inadequate and incomplete. In addition, even with the adverse impacts as currently stated in this section, especially regarding the bald eagle, this project should be rejected and the No Project option selected.

6-5

Respectfully submitted,



Bry Nichols
Executive Committee Member
Big Bear Group, Sierra Club

Response to Commentor No. 6

Erv Nichols, Sierra Club

April 15, 2005

- 6-1 The specialists responsible for preparation of the biological resources section of the EIR indicate that the mitigation measures are feasible as written and should be appropriately implemented by the lead agency. The County, as the lead agency, shall assume responsibility for implementation of the mitigation measures.
- 6-2 Direct, indirect, and cumulative impacts to the bald eagle have been identified in the Draft EIR as significant and unavoidable. Impacts to nesting bald eagles were not analyzed because bald eagles are not nesting at Big Bear Lake in the existing condition.
- 6-3 Please refer to Response to Comment No. 5-3.
- 6-4 The Draft EIR section identified plants considered by the County General Plan as Rare, Threatened, or Endangered. Projects potentially impacting County-listed species must prepare an environmental analysis in accordance with CEQA to determine the significance of impacts on these species. Two plant species identified within the General Plan, Parish's checkerbloom and bird's foot checkerbloom, have the potential to occur on the project site. Impacts on these species were assessed in the Draft EIR according to the presence of suitable habitat. Implementation of Mitigation Measure 5.8-1a would determine specific population impacts and reduce impacts to these species to less than significant levels. Other sections of the County General Plan applicable to the proposed project are discussed in the Land Use and Planning Section of the EIR.
- 6-5 Comment is noted. Section 7.0 of the Draft and Final EIR address the "No Project" alternative.

COMMENT NO. 7

FRIENDS OF FAWNSKIN
P.O. Box 422
Fawnskin, California 92333
909-866-9682

CENTER FOR BIOLOGICAL DIVERSITY
1095 Market St., Suite 511
San Francisco, CA 94103

RECEIVED
APR 18 2005

LAND USE DEPT.
ADVANCE PLANNING DIVISION

April 15, 2005

Sent by FACSIMILE (909-387-3223), hard copy to follow via U.S. Mail

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

Attn: Matthew Slowik, Sr. Assoc. Planner

RE: "REVISED BIOLOGICAL RESOURCES SECTION OF THE DRAFT ENVIRONMENTAL IMPACT REPORT 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."

I. INTRODUCTION and SUMMARY

On behalf of the membership of Friends of Fawnskin and the Center for Biological Diversity, we would like to thank the San Bernardino County Land Use Services Department Planning Division for the opportunity to comment on this Revised Biological Section of the Draft Environmental Impact Report for the proposed Moon Camp residential development project, General Plan amendment, land use district change, circulation amendment, tentative tract map and conditional use permit for a boat dock (collectively, DEIR).

Friends of Fawnskin (FOF) represents a membership of over 600 local residents of and visitors to Fawnskin, California, all of whom would be directly and adversely affected by the negative impacts to the biological resources of this area that would result from the development of the proposed Moon Camp project. FOF has been working consistently to maintain and protect the historic small-town, nature-oriented atmosphere of Fawnskin on the north shore of Big Bear Lake. Residents and visitors who have chosen to come to Fawnskin have done so primarily because of the nature-surrounded atmosphere and current character of the town. We feel that it is imperative to the rights of these individuals that the basic essence of this character be preserved.

The Center for Biological Diversity (CBD) is a non-profit, public interest corporation with over 13,000 members across the country, including southern California and the Fawnskin area. CBD and its members are dedicated to protecting the diverse native species and habitats through science, policy, education, and environmental law.

FOF and CBD continue to be strongly opposed to this proposed Moon Camp development project because, even with the mitigations proposed in this revised biological resources section, this project would continue to have extensive adverse effects on surrounding properties, on the entire community of Fawnskin and on the Big Bear Valley environment as a whole. Especially in the area

7-1

of Biological Resources, this project goes against a large number of the goals set for the mountain areas in the County's own General Plan. Though an amendment to the General Plan to change the zoning is proposed, there is no amendment currently proposed to change the general goals in the area of biological and natural resources. In order to maintain those goals and support the existing biological resources at this site and throughout the Big Bear Valley, we support the RL-40 designation of this property as it is currently zoned in the County's General Plan and strongly advocate the maintenance of this designation. From visitor information collected by the Discovery Center, we believe that much of the economic viability of this entire Valley depends on the maintenance of the native habitats and natural surroundings currently in existence. The adverse impacts to those habitats, and especially to the bald eagle, that would result from the development of this proposed project would rapidly trickle down to adversely affect the economic well-being of the entire Big Bear Valley.

7-1

In reviewing this revised Biological Section of the DEIR, FOF and CBD have found it to still be incomplete, inaccurate, and defective. The DEIR fails to adequately evaluate the severe adverse effects of the proposed project and grossly downplays and understates the significant and unavoidable impacts that would be caused should it be approved. FOF and CBD's objections to this proposed project and the inadequacies of this revised Biological Resources section of the DEIR are set forth below. Please include this letter in its entirety as part of our formal CEQA comments to be included in the Environmental Impact Report. In summary, we continue to object to this development project, as proposed, for the following reasons:

II. Biological Resources

The revised Biological Section of the DEIR still has provided an incomplete and inadequate evaluation of the impacts on Biological Resources that grossly underestimates the resulting impacts of this project.

- The Standard Conditions of Approval (SCA-1) does not specify that the replanting of trees must be native trees nor the same type of trees that are being removed. The biological resources section does not evaluate the impact on the wildlife as a whole nor on the individual species of the area for a change in the species of trees that exists on the site.
- Nothing has been mentioned or taken into account in this revised biological resources section that the bark beetle infestation has long passed its peak and that the removal of the dead trees and logs on the site to reduce the bark beetles could have adverse impacts on the other species in this area. The counterbalance of these has not been evaluated to make recommendations for finding a middle-ground for the long-term health of the area in all conditions.
- The percentage used to define the pebble plains habitat of this site as a portion of the total in existence has been grossly underestimated. According to the biological resources section itself, the special-status plants associated with the pebble plains habitat "were found to be widespread throughout an approximately 11.8 acre area of open Jeffrey pine forest with an herbaceous layer of Wright's matting buckwheat in the western half of the Project site." There is no scientific evaluation or justification given for not including at a minimum the 11.8 acres nor more accurately the "western half of the Project site" in the calculations for the size of the actual pebble plains habitat.
- Once again, since the entire "open Jeffrey pine forest" as characterized in the document meets the habitat definition of pebble plains and supports special status species across 17.38 acres, the impact is not just 0.69 acres as considered in the analysis, but the entire 17.38 acres.

7-2

7-3

7-4

7-5

- Many of the pebble plains habitat areas in other parts of the Valley have been very recently and very extensively damaged and thus potentially reduced in size. No evaluation has been done on the actual size of the entire pebble plains habitat, and therefore on the actual percentage represented by this proposed development site, with taking into account the large increase in off-road vehicle usage and resulting destruction of the existing habitat. **7-6**
- No scientific justification is given to define 40% rainfall as being a sufficient basis for obtaining an accurate survey of the extent of the pebble plains habitat nor any justification given for surveys being valid with anything less than full and normal rainfall. **7-7**
- No scientific justification is given to define 40% rainfall as being a sufficient basis for obtaining an accurate survey of the extent of the montane meadow habitat nor any justification given for surveys being valid with anything less than full and normal rainfall. **7-8**
- Since it would be difficult if not impossible to find a willing seller of sufficient acreage of pebble plains and associated rare plant habitat to in any way mitigate the loss of the actual size of these habitats at the proposed project site, this mitigation measure (paragraph 2 of 5.8-1a) is impractical and inadequate. **7-9**
- No mitigation measures have been defined to make up for the loss of montane meadow habitat with the development of this proposed project. **7-10**
- No evaluations have been done to define how much of the total montane meadow habitat in the Valley would be lost with the development of this proposed project. **7-11**
- The special status plant species listed on page 5.8-48 of the revised biological resources section that are likely to exist at the site but that were not detectable during the surveys have not been adequately evaluated nor their potential loss accounted for in this DEIR. Since their numbers have not been determined, no determination as to the full impact to their total populations could have been determined, nor are there any requirements set for making up for their loss once their actual numbers and extent of range have been determined. **7-12**
- Given all of the above points, the mitigation measures defined in 5.8-1a are grossly inadequate and would not serve to reduce impacts to a less than significant level. **7-13**
- Since the extent of the pebble plains habitat has been inadequately evaluated and grossly underestimated, the evaluation of the potential impact to the special-status Andrews' marble butterfly is inadequate and could underestimate the significance of the impacts on this species. **7-14**
- The analysis fails to evaluate the loss of a significant portion of the shoreline habitat for all the species that could be impacted, including not only shore-feeding species, but all species that use this portion of the shoreline for access to the lake. **7-15**
- The mitigations proposed to protect the bald eagle habitat as proposed continue to be impractical and ineffective. Similar mitigations in other parts of the Valley have often not been enforced or regulated so that they, in the end, proved to be neither practical nor effective. **7-16**

- This revised section fails to evaluate the adequacy of the special-status wildlife mitigations on the basis that similar bald eagle mitigations have been done in prior developments in the Big Bear Valley and when the mitigations were implemented, the bald eagle numbers have been significantly reduced over the past two decades, thus rendering the mitigations totally inadequate. | 7-17
- Once again, the potential removal of additional trees to support Section 5.3-1c mitigation for a 100-foot fuel modification is not analyzed anywhere in the Biological Resources section. | 7-18
- The DEIR still fails to include in the biological resources analysis the impact to wildlife based on increases in road-kill from the increased traffic nor from the proposed highway realignment. | 7-19
- The evaluation of impacts to bald eagles fails to take into account that the eagles now can see the shoreline from the trees identified as bald eagle perches. There is no mention nor evaluation of the increased impacts when the views from those perch trees is degraded extensively by the visually obstructive intrusion of homes built between the trees and the shoreline. | 7-20
- No mention nor evaluation has been done on the larger-range impacts to the entire population of Southern California wintering bald eagles. The bald eagle numbers in Southern California have been declining in spite of what's happening in other areas of the country. One of the only potential ways for this population to begin recovering is to increase the chances of these populations actually nesting in Southern California. This habitat on the north shore of Big Bear Lake is some of the last remaining likely areas for this nesting to occur and thus, this proposed project will very likely negatively impact the chances for overall recovery of the bald eagle populations in Southern California. | 7-21
- No evaluation has been done on whether the drought in this area could have affected the existence of the wildlife on this site and whether more wildlife would be likely to be found at the site during years of normal rainfall. Therefore, the evaluation of the impact on all wildlife, including but not limited, to the yellow-blotched salamander, the silvery legless lizard, the southern rubber boa, the San Bernardino Mountain Flying Squirrel, and all species of bats is inadequate and potentially understated. | 7-22
- The adverse impacts on the biological resources that would result from the development of this project would spread out to affect other arenas, such as the economy of the valley and the economic viability of its current dependence on tourism. None of these impacts have been evaluated in this section or throughout the remainder of the DEIR. | 7-23

This revised biological resources section analysis continues to be inaccurate and inadequate and grossly understates the level of significance of the impacts regarding wildlife and plants that would be caused by this proposed project. It especially continues to underestimate the significant impacts on bald eagles and both the pebble plains and the montane meadow habitats. | 7-24

III. CONCLUSION

Friends Of Fawnskin and CBD hereby incorporate by reference any and all comments made regarding this project, even if made in the past or future, in order to enforce the non-discretionary requirements of the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). FOF and CBD have raised many critical issues in this response, but our concerns are not limited to only these specific items. Further, since a section of this DEIR was revised, the entire document must be circulated once again so that the changes and how they apply | 7-25

from one section to another can be properly evaluated and the public and the decision-makers can be properly informed prior to making any decision on this project, as required by law.

7-25

We again formally request timely notification in advance of all meetings, documents, and decisions regarding this proposed project.

7-26

The Revised Biological Resources section of the Draft EIR, and thus the DEIR as a whole, for the proposed Moon Camp Project currently in circulation is incomplete, inaccurate and defective and must be rejected in its present form. It has failed to adequately assess the level of significance of the adverse impact on biological resources. Furthermore, multiple significant impacts continue to understate and sugar coat the project in a thinly-veiled attempt to convince the Board of Supervisors to approve this project with overriding considerations. The project, on the basis of the present proposal, is so entirely contrary to the guidelines of the County's General Plan and the best interest of the tax-paying public that it warrants nothing less than a categorical denial. We urge the Board to carefully evaluate this project and select the No Project Alternative in the interest of the Public Trust.

7-27

Respectfully submitted,



Sandy Steers
for the Friends Of Fawnskin
and Center for Biological Diversity

Response to Commentor No. 7

Sandy Steers, Friends of Fawnskin

April 15, 2005

- 7-1 Comment is noted. Section 7.0, Alternatives to the Proposed Project, includes a "No Project/No Development" alternative (RL-40) and an additional range of alternatives, concluding with the environmentally superior alternative.
- 7-2 Trees will be "replanted" on the site at a 2 to 1 ratio per the San Bernardino County Plant Protection and Management Ordinance requiring planting of trees of the same species removed. Direct and indirect impacts on wildlife are discussed beginning on page 5.8-54 of the Recirculated Biological Resources Section, under the heading "Wildlife Impacts/Indirect Impacts."
- 7-3 The impact analysis considered direct impacts to 61.87 acres of the 62.56 acre project site, which includes all native and non-native vegetation types, including developed areas. These impacts included the removal of all habitat on the project site, including dead trees and logs, and took into consideration impacts on wildlife dependent on the habitat provided by them.
- 7-4 Please refer to Response to Comment No. 5-3.
- 7-5 Please refer to Response to Comment No. 5-3.
- 7-6 Please refer to Response to Comment No. 5-3.
- 7-7 According to the Western Regional Climate Center (WRCC 2005), the Big Bear Lake area receives an average of 21.99 inches of precipitation annually, 13.63 inches or 60 percent of which is received by May when plant surveys would begin on the project site. Forty percent or 8.8 inches was considered a minimum average rainfall threshold at which surveys would be considered within an acceptable range. Mitigation Measure 5.8-1a of the Draft EIR has been updated for the Final EIR as follows:

~~5.8-1a Prior to vegetation clearing, grading, or other disturbance, the project site shall be surveyed during a year with precipitation at least 40 percent of average for the area to determine presence or absence of special status plant species and vegetation types. Surveys shall focus on listed special status vegetation types, and Threatened or Endangered, and CNPS List 1B and 2 species whose presence could not be determined during surveys due to lack of rainfall. The location and extent of special status species populations shall be mapped and the size of the populations accurately documented.~~

~~The project applicant shall pay compensation for the loss of special status botanical resources identified on the project site by the survey by funding the purchase and management of off-site habitat through contributions to a fund established by the California Wildlife Foundation~~

on behalf of the CDFG. The California Wildlife Foundation is an independent 501(c)3 nonprofit corporation founded to assist the CDFG and other governmental agencies in the management of funds and mitigation banks designed to offset the impact of development on California's native flora and fauna. Off-site habitat containing the same species as those identified within resources impacted by the proposed project shall be purchased at a ratio agreed upon by the County of San Bernardino, San Bernardino National Forest, USFWS, and CDFG. The typical mitigation ratio is 3:1 (i.e., three acres of habitat purchased for preservation for each acre impacted by development).

If additional surveys during a year with precipitation at least 40 percent of average do not encounter additional special status plant resources, the project applicant is responsible for the mitigation of a minimum of 11.8 acres of pebble plain and open Jeffrey pine forest in the western half of the project site that is known to be occupied by the federally-listed Threatened ash-gray Indian paintbrush (i.e., would be required to fund the purchase of 35.4 acres of offsite habitat from the California Wildlife Foundation if the agreed mitigation ratio is 3:1).

Prior to vegetation clearing, grading, or other disturbance, the project site shall be surveyed during a year with precipitation at least 40 percent of average for the area to determine presence or absence of special status plant species and vegetation types. Surveys shall focus on special status vegetation types, and Threatened or Endangered, and CNPS List 1B and 2 species whose presence could not be determined during surveys due to lack of rainfall. The location and extent of special status species populations shall be mapped and the size of the populations accurately documented. Pebble plain habitat acreages will be recalculated following the survey using criteria established by the Habitat Management Guide for Pebble Plain Habitat on the National Forest System (2002).

Should avoidance/retention on-site of the 4.91 acres of Pebble Plain habitat in permanent open space under a Conservation Easement Agreement not occur, the Project Applicant shall pay compensation for the loss of special status botanical resources identified on the project site during the survey by funding the purchase, establishment of a conservation easement, and management of off-site habitat within the conservation easement by an entity approved by the CDFG. Off-site habitat containing the same species as those identified within resources impacted by the proposed project shall be purchased at a ratio of 3:1 (i.e., three acres of habitat purchased for preservation for each acre impacted by development). Prior to the initiation of clearing or grading activities on the project site, the conservation easement will be established, the management entity will be approved by the CDFG, and a non-wasting endowment will be established for the monitoring and management of the preservation site by the management entity in perpetuity.

If additional surveys during a year with precipitation at least 40 percent of average do not encounter additional special status plant resources, the Project Applicant is responsible for mitigating impacts to a minimum of 11.8-acres of pebble plain and open Jeffrey pine forest in the western half of the project site that is known to be occupied by the Federally-listed Threatened ash-gray Indian paintbrush. As such, the applicant would be required to fund the purchase and maintenance of 35.4-acres of offsite pebble plain and open Jeffrey pine forest habitat that contains special status plant species, including Ash-gray Indian paintbrush and others known to occur on the site.

- 7-8 Please refer to Response to Comment No. 7-7.
- 7-9 Implementation of Mitigation Measure 5.8-1a requires identification of a mitigation site identified prior to any vegetation clearing, grading, or other site disturbance on the project site. Therefore, the project would not be allowed to proceed until a mitigation site is retained.
- 7-10 Vegetation type acreages would be recalculated following focused plant surveys in accordance with Mitigation Measure 5.8-1a. Therefore, Mitigation Measure 5.8-1a would mitigate for the loss of Montane Meadow habitat on the project site.
- 7-11 According to the Southern California Mountains and Foothills Assessment by the Forest Service (U.S. Department of Agriculture 1999), there are approximately 55,446 acres of montane meadow habitat in Southern California, 38 percent (21,070 acres) of which occurs on public lands. Approximately 4.4 acres of lake shoreline on the project site has the potential to support montane meadow habitat. The loss of 4.4 acres on the project site or approximately 0.00008% of the total acreage known to exist in its range would not likely be considered significant. However, because montane meadow is considered a special status vegetation type, it would be mitigated at a 3 to 1 ratio in accordance with Mitigation Measure 5.8-1a.
- 7-12 Impacts to special status plants were considered by assuming their presence on the project site and evaluating impacts to the total acreage of suitable habitat for these species on the project site. Mitigation Measure 5.8-1a would reduce impacts to these species to a less than significant level.
- 7-13 The lead agency will make a determination as to the adequacy of Mitigation Measure 5.8-1a after consideration of the Draft EIR section and Responses to Comments.
- 7-14 The Andrews' marble butterfly is not currently listed or proposed for listing as a Threatened or Endangered species or CDFG Species of Special Concern. This species is known to occur in pine and mixed conifer forests, particularly open forest areas, above 5,000 feet elevation. As discussed in the draft EIR section, there are approximately 58,526 acres of Jeffrey pine forest in the San Bernardino Mountains. Furthermore, there are approximately 124,652 acres of mixed conifer forest in the San Bernardino Mountains. Therefore, within the San Bernardino Mountains there are approximately 183,178 acres of montane conifer forest containing potential habitat for the Andrew's marble butterfly and its host plants. It is not anticipated that

impacts to approximately 54.91 acres of Jeffrey pine forest and 0.69 acre of pebble plain would result in a significant impact to this species. Furthermore, implementation of Mitigation Measure 5.8-1a would ensure that impacts to pebble plain habitat are mitigated to a level considered less than significant.

- 7-15 General wildlife impacts, including loss of foraging habitat, are discussed in the Recirculated Biological Resources Section, under wildlife impacts on page 5.8-52 and impacts to lake access are discussed under wildlife movement impact 5.8-4 on page 5.8-59 and 5.8-60.
- 7-16 Please refer to Response to Comment No. 6-2.
- 7-17 Please refer to Response to Comment No. 6-2.
- 7-18 Please refer to Response to Comment No. 7-3.
- 7-19 In the existing condition, State Route 38 represents a hazard to wildlife crossing to access the Big Bear Lake as a water source. There are several blind curves that represent a greater hazard than the proposed project improvements to State Route 38. The proposed project would result in an increase in traffic on State Route 38 from vehicle trips to and from the proposed development. However, the proposed project would reduce the amount of wildlife and available habitat on the project site, thereby resulting in a reduced likelihood for vehicle strikes on State Route 38 and on streets interior to the project. Additionally, the speed limit on State Route 38 would not be changed with project implementation.
- 7-20 It is not anticipated that construction of homes near the shoreline would affect bald eagle views of Big Bear Lake from perch sites. Nonetheless, direct, indirect, and cumulative impacts to the bald eagle are considered significant and unavoidable by the Draft EIR analysis.
- 7-21 Please refer to Response to Comment No. 6-2.
- 7-22 The project site is located adjacent to the Big Bear Lake. It is unlikely that the species mentioned, or their prey or food items would move away from such a large water source during drought conditions.
- 7-23 As stated in Section 15131(a) of the CEQA guidelines, economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.
- 7-24 The Draft EIR identifies impacts to bald eagle as significant and unavoidable. Impacts to pebble plains are considered significant; however, implementation of Mitigation Measure 5.8-1a would reduce impacts to a level considered less than significant. Impacts to montane meadow habitat, if determined to be on the project

site would also be mitigated by implementation of Mitigation Measure 5.8-1a. Please refer to Response to Comment No. 7-10.

- 7-25 In accordance with Section 15088.5(c), which pertains to recirculation requirements, if the revision is limited to a portion of the EIR, the lead agency need only recirculate the chapters or portions that have been modified. In the case of this EIR review for the proposed Moon Camp Project, the revisions to the Draft EIR involved exclusively the Biological Resources Section.
- 7-26 Comment is noted.
- 7-27 Comment is noted. Section 5.1, *Land Use and Relevant Planning*, of the Draft and Final EIR includes a comprehensive review of land use and policy affects associated with the County General Plan.