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January 21, 2020

Ms. Laurel Impett
Shute, Mihaly & Weinberger LLP
396 Hayes Street
San Francisco, CA 94102-4421

Subject: Review of Final Environmental Impact Report
SCH No. 2004031114
The Church of the Woods Project, Rim Forest, California

Dear Ms. Impett:

I have been retained by Shute, Mihaly & Weinberger LLP (SMW) to review and evaluate the Final Environmental Impact Report (FEIR) for the Church of the Woods (COTW) Project, Rim Forest, California, especially responses provided to SMW's comment letter dated February 25, 2019 on the Draft Revised Environmental Impact Report (DREIR) and my comment letter dated February 21, 2019. Because of the Project's close association with the Rimforest Storm Drain Project, I have also reviewed the Recirculated Draft and Final EIRs for the Rimforest Storm Drain Project (RSDP)[1].

A-1

I raised six issues/concerns in my February 21, 2019 comment letter. Apart from Item 5 (Potential impacts on slope stability), I don't feel the FEIR satisfactorily resolves the other deficiencies raised in my letter. Below, I elaborate on the deficient responses to Items 1 (Deferred analysis and mitigation for impacts to jurisdictional waters and wetlands) and Item 4 (Potential impacts on recharge, groundwater storage and spring flow) in my February 21, 2019 letter. The FEIR responses to Items 2 (No characterization of surface water conditions), Item 3 (Incorrect characterization of groundwater conditions) and Item 6 (Incomplete cumulative impact assessment) in my letter are dismissive and ignore the sound science and information introduced to assist in recognizing and addressing the incomplete characterization of site conditions and potential impacts to the environment.

A-2

[1] In the COTW FEIR (page 2-23), the County states that they will place a Condition of Approval (COA) that construction of the COTW Project is only permitted following the construction of San Bernardino County's RSDP. The close association and interrelation of these projects via shared construction footprint and pseudo-shared mitigations has complicated my review of the COTW FEIR – one can't review the COTW project without a clear understanding of the RSDP design and compliance. I have not been able to determine if the RSDP has obtained environmental and construction permits, and to what degree the conditions within these permits will alter project design and/or mitigations. If permit conditions place the RSDP design into a state of flux, there will certainly be trickle-down to COTW, possibly leading to unknown changes in design that will lead to omissions in coverage of the COTW EIR.

As indicated above, I elaborate here on a couple inaccuracies and deficiencies that remain in the FEIR, which result in incorrect and misleading conclusions about potential adverse impacts to the environment by project actions. These issues are listed here and discussed in detail below.

1. Acknowledging that the COTW Project will not be constructed until completion of the RSDP, I continue to contend that the COTW Project will result in impacts to state and federal jurisdictional waters that are not acknowledged or mitigated in the FEIR.

2. Potential reductions to groundwater recharge that supplies and sustains flow at the site spring have not been addressed. This spring maintains perennial creek flow and associated jurisdictional waters/wetlands downstream of the spring outfall.

A-3

1. COTW Project will impact state and federal jurisdictional waters.

The COTW's delineation of jurisdictional waters and wetlands on the project property provided in Appendix C[2] of DEIR is consistent with the findings presented in the RSDP DEIR. Maps of jurisdictional wetlands/waters for the COTW and RSDP projects are provided in Figures 1 and 2, respectively. Both maps indicate that jurisdictional waters lie within the construction footprint of the proposed COTW project (Figure 3).

A-4

The RSDP identifies jurisdictional wetlands and waters that will be permanently impacted and temporarily disturbed during construction. These areas are delineated as "Permanent Impact Area" and "Temporary Disturbance Area" on Figure 2. The RSDP FEIR indicates that impacts to jurisdictional waters and wetlands within the Permanent Impact Area will be mitigated off-site by the County. Mitigation Measure BIO-1c of the RSDP FEIR states that jurisdictional waters that are disturbed within the Temporary Disturbance Area would be restored on-site. Specific language pertaining to on-site restoration of jurisdictional waters in Mitigation Measure BIO-1c is as following.

> *To mitigate temporary impacts to sensitive vegetation or habitat that may support special-status plants or animals (e.g., temporary equipment staging areas), the County will prepare and implement an Ecological Restoration Plan, to establish native vegetation cover on all temporary impact areas within five (5) years of the end of construction. The plan will be prepared in coordination with CDFW prior to the start of construction. It will be implemented immediately following the completion of construction and shall be monitored for a period of five years to ensure that the establishment of vegetation is successful. The Ecological Restoration Plan's goal will be to restore native vegetation that will ultimately replace habitat values that are damaged or degraded by the Project and is not necessarily designed to replace in-kind vegetation within a five-year period. Instead, the plan is designed to create the baseline conditions that will allow*

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[2] Thomas Leslie Corporation, 2003, Results of a Wetland/Jurisdictional Delineation Study for Tentative Parcel Map No. 16155, August 15.

vegetation to establish and be replaced by natural succession over time. The plan will include: (a) quantitative description of habitat to be removed, including vegetation cover (by tree, shrub, and herb components), native species richness, and density of dominant species; (b) soil or substrate preparation measures, such as recontouring, decompacting, or imprinting; (c) provisions for topsoil and leaf litter salvage and storage; (d) provisions for woody debris, tree trunk, and boulder storage and placement; (e) plant material collection and acquisition guidelines, including guidelines for salvaging, storing, and handling seed, cuttings, or rooted plants from the Project site, as well as obtaining materials from commercial nurseries or collecting from outside the Project site; (f) time of year that the planting or seeding will occur and the methodology of the planting; (g) an irrigation plan or alternate measures to ensure adequate water; (h) quantitative success criteria, to reflect yearly progress and final completion; (i) a detailed monitoring program to evaluate conformance with the success criteria; and (j) contingency measures to remediate the restoration site if success criteria are not met.

A-5 CONT.

Therefore, upon completion of the RSDP, the condition and status of the disturbed jurisdictional waters within the Temporary Disturbance Area will be restored and maintained. Regardless of which project (COTW or RSDP) is constructed first, the jurisdictional wetlands will be present in original or restored state at the time the COTW Project undergoes construction. When comparing the COTW project plans (Figure 3) to the project jurisdictional waters/wetlands map (Figure 1), it is clear that the jurisdictional waters lying within the COTW grading footprint will be disturbed if not completely eliminated (buried). The COTW FEIR does not acknowledge or mitigate for this impact even when identified in my February 21, 2019 comment letter to the DREIR. Instead, the following statement within the FEIR (response to comment 10C-2, page 175) makes the illogical argument that mitigation for COTW impacts to jurisdictional waters is credited to the restored jurisdictional waters that are being destroyed.

The DREIR has been revised to indicate that the proposed Project would not be implemented until after completion of the Rimforest Storm Drain project. As a result, and as documented in the revised DREIR, the proposed Project would not result in any impacts to jurisdictional waters and wetlands. Any impacts to jurisdictional waters and wetlands resulting from the Rimforest Storm Drain project would be mitigated in accordance with the EIR prepared for that project certified by the San Bernardino County Board of Supervisors on May 23, 2017 (SCH No. 2015051070). No revisions to the DREIR are required in order to respond to this comment.

A-6

Because the COTW does not provide mitigation for the destruction of the fully functioning jurisdictional wetlands restored as mitigation for RSDP impacts, the COTW FEIR should be considered incomplete until this significant impact to jurisdictional waters is mitigated.

2. Potential impacts of groundwater recharge that sustains perennial[3] spring flow.

In my February 21, 2019 comment letter on the COTW DREIR, I provided the following statement.

> *As indicated above, there is an active spring on COTW property that sustains perennial flow in Little Bear Creek and, in turn, likely sustains jurisdictional wetlands and downstream riparian corridor. Although it does not appear the COTW will cover/fill this spring, the introduction of large impervious surface areas adjacent to and upgradient of the spring may reduce recharge to bedrock and/or alluvial groundwater aquifers that sustain spring flows. The COTW DREIR does not acknowledge or analyze how the project facilities and impervious surface areas may interfere substantially with groundwater recharge and deplete groundwater recharge such that there would be a net deficit in aquifer volume, lowering of local groundwater table, or depletion in spring flows. Thus, the DREIR fails to adequately analyze potential impacts to hydrologic and associated biologic resources.*

A-7

Responses to this comment (response 10-50 on page FEIR-165 and 10C-6 on page FEIR-176) include: that there are insignificant amounts of perched water in site alluvium and limited amounts of water within the fractures of bedrock; groundwater is rarely present with the onsite alluvium; shallow groundwater conditions were not observed; and the project does not serve as an important recharge zone for groundwater under existing conditions. Yet, the fact remains that groundwater is released at the spring site year-round in sufficient quantities to maintain at least 4130-feet of perennial creek flow. This perennial creek flow supports associated jurisdictional wetlands/waters and aquatic habitat.

Since a spring is a place where groundwater flows out of the ground, the groundwater emanating from the spring typically comes from the area lying upgradient of the spring. Using the existing (pre-project) contours provided on the COTW jurisdictional wetland/waters map, I've shaded the area lying upgradient of the spring (left graphic in Figure 4). This area represents where infiltration of rainwater will recharge the underlying groundwater upgradient of the spring. Superimposing this recharge area on the proposed COTW project footprint (right graphic in Figure 4), illustrates how much of the recharge area will be influenced by project facilities. If drainage from the impervious surface areas is captured and directed into the RSDP storm drain, this water will be discharged downstream of the spring and is no longer available for groundwater recharge to the spring. Albeit this water will generate creek flow, but it will be ephemeral in nature as it will no longer be stored underground and metered out more slowly – a process that sustains perennial spring flow. The FEIR (response 10-50 on page FEIR-165) states, "*The landscaped areas and athletic field would act as infiltration beds to mitigate the increased runoff due to the impervious areas.*" However, in my experience, athletic fields are typically constructed with subdrain systems that accelerate drainage off the

A-8

[3] A perennial flow means year-round flow. Ephemeral flow means flows occur briefly during and following a period of rainfall.

field and into storm drains to alleviate saturated conditions and ponding. Given the large percentage of recharge zone that will be covered by project facilities, it seems clear that the COTW needs to analyze how the project will modify and potentially impact both surface and groundwater hydrology and, in turn, spring flows that sustain downstream jurisdictional wetlands and waters. As it stands, the FEIR fails to analyze these potential impacts to hydrologic and biological resources.

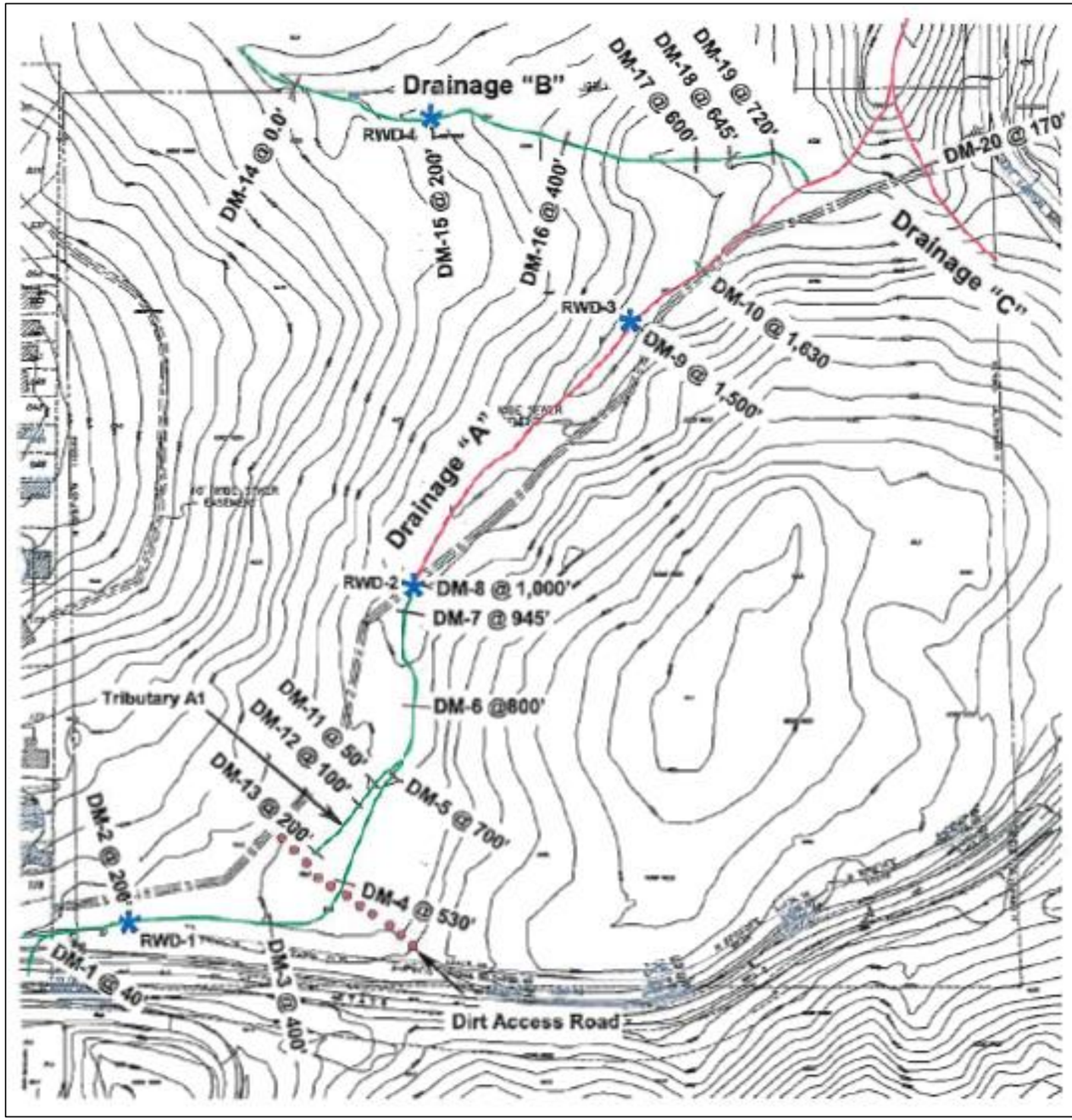
A-8 CONT.

Please feel free to contact me with any questions regarding the material and conclusions contained in this letter.

A-9

Sincerely,

Greg Kamman, PG, CHG
Principal Hydrologist



Measurement, in feet		CDFG	ACOE
Drainage "A"			
Ephemeral Waters:			
DM-1	40 ft NE of the CL of Hwy. 18	6.3	5.0
DM-2	200 ft NE of the CL of Hwy. 18	10.0	2.9
DM-3	400 ft NE of the CL of Hwy. 18	5.3	2.2
DM-4	530 ft NE of the CL of Hwy. 18	12.8	7.9
DM-5	700 ft NE of the CL of Hwy. 18	8.2	1.6
DM-6	800 ft NE of the CL of Hwy. 18	10.4	5.0
DM-7	945 ft NE of the CL of Hwy. 18	8.8	3.5
Perennial Waters:			
DM-8	1,000 ft NE of the CL of Hwy. 18	2.7	2.7
DM-9	1,500 ft NE of the CL of Hwy. 18	3.0	3.0
DM-10	1,630 ft NE of the CL of Hwy. 18	3.3	3.3
Tributary A1			
Ephemeral Waters:			
DM-11	50 ft SW from confluence with "A"	8.9	2.8
DM-12	100 ft SW from confluence with "A"	3.6	0.9
DM-13	200 ft SW from confluence with "A"	2.8	2.8
Drainage "B"			
Ephemeral Waters:			
DM-14	At the N property boundary	2.3	1.8
DM-15	200 ft E down the drainage	6.5	4.0
DM-16	400 ft E down the drainage	2.8	1.0
DM-17	600 ft E down the drainage	3.7	1.2
DM-18	645 ft E down the drainage	2.3	2.3
DM-19	720 ft E down the drainage	1.0	1.0
Drainage "C"			
Perennial and Ephemeral Waters:			
DM-20	170 ft NW from E property boundary	4.2	4.2

* RWD -1 through 4 = Sites where Routine Wetland Determination Data Forms were filled out

Dirt Access Road = Logging "Skid Trail"

FIGURE 1: Jurisdictional waters and wetlands from Church of the Woods DEIR (source: Thomas Leslie Corporation, 2005).

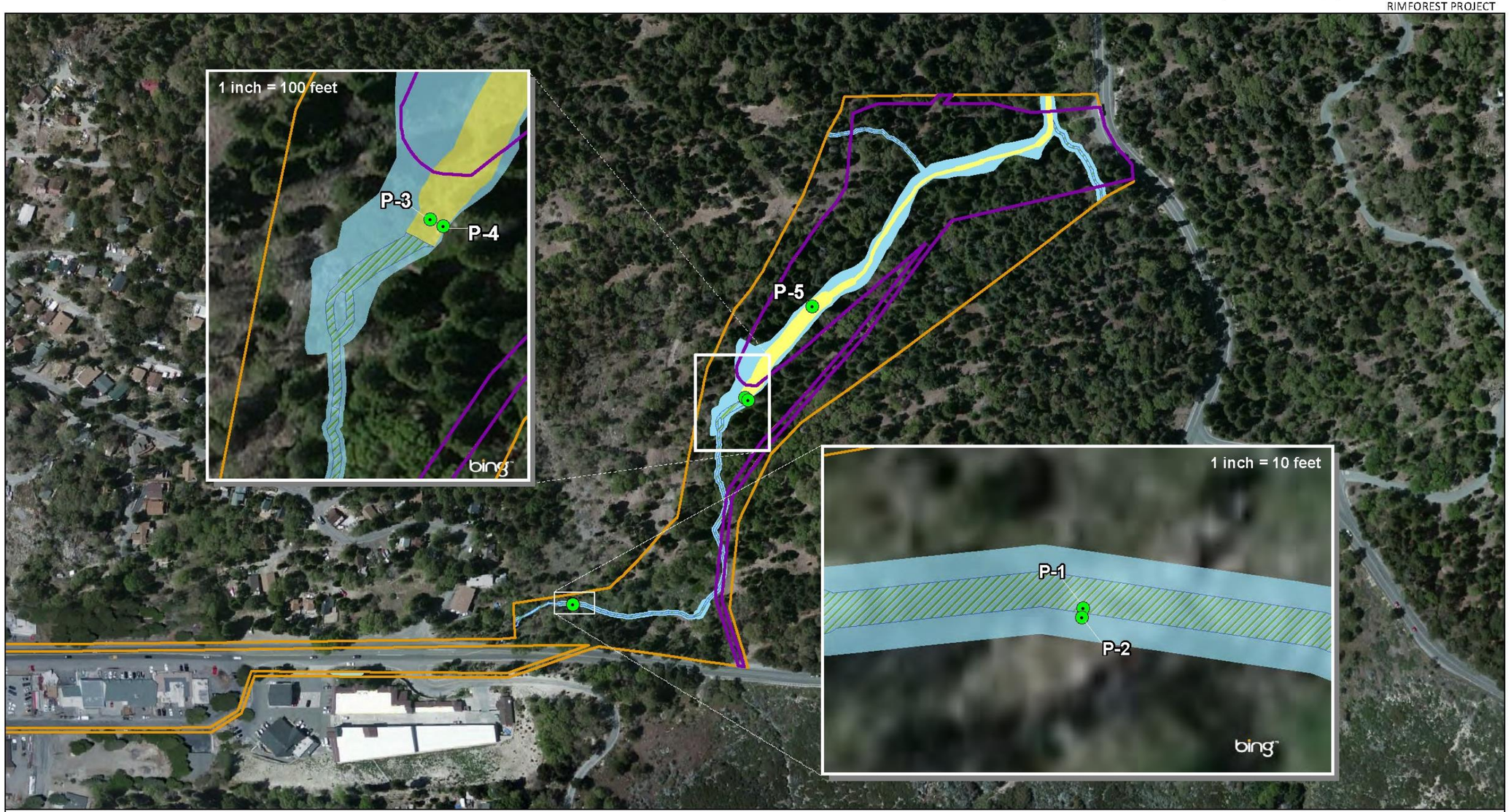


FIGURE 2: Jurisdictional waters and wetlands from Rimforest Storm Drain Project EIR (source: Aspen Environmental Group, 2015).

NOTES:
1. RECORD OWNER: CHURCH OF THE WOODS, A CALIFORNIA CORPORATION; P.O. BOX 2000; LAKE ARROWHEAD, CA; 92352; 909-337-5483.

2. PUBLIC UTILITIES ARE AS FOLLOWS:
   A) WATER: CRESTLINE LAKE ARROWHEAD WATER AGENCY; P.O. BOX 3880; CRESTLINE, CA. 92325; 909-338-1775
   B) SEWER: LAKE ARROWHEAD COMMUNITY SERVICES DIST; P. O. BOX 789; LAKE ARROWHEAD, CA 92352; 909-337-8555
   C) NATURAL GAS: SO. CAL. GAS CO.; P. O. BOX 6226; SAN BERNARDINO, CA; 909-889-9711
   D) ELECTRIC: SO. CAL. EDISON CO.; P. O. BOX 95; RIM FOREST, CA; 92378; 909-337-2564
   E) TELEPHONE: VERIZON; 1500 CRAFTON AVE.; MENTONE, CA; 92359; 909-793-7441
   F) CABLE TV: FALCON CABLE; P. O. BOX 9; RIM FOREST, CA; 92378; 909-336-2457

3. THE CURRENT AND PROPOSED GENERAL PLAN USE DISTRICT IS LA/IC.
4. ENTRY SIGNS WILL BE SUBMITTED FOR REVIEW AT A LATER DATE.
5. ALL PARKING AREAS WILL BE SURFACED WITH ASPHALT. THE MINIMUM PARKING SPACE WILL BE 9'x19' TYPICAL.
6. TREES TO BE REMOVED ARE DISCUSSED IN THE FORESTERS REPORT PREPARED BY JOHN HATCHER DATED 3-25-03.

PROJECT SUMMARY:

BUILDINGS

PHASE 1
YOUTH CENTER GYMATORIUM.

FIRST FLOOR	18,305 SF
SECOND FLOOR	8,579 SF
SNACK BAR	480 SF
TOTAL SF:	27,364 SF

PHASE 2
ASSEMBLY BUILDING - CHILDREN'S MINISTRY

FIRST FLOOR	27,254 SF
SECOND FLOOR	13,783 SF
TOTAL =	41,037 SF

MAINTENANCE BUILDING & CARETAKERS RESIDENCE

FIRST FLOOR	750 SF
SECOND FLOOR	750 SF
TOTAL SF=	1,500 SF
TOTAL PH 2=	42,537 SF

PROJECT SUMMARY

BUILDING COVERAGE (FOOTPRINT)	46,309 SF	3.9 %
DRIVEWAYS & PARKING	199,478 SF	16.9 %
CONCRETE WALKS & PATIOS	26,200 SF	2.2 %
SPORT COURTS	9,508 SF	0.8 %
SPORTS FIELD	54,000 SF	4.6 %
LANDSCAPE AREA	182,980 SF	15.5 %
LANDSCAPE SLOPES	66,133 SF	5.6 %
WATER QUALITY BASIN	7,836 SF	0.6 %
NATURAL AREA	1,013,670 SF	49.9 %
TOTAL PROJECT= (27.12 ACRES)	1,181,363 SF	100.0 %

PARKING SUMMARY (9x19 TYPICAL)

	REQUIRED	PROVIDED
CHURCH OF THE WOODS (BUILD OUT) 600 SEATS (1 space for 3 seats)	200	311

IMPROVEMENT NOTES:
1. DRIVE AISLES AND PARKING SPACES TO BE A.C. PAVEMENT AND BASE PER GEOTECHNICAL ENGINEERING RECOMMENDATIONS.
2. ALL PAVED ACCESS AREAS TO BE BOARDED BY 6" CONCRETE CURB.
3. SPORTS FIELD AND LANDSCAPE AREAS TO BE DEPRESSED AS PART OF STORM WATER RUNOFF MITIGATION PLAN.
4. SEE WATER QUALITY MANAGEMENT PLAN FOR DETAILS ON MODIFIED BIORETENTION BASIN.
5. BUILDINGS WITHIN CAMPUS ARE CONNECTED BY A.D.A. PATH OF TRAVEL. NO A.D.A. PATH OF TRAVEL IS PROVIDED TO ANY STATE HIGHWAYS BECAUSE PEDESTRIAN TRAFFIC IS NOT ALLOWED WITHIN STATE HIGHWAY RIGHT OF WAY.

LEGEND:
- INDICATES PLAY FIELD
- INDICATES ORNAMENTAL LANDSCAPE
- INDICATES SLOPE
- INDICATES CONCRETE WALKWAY
- INDICATES A.D.A. PATH OF TRAVEL
- INDICATES DIRECTION OF FLOW
- FF INDICATES FINISH FLOOR
- 29.8 INDICATES FINISH GRADE
- INDICATES EXISTING CONTOURS
- 00 INDICATES PROPOSED CONTOURS
- INDICATES LIGHT POLE

LEGEND
- ZONE 3 FUEL MODIFICATION (83,550.48 SF)
- ZONE 2 FUEL MODIFICATION (85.07 SF)
- DISTURBED AREA GRADING (BUFFER) (19,684.73 SF)

Source(s): McKeever Engineering (06-28-2017)

NOT TO SCALE

Figure 2-7

PROPOSED SITE PLAN

FIGURE 3: Proposed Church of the Woods (COTW) Site Plan (source: County of San Bernardino, 2016).

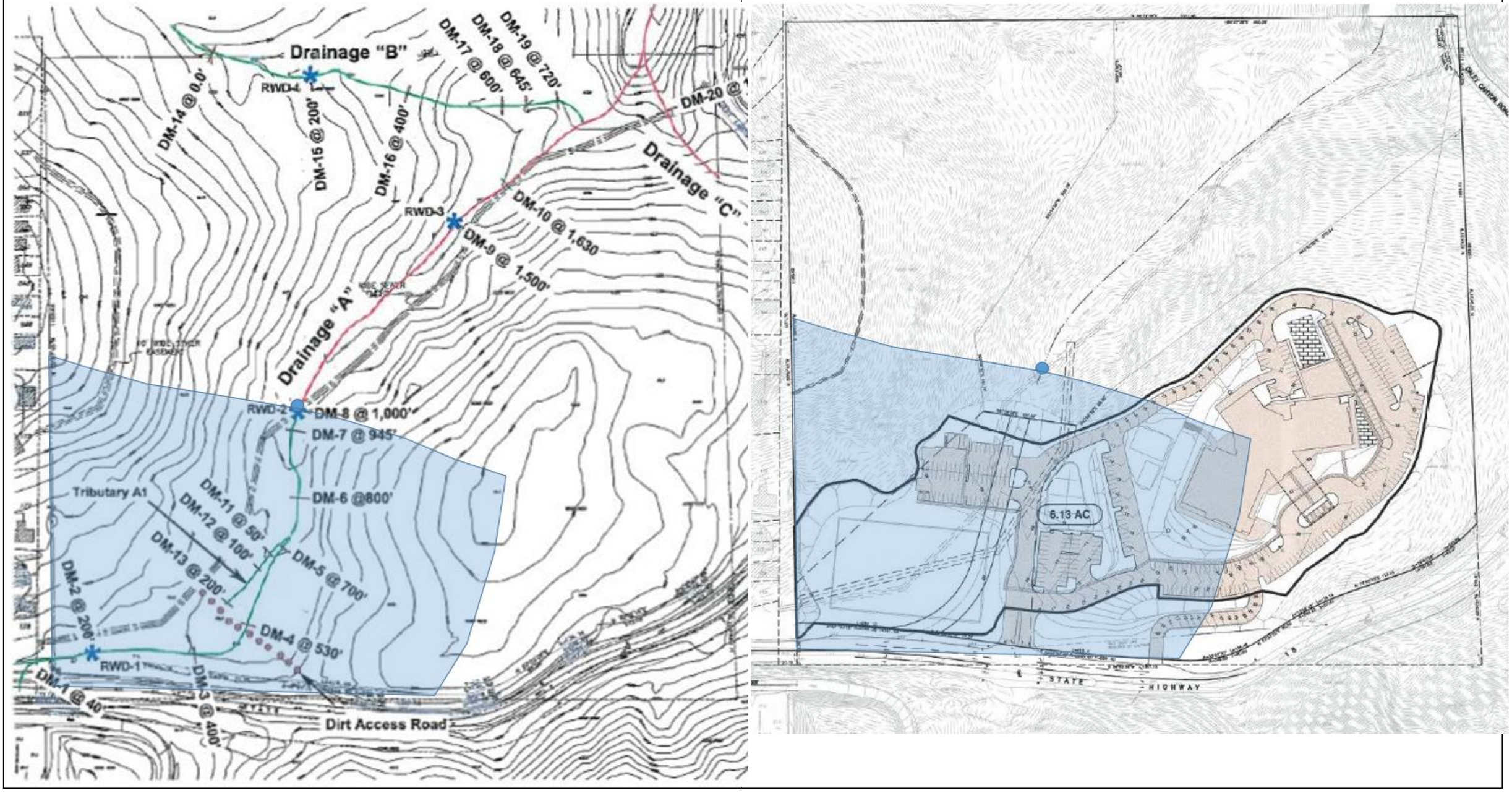


FIGURE 4: Drainage area to spring (blue shaded area): pre-project (left graphic) and proposed project (right graphic) conditions. Note: impervious surface areas shaded light brown on right graphic.