

June 1, 2010

FBBV

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

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

Subject: Moon Camp 2010 DEIR

The Big Bear Valley is running out of water. A review of data compiled by the Big Bear Metropolitan Water District (bbmwd) over the past 125 years (1884 through 2009) shows a dramatic decrease in annual precipitation available for natural recharge.

The annual averages are as follows:

- 125 year = 3.25 inches
- 60 year = 3.05 inches (93.7% of 125 year total)
- 50 year = 3.07 inches (94.4% of 125 year total)
- 40 year = 3.14 inches (96.7% of 125 year total)
- 30 year = 2.98 inches (91.6% of 125 year total)
- 20 year = 2.06 inches (63.2% of 125 year total)
- 10 year = 2.66 inches (62.2% of 125 year total)

FBBV-1

Further, to offset these deficits the Big Bear Lake Department of Water has, in Section 4 of their Master Plan, included the use of Recycled Water from treated sewage. The science behind Recycled Waste from sewage, done by the USGS, EPA and various universities including Baylor, tells us that its safety is far from proven and, in fact, results have shown detrimental effects to fish, plants and that it may prove to have great potential harmful, long term effects to humans.

FBBV-2

- What is the impact of the decrease in annual precipitation on plants, animals and humans? This information must be included in calculations of significance with regard to water availability, quality and hydrology.
- Has the science and safety of treated sewage as an alternative to safe drinking water been considered? The practicality and the costs to residents of this must be included.
- As the use of treated sewage as an alternative to safe drinking water has been endorsed only by companies whose business it is to sell related equipment and shunned by the scientific community, how can this be even considered as a sustainable alternative? Information dealing with the long term effects on fish, wildlife, plant life and humans must be included and revealed in detail as they relate to the entire spectrum of emerging contaminants now under scrutiny by both Federal and State governments.

FBBV-3

FBBV-4

FBBV-5

To allow this or any other project to increase the population density and at the same time deplete the already untenable, diminishing quantity of safe, natural water in our Valley would simply be unconscionable.

FBBV-6

We urge you to deny this project.

On behalf of the Friends of Big Bear Valley,



Dan Fowlks

Cc: Neil Derry, Supervisor Third District

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**Friends of Big Bear Valley (FBBV)**

*Response to FBBV-1 through -3*

In responding to this comment, it is assumed that the writer intended to report annual average precipitation in inches and not feet. It is further assumed that the precipitation record is from the Big Bear Dam precipitation station. The average annual precipitation for the same periods were independently confirmed using data from this precipitation station, compiled as calendar years. The results of this compilation are as follows:

**Table 2-1: Average Annual Precipitation**

Period	Average Annual Precipitation (FOBBV)	Average Annual Precipitation (This Study [inches])
125 year	39.00	36.78
60 year	36.60	35.34
50 year	36.84	35.29
40 year	37.68	35.70
30 year	35.76	34.49
20 year	24.72	34.54

These data do show that the last 30 years has been drier than the preceding approximately 100 years. The annual average over the last 10 years was not included because it is not a long enough period to provide a meaningful average. Despite the apparent reduction in precipitation, the City of Big Bear Lake Department of Water and Power has been able to maintain a stable groundwater supply through careful management of groundwater levels in the basin. The impacts of future variations in available precipitation can be addressed through groundwater management practices and conservation.

The City of Big Bear Lake Department of Water and Power 2015 Urban Water Management Plan, Volume 1—Main Report further confirms this conclusion. Table 3.1, Climate Characteristics, of the report demonstrates monthly-average precipitation data for the entire service area from 1960 to 2015 as 35.0 inches.

Section 6.2.2, Groundwater Management, states that the Department is part of the California Statewide Groundwater Elevation Monitoring program and provides monthly monitoring data to the State. The report states, “Based on the Department’s groundwater monitoring data, the Basin has maintained steady depth.” Reports for the various hydrologic subunits as of March 31, 2016, are attached to the report as Appendix E. The report is available at: <https://www.bbldwp.com/archive.aspx>.

*Response to FBBV-4 and -5*

Treated sewage is not proposed as a source of water supply to the Project. The State of California currently does not allow treated sewage to be recharged into the Big Bear Groundwater Basin, this option therefore could not be considered as a possible source for domestic water supply. The City of

Big Bear Lake Department of Water, and Big Bear Area Regional Wastewater Agency are studying the possibility of future approvals of reusing treated sewage in Big Bear Valley. This information is available in the Bear Valley Water Sustainability Study (December 2016, Water Systems Consulting, Inc.) available at: <https://www.bbldwp.com/archive.aspx>.

*Response to FBBV-6*

The commenter provides a conclusive statement that does not raise an issue with the EIR. No further response is necessary.



FOF (a)

**FRIENDS OF FAWNSKIN**  
P.O. Box 422, Fawnskin, California 92333  
[www.friendsoffawnskin.org](http://www.friendsoffawnskin.org) [friendsoffawnskin@gmail.net](mailto:friendsoffawnskin@gmail.net)  
909-878-3091

**RECEIVED**  
MAY 07 2010  
LAND USE SERVICES DEPT.  
ADVANCE PLANNING DIVISION

5 May 2010

County of San Bernardino  
Land Use Services Dept.; Advance Planning Div.  
385 N. Arrowhead Ave., First Floor  
San Bernardino, CA 92415-0182  
Attn: Matthew Slowik

Re: PUBLIC COMMENT PERIOD EXTENSION REQUEST--Draft Re-Circulated  
Environmental Impact Report for the Moon Camp Development Project/RCK Properties Inc  
(SCH #2002021105)

Dear Mr. Slowik,

After overviewing the Draft EIR for the Moon Camp project, Friends of Fawnskin, which represents over 400 mountain residents and visitors, is requesting an extension to the public review period which currently ends on May 21. Information is missing from the EIR document which would make it possible for the public to properly evaluate whether the potential impacts have been sufficiently analyzed. Therefore, members of the public must track down items referred to but not defined in the document in order to understand what has and has not been analyzed. One example: in the cumulative impacts section, several other projects are listed, but only by tentative tract number, a number that the public has no reference list for to translate into project name or address or any other identifying characteristics that would allow us to know which projects are included in the analysis and which are not. Without a clear understanding of this, there is no way to evaluate whether the cumulative impacts have been sufficiently analyzed.

FOF a-1

This project is large in scope with major potential impacts to this small community. It is imperative that the public has sufficient time to properly evaluate and comment on the analysis and discussion of those impacts. We ask that you extend the deadline beyond the original 45 day time period.

FOF a-2

Thank you for your consideration. Please notify us of any extensions.

Sincerely,

Sandy Steers, for the Friends of Fawnskin Advisory Committee

cc: Supervisor Neil Derry  
Jamie Garland, Mountain Representative

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### **Friends of Fawnskin (FOF (a))**

*Response to FOF (a)-1 and -2a*

The commenter requests the County of San Bernardino to extend the close of the public review period for adequate review. The County extended the public review period from May 19, 2010, to June 3, 2010, for the RRDEIR No. 1. No additional response is necessary.

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## **FRIENDS OF FAWNSKIN**

**Protecting Big Bear Valley—Environmental Education & Compliance Monitoring**

P.O. Box 422, Fawnskin, California 92333

[www.friendsoffawnskin.org](http://www.friendsoffawnskin.org) [friendsoffawnskin@gmail.com](mailto:friendsoffawnskin@gmail.com)

909-878-3091

30 May 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

Attn: Matthew Slowik

Via E-mail to [mslowik@lusc.sbcounty.gov](mailto:mslowik@lusc.sbcounty.gov) and U.S. Mail

**RE: “DRAFT RE-CIRCULATED ENVIRONMENTAL IMPACT REPORT FOR THE MOON CAMP DEVELOPMENT PROJECT/RCK PROPERTIES INC. (SCH #2002021105).”**

On behalf of the membership of Friends Of Fawnskin (FOF) we would like to thank the San Bernardino County Land Use Services Department Planning Division for the opportunity to comment on the Draft Re-circulated Environmental Impact Report for the proposed Moon Camp development project. FOF represents a membership of over 600 local residents and visitors of Fawnskin and the Big Bear Valley, all of whom would be directly and adversely affected by the development of the proposed Moon Camp project.

FOF is strongly opposed to the proposed Moon Camp development project due to the extensive adverse effects on surrounding properties, on the community of Fawnskin and the Big Bear Valley as a whole, as well as on the neighboring National Forest and Big Bear Lake. The FOF urges the County not to allow the significant impacts and multiple harmful effects that would occur should this proposed project be approved. We continue to 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.

In reviewing the Re-circulated DEIR, FOF has found it to be even more incomplete and inaccurate than the original DEIR circulated in 2004. This DEIR often utilizes data that is out of date or worse, estimated from out of date information. In every category, it fails to adequately evaluate the severe adverse effects and grossly downplays and understates the significant and unavoidable impacts of the proposed project. FOF's objections to this proposed project and the inadequacies of this 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 object to the proposed development project and find the DEIR to be inadequate for the following reasons:

**General comments**

The Executive Summary statement that the Proposed Alternative Project "substantially reduces and in some cases completely avoids the significant environmental impacts that were identified in the 2005 Final EIR" is simply wrong. The data used for every area of evaluation is either out-of-date, understated or inaccurate creating an artificial reduction in the stated impacts.

FOF b-2

- Even though this re-circulated DEIR is analyzing one of a project alternative, it must note the impacts compared with the current status of the site, rather than just with the previously proposed project as is done throughout the DEIR. As it now stands, the Re-circulated DEIR does not properly evaluate impacts to appropriately inform the public and the officials representing them. Simply creating less impact than the previously proposed project does not in any way substantiate that the impacts are now less than significant as the DEIR attempts to imply.
- Many of the mitigations proposed throughout the DEIR are 'paper' mitigations only and would have little to no value in actually mitigating for or reducing the significance of the specified impact. Some of these pretend mitigations include such things as creating CC&R's, noting restrictions on the deeds, and putting flyers in the homes.
  - CC&R's have been proven several times in Big Bear Valley development projects to have little or no impact, especially on environmental resources. The Eagle Point development (by the same developers) attempted to mitigate for impacts to eagles with CC&R's. One perch tree designated is now a tennis court that was approved by the homeowner's association that was expected to uphold those CC&R's. The other 'replacement' perches that were installed have long since fallen down and been forgotten. The development from the late 1960's along Flicker Rd. immediately adjacent to the Moon Camp property has CC&R's—when asked, most current residents do not know what the rules are and could not locate a copy of the CC&R's. No one is currently enforcing them and many have been broken. And here is a quote from the current website of Arrowhead Woods (in Lake Arrowhead): "Unfortunately a majority of the CC&R's found within Arrowhead Woods will expire on December 31, 2010 unless an aggregate of 55% of property owners within each expiring tract vote to renew the CC&R's...If the CC&R's expire our community will be held to County of San Bernardino standards only." Please provide proof that each item mitigated by a rule in the proposed CC&R's will be maintained and enforced in perpetuity and describe the process by which that will be done. In addition, please provide evidence that the language in the CC&Rs will actually effectively mitigate for the stated significant impact.
  - The endangered plant habitats along the shoreline in Eagle Point Estates that are part of the designated lots but with restrictions noted, have now been covered with lawns, decks and decorative bark. When this was discussed with the City of Big Bear Lake, the enforcement agency, the mitigation measures were found to be buried in the archives with current staff having no idea about any of the mitigations that were to be enforced. What assurance does the public have that county staff will have the filing systems, the long memories and the appropriate levels of staff to enforce these measures in perpetuity?
  - With the exception of doing nothing, it is hard to imagine a mitigation less effective than putting flyers in the homes. Since the homes would be built over the next 10-20 years, who will be assuring that these flyers are placed in each new home? Who will assure that the flyers stay in that home for new owners as the homes are resold? Since homes in Big Bear Valley turn over on average every 3 years, this is a very real concern. How will it be guaranteed that each resident in that home has read that flyer

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FOF b-5

FOF b-6

to have the proper information? Even if each and every resident reads the flyer – which is highly unlikely – there is simply no assurance that the residents will take the course of action necessary to ensure that the environmental impact is mitigated. None of these count as serious mitigation and must be removed from the EIR as recommendations and either replaced with mitigations that can be proven effective or declared to be unmitigable.

FOF b-6

- Various sections of the DEIR go back and forth making comparisons sometimes with the 1989 General Plan and sometimes with the 2007 General Plan, seemingly using whichever one is in the best interest of the developer. For CEQA purposes, all evaluations must be made against the most recent General Plan. The 2007 General Plan is the only one incorporated by reference into the DEIR. Please change any evaluations that were using 1989 standards of measurement and reevaluate utilizing the 2007 standards.

FOF b-7

- The questions and comments from the public scoping meeting and additional scoping letters have not been properly addressed in the DEIR. A few questions are listed but not sufficiently answered and the majority of them in many sections have been completely ignored. Since this DEIR's purpose is to inform the public, this skimming over of the issues makes the DEIR evaluations insufficient. Please provide specific answers to each of the scoping questions and for those that are addressed in the text, state the page and paragraph in which the answer is contained.

FOF b-8

- The project description throughout the DEIR states that slopes on the site range from 5 percent to 40 percent. However, no slope analysis is provided as is required by the county development code (both the 1989 and the 2004 code). The 1989 code states:  
85.020215 (a) Fire Safety Review Area 1 (FRI). Fire Safety Review Area 1 includes wildland areas that are marginally developable, areas which are not likely to be developed, and the area of transition between wildlands and areas that are partially developed or are likely to be developed in the future. The area of transition is often characterized by an abrupt slope change. Natural hazards are prevalent throughout Area 1, especially in areas with natural ungraded slopes greater than thirty percent (30%). Area 1 includes areas of very high to extreme fire hazard.  
(b) Fire Safety Review Area 2 (FR2): Land within Area 2 is relatively flat and is either partially or completely developed, or if it is not developed, it is suitable for development.

Since it is stated in the code that description rules over mappings, and it is clear that the Moon Camp property (with up to 40% slopes) is not 'relatively flat', this property falls under FR1. FR1 requirements include:

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85.020225 Additional Area 1 (FR1) Requirements

(b) (2) A slope analysis shall be filed with all development project land use applications. The slope analysis shall include the following information:

(A) A topographic map of the proposed project area and all adjoining properties within one hundred fifty (150) feet at a scale of not less than one (1) inch to two hundred (200) feet. The contour interval shall not be more than two (2) feet except that the contour interval may be five (5) feet if the general natural ungraded slope is more than ten percent (10%). Contour lines are to be obtained by aerial or field survey, done under the supervision of a licensed Land Surveyor, or Registered Engineer.

(B) The natural, ungraded, slope categories to be computed are zero percent (0%) to less than fifteen percent <15%), fifteen percent (15%) to less than twenty-five percent <25%), twenty-five percent (25%) to less than forty percent