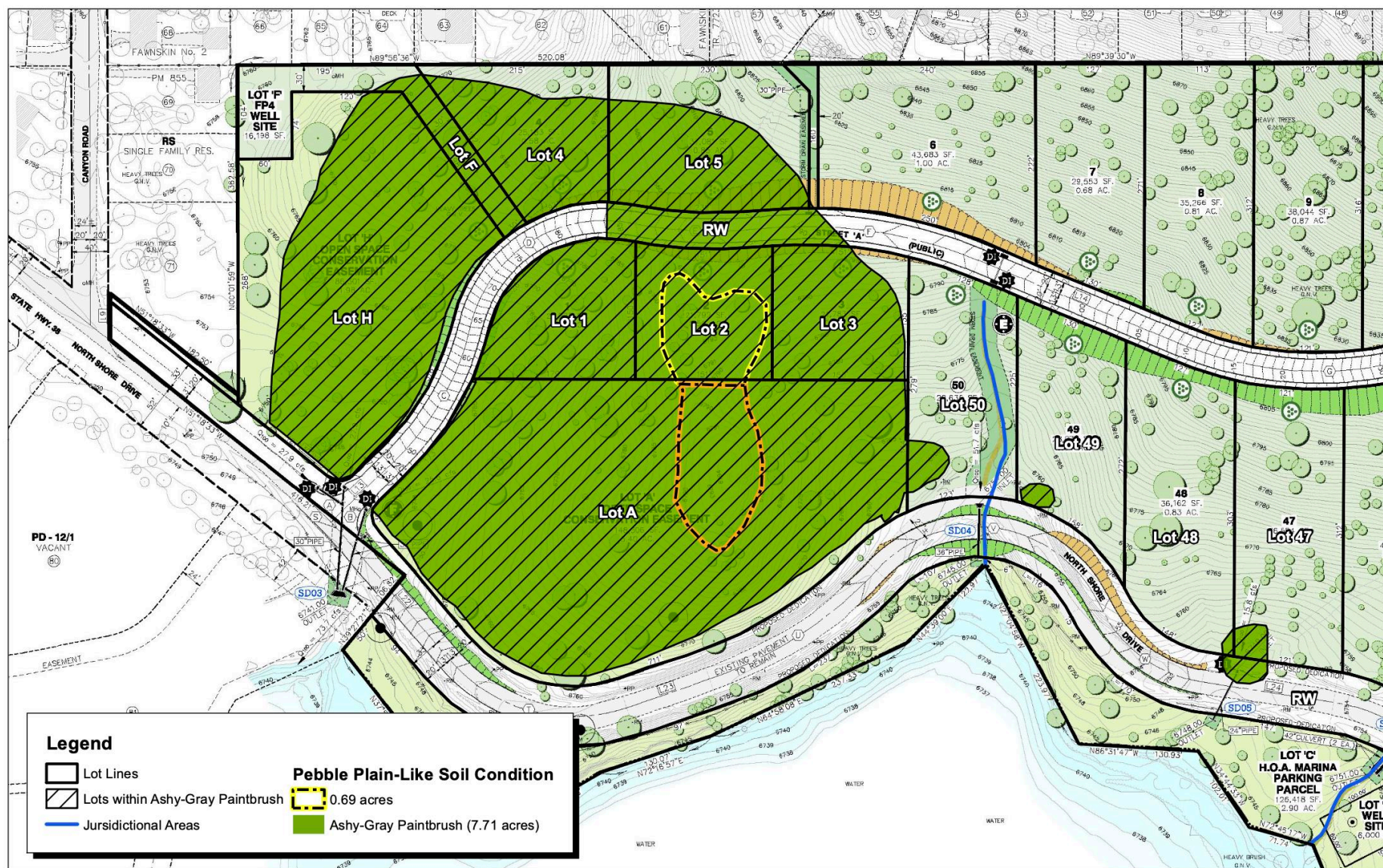




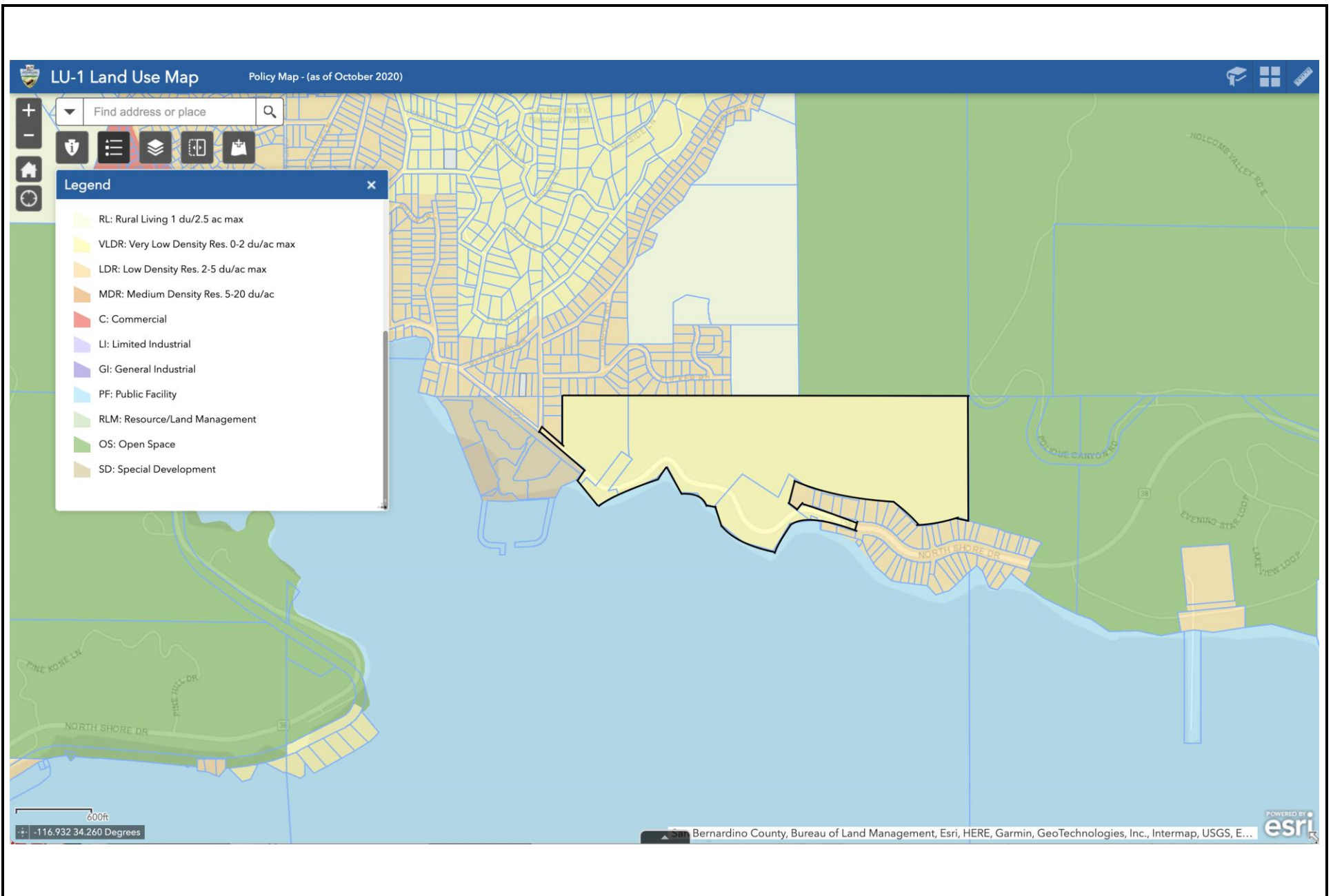
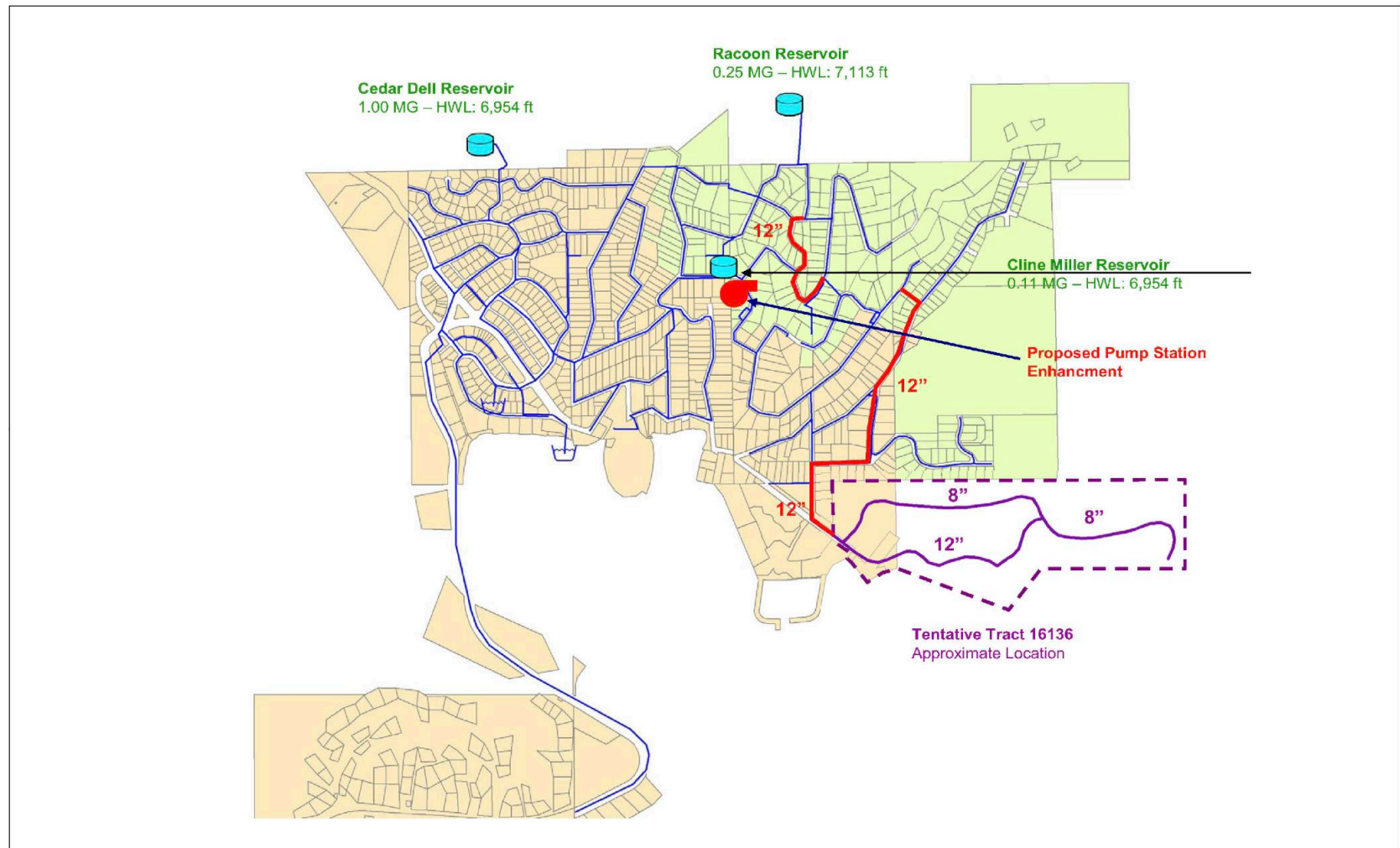


FIGURE 1-6



Source: ALDA Engineering Inc.



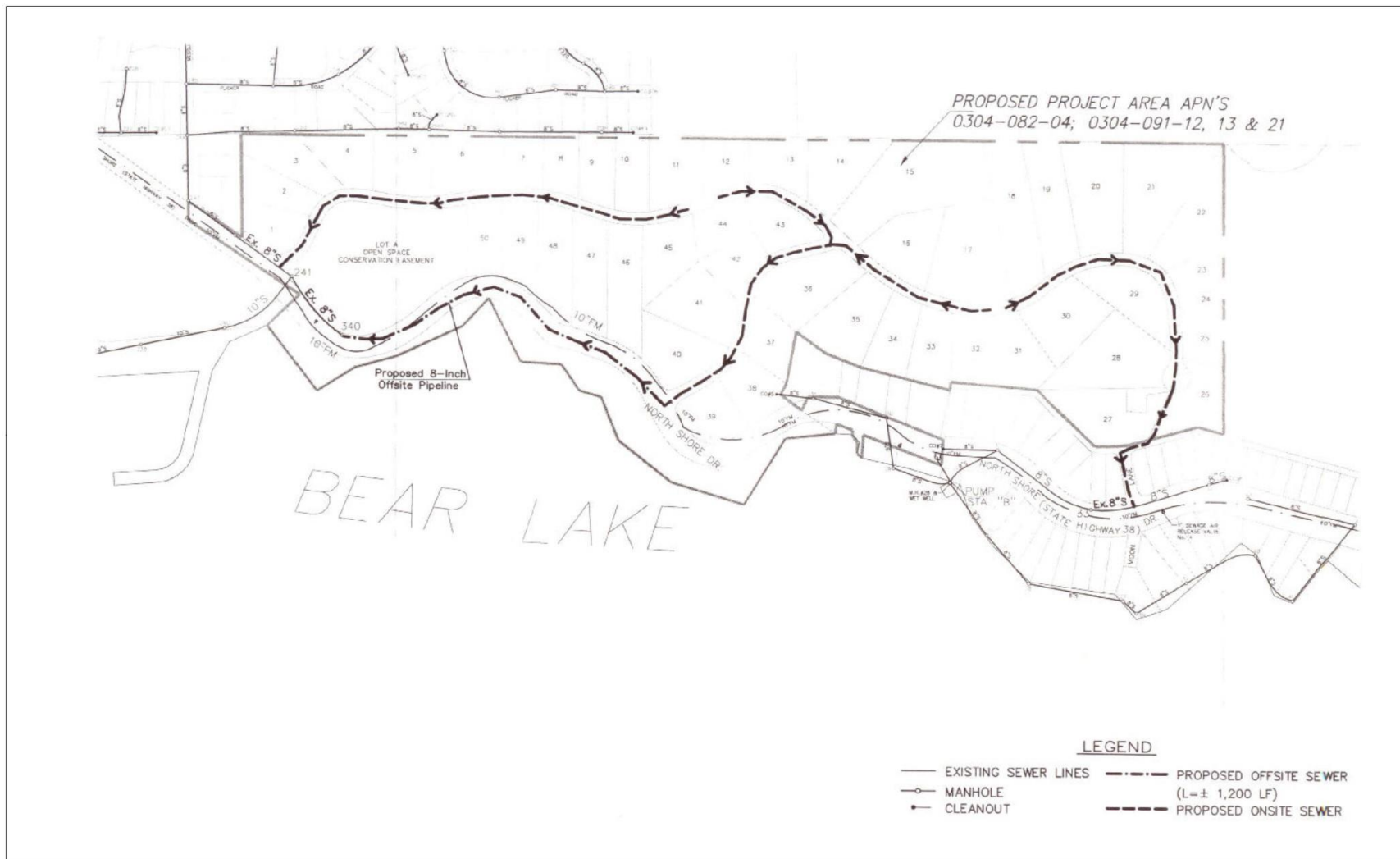
Not to Scale

00520089 • 11/2011 | 1-6_prop_water_facilities.mxd

Proposed Water Facilities

SAN BERNARDINO COUNTY
MOON CAMP RESIDENTIAL SUBDIVISION PROJECT

FIGURE 1-7



Source: ALDA Engineering Inc.



Not to Scale

Michael Brandman Associates
00520089 • 09/2011 | 1-7_prop_sewer_facilities.mxd

Proposed Sewer Facilities

SAN BERNARDINO COUNTY
MOON CAMP RESIDENTIAL SUBDIVISION PROJECT

FIGURE 1-8

CHAPTER 4 – ENVIRONMENTAL IMPACT EVALUATION

All Chapter 4 figures are located at the end of each subchapter; not immediately following their reference in text.

4.1 BACKGROUND

In April of 2010, the County of San Bernardino (County) published the Draft Revised and Recirculated DEIR (RRDEIR) No. 1 for the Moon Camp Project (Project), which assessed the potential environmental impact of adopting a General Plan Amendment (GPA) from Bear Valley Community Plan Rural Living 40 acres (BV/RL-40) to Bear Valley Community Plan Single Residential 20,000 square feet (SF)(BV/RS-20,000), adopting a Tentative Tract Map (TTM) No. 16136 with a total of 50 residential lots, 8 lettered lots, and a marina (boat dock) with 55 boat slips within a 62.43 acre site in the unincorporated community of Fawnskin within the County of San Bernardino. A second RRDEIR was published in December of 2011 by the County, which focused on impacts to Special Status plant species. The TTM No. 16136 that was presented as part of the December of 2011 RRDEIR No. 2 is provided as **Figure 1-1**, and aerial photos depicting the Project site at the regional and site-specific levels are provided as **Figures 1-2, and 1-3**, respectively. The Moon Camp Final Environmental Impact Report (FEIR) was finalized in July of 2020, and was certified by the San Bernardino County Board of Supervisors on July 28, 2020, with the Notice of Determination (NOD) filed with the County Clerk of the Board on July 29, 2020. The July 2020 Moon Camp FEIR is provided as Appendix 1 to this Partially Recirculated DEIR (PRDEIR) No. 3.

An NOD was filed with the County Clerk on July 29, 2020, and with the State Clearinghouse on August 4, 2020. Shortly thereafter on August 28, 2020, the Friends of Big Bear Valley, San Bernardino Valley Audubon Society, Inc., and Center for Biological Diversity (collectively, the petitioners), filed a lawsuit against the County alleging, among other things, that the County failed to comply with CEQA in approving the Project. The matter came before the San Bernardino County Superior Court at a hearing on January 20, 2022. After the hearing Superior Court judge David Cohn issued a ruling that found the County failed to comply with CEQA in 2 narrow instances:

1. There was no substantial evidence supporting the determination that impacts to the Ashy-Gray Indian Paintbrush were reduced to less than significant levels with the implementation of identified mitigation measures. Specifically, the Court found that there was no substantial evidence in the record supporting the County's finding that the preservation of the 10-acre Dixie Lee Lane parcel mitigated Project impacts to the Ashy-Gray Indian Paintbrush or pebble plain habitat.
2. The County's finding that the Project would have a less than significant impact on Wildfire Safety Hazards and Emergency Evacuation. Specifically, the Court concluded that the record failed to include substantial evidence supporting the finding that the identified evacuation routes are adequate to safely and efficiently evacuate the residents and the guest of the Project in the event of a wildfire.

In response to the Court's writ of mandate, the County has chosen to take specific action necessary to bring its consideration of the Project into compliance with CEQA. The County has determined that revising the relevant sections of the July 2020 FEIR to address the inadequacies identified by the Court is the appropriate process for complying with the Court's ruling and writ of mandate. Thus, this PRDEIR No. 3 has been prepared pursuant to Section 15234 of the CEQA Guidelines, which only requires additional environmental review of portions of the July 2020 FEIR found by the Court not to comply with CEQA, consistent with principles of res judicata.

The purpose of this PRDEIR No. 3 is to revise and partially recirculate those portions of the EIR that the Court found deficient in its January 20, 2022 decision, in addition to a recirculation of a portion of the Land Use and Planning Subchapter of the EIR. The Land Use and Planning Subchapter of the EIR is being recirculated as part of this PRDEIR No. 3 to analyze the Project's consistency with the San Bernardino County Countywide Plan, adopted October 27, 2020. Pursuant to the procedures set forth in Section 15088.5(f)(2) of the CEQA Guidelines, reviewers are directed to limit their comments to the revised information contained in this PRDEIR No. 3.

4.1.1 Project Description

The Project consists of the subdivision of the site into 58 lots within the 62.43-acre site—50 numbered lots (single family residential lots) to be sold individually and developed into custom homes, and 8 lettered lots described as follows:

- 3 designated as Open Space/Conservation easements and Neighborhood Lake Access;
- 3 designated as well sites;
- 1 designated as a potential reservoir site; and
- 1 would be developed as the marina parking lot, the majority of which has been reserved as a conservation easement for bald eagle and rare plant habitat conservation.

The Project proposes 6.2 acres of Open Space, Conservation, and Neighborhood Lake Access within the Project site. Within this 6.2 acres, 4.84 acres of the Project preserves occupied ashy-gray Indian paintbrush that will be preserved in perpetuity as part of Project implementation. Additionally, the parts of Lots C (marina parking) and D (well site) have been included as part of the Project conservation easement due to the number of trees along the lake shore line that are suitable for Bald Eagle perching and foraging for fish and waterfowl over Big Bear Lake. Thus, the development of the Moon Camp Project would establish conservation easements on-site totaling between the 6.2 and 9.2-acres covering all of Lots A, B and H, and parts of Lots C and D.

The Project also includes a 55-boat slip marina. The marina parking lot also includes some open space for the preservation of existing trees. However, because of the development of the parking lot, the lot is not considered part of the Project's total provided Open Space.

One change from the Project approved in July of 2020 is that the 10 acre off site parcel known as the Dixie Lee Lane parcel that was to be conserved as required by FEIR Mitigation Measure MM BR-1a, is now included as a project-related community benefit. As part of the Project, the applicant intends to permanently preserve the Dixie Lee Lane parcel by including it in a conservation easement and managed pursuant to the terms of the Project's Long Term Management Plan as required by Project conditions of approval. Though the Dixie Lee Lane parcel is no longer considered mitigation in the PDEIR, the parcel will be preserved in perpetuity in a similar fashion as required by the previous mitigation measure.

4.1.2 Environmental Impact Evaluation Introduction

The County has prepared the Moon Camp PRDEIR No. 3 that evaluates the potential environmental impacts that would result from constructing and implementing the proposed Project.

This chapter of the PRDEIR No. 3 provides the detailed information used to forecast the type and significance of potential environmental impacts that implementation of the proposed Project and

related actions could cause if the Project is implemented as described in Chapter 3, the Project Description.

In the following subchapters, as discussed in Chapter 2 of this document, each of the 20 topics identified in Appendix G of the CEQA Guidelines will be analyzed as follows: biological resources (ashy gray Indian paintbrush and pebble plain habitat analysis), hazards and hazardous materials (evacuation analysis), and land use and planning (land use consistency analysis). The environmental impact analysis section for each environmental topic is arranged in the following manner:

- a. An introduction that summarizes the specific issues of concern for each subchapter;
- b. A summary of the current or existing environmental setting for each physical resource or human infrastructure system is presented as the baseline from which impacts will be forecast;
- c. Based on stated assumptions and identified criteria or thresholds of significance, the potential direct and indirect impacts of the proposed Project are forecast and the significance of impacts is assessed without applying any mitigation; recommended measures that can be implemented to substantially lessen potential environmental impacts are identified, and their effectiveness in reducing impacts to non-significant levels is described; and, potential cumulative environmental impacts are assessed under each environmental topic, where applicable; and,
- d. Significant and unavoidable environmental impacts and any significant impacts that may be caused by implementing mitigation measures are addressed.

To provide the reviewer with a criterion or set of criteria with which to evaluate the significance of potential environmental impacts, this document provides issue specific criteria, i.e., thresholds of significance, for each topic considered in this PRDEIR No. 3. These criteria are either standard thresholds, established by law or policy or Project-specific evaluation thresholds used specifically for this Project. After comparing the forecasted physical changes in the environment that may be caused by implementing the proposed Project with the issue specific significance threshold criterion or criteria, a conclusion is reached on whether the proposed Project has the potential to cause a significant environmental impact for the issue being evaluated.

Where appropriate and feasible, measures to reduce potential significant environmental impacts are identified and described in this section of the PRDEIR No. 3. Over the past several years, mitigation has evolved in scope and complexity. As environmental issues are addressed in a progressive and adaptive manner, previous measures developed to mitigate Project specific impacts are eventually integrated into local, regional, state and federal statutes, rules and regulations, such as the Uniform Building Code or Water Quality Management Plans. Mitigation measures that are incorporated into statutes or rules and regulations become mandatory requirements (not discretionary) and they no longer need to be identified as discretionary mitigation measures applicable to the Project, although they are often referenced to demonstrate that identified environmental impacts can and will be mitigated.

The text in the following subchapters summarizes all of the various measures anticipated to be incorporated into the Project to reduce potential significant environmental effects, either to the extent feasible or to a level of less than significant. After determining the degree of mitigation that can be achieved by the proposed measures and after identifying any potential adverse impacts that the mitigation measures may cause, a conclusion is provided regarding the remaining level of impact, such as less than significant and/or unavoidable significant adverse impact for each environmental topic, if any.

To the extent feasible, this document utilizes conservative (worst case) assumptions in making impact forecasts based on the assumption that, if impacts cannot be absolutely quantified, the impact forecasts should over-predict consequences rather than under-predict them. The many technical studies that were prepared for this document and the former versions of the Moon Camp Project are incorporated into this chapter by summarizing the technical information to ensure technical accuracy. The environmental baseline against which the proposed Project's potential environmental impacts are determined is the current, vacant condition of the property.

These technical studies themselves are compiled in a separate volume of the PRDEIR No. 3 (Volume 2) which will be distributed in electronic form and made available to all parties upon request. The information used and analyses performed to make impact forecasts are provided in depth in this document to allow reviewers to follow a chain of logic for each impact conclusion and to allow the reader to reach independent conclusions regarding the significance of the potential impacts described in the following subchapters.

4.2 BIOLOGICAL RESOURCES

4.2.1 Introduction

This subchapter evaluates the environmental impacts to a single biological resources issue from implementation of the proposed Moon Camp Project, as part of this PRDEIR No. 3. The County proposes to analyze the following environmental issues in this Subchapter of the PRDEIR No. 3: biological resources, specifically Project related impacts to the federally listed as threatened ash-gray Indian paintbrush (*Castilleja cinerea*) henceforth called the “ashy-gray Indian paintbrush” or sensitive pebble plain habitat. The threshold analyzed in this Subchapter is derived from Appendix G of the CEQA Guidelines, in view of federal, state, and local laws and policies, which identifies the issues that examine whether the proposed Moon Camp Project would have a substantial adverse effect upon biological resources, specifically Project related impacts to the federally listed as threatened ashy-gray Indian paintbrush (*Castilleja cinerea*) or sensitive pebble plain habitat on the proposed Project site, as well as any indirect substantial effect upon any biological resources in the Big Bear Valley.

This issue will be discussed below as set in the following framework:

- 4.2.1 Introduction
- 4.2.2 Environmental Setting
- 4.2.3 Regulatory Setting
- 4.2.4 Thresholds of Significance
- 4.2.5 Potential Impacts
- 4.2.6 Impacts with No Change
- 4.2.7 Avoidance, Minimization and Mitigation Measures
- 4.2.8 Cumulative Impacts
- 4.2.9 Unavoidable Adverse Impacts and Summary of Impacts after Mitigation

The following references were used in the preparation of this Subchapter of the PRDEIR^{1,2}:

- 2023 Lake Data. BBMWD (2023).
<https://static1.squarespace.com/static/627164749214a633bc06f1fd/t/64591ba57cdd9606a1dd7cf/d/1683561381388/1985+-+2023+Weekly+Lake+Levels.pdf> (accessed May 10, 2023)
- 5-Year Review, *Castilleja cinerea* (ash-gray paintbrush). USFWS, (2021).
https://ecos.fws.gov/docs/tess/species_nonpublish/3393.pdf (accessed May 10, 2023)
- A Manual of California Vegetation, Second Edition. John Sawyer, Todd Keeler-Wolf, and Julie Evens, (2009).
- Floristics of pavement plains of the San Bernardino Mountains. Derby, J. A. and R. C. Wilson. 1978. (Aliso 9:374-378).
- Moon Camp – Tentative Tract 16136 Draft Biological Technical Report, Ann Johnston and Samuel Stewart at BonTerra Consulting (2003); (refer to 2006 FEIR provided as Appendix 2)
- Moon Camp Property, Fawnskin Area: Vegetation and Special Status Plants, Scott White Biological Consulting (2007); (Appendix 9; referenced in RRDEIR No. 1)

¹ Refer to the listed reference documents for a comprehensive list of references utilized to prepare those reports and used in support of the sections that have been extracted and utilized in support of this Subchapter.

² The above referenced documents, in particular the Biological Resources Assessments and the past EIRS (RRDEIR No. 1 and RRDEIR No. 2, and the 2020 FEIR) provided as Appendices to this PRDEIR No. 3 each make conclusions and mitigation recommendations. These conclusions and mitigation recommendations may differ slightly from that which is ultimately provided herein. This is because the follow-on documents leading up to this PRDEIR No. 3 each lead to the fine-tuned mitigation measures contained herein, to result in a fully substantiated biological resources analysis with all feasible mitigation measures necessary to reduce biological resources impacts to the greatest extent feasible.

- Site Assessment and Review of Previously Prepared Biological Documentation of the Proposed Moon Camp Tentative Tract (TT) 16136 Project Site near Fawnskin, San Bernardino County, California, Michael Brandman Associates (January and February 2007); (refer to RRDEIR No. 1 provided as Appendix 3)
- Moon Camp Tentative Tract 16136 Supplemental Focused Rare Plant Survey, Timothy Krantz Environmental Consulting (2008); (Appendix 6, referenced in RRDEIR No. 1)
- Revised Moon Camp Property, Fawnskin Area: Vegetation and Special Status Plants, Scott White Biological Consulting (2009); (refer to RRDEIR No. 1 provided as Appendix 3)
- Moon Camp Tentative Tract 16136 Focused Special Status Plant Species Survey, Timothy Krantz Environmental Consulting (2010); (Appendix 5, referenced in the 2020 FEIR)
- Memorandum: Survey of Ashy-Gray Indian Paintbrush, Moon Camp Tentative Track 16136, prepared by Timothy Krantz, Environmental Consulting (2016) (Appendix 7, referenced in the 2020 FEIR)
- Review of Proposed Mitigation Measures and Recommended Additional Conservation Measures to Offset Impacts to Ashy-Gray Paintbrush for the Moon Camp Residential Subdivision Project San Bernardino County, California, prepared by Daniel Smith, Jacobs Engineering Group, Inc. (2023); (Appendix 9)
- San Bernardino Countywide Plan. San Bernardino County (2020). <https://countywideplan.com/> (accessed 01/23/23)
- San Bernardino Countywide Plan Environmental Impact Report. San Bernardino County (2019). <https://countywideplan.com/resources/document-download/> (accessed 12/27/23)
- Technical Review of the Biological Database for the Moon Camp Project Site, prepared by Tom McGill, ELMT Consulting (2018); (Appendix 8, referenced in the 2020 FEIR)
- Update/Confirmation of Jurisdictional Delineation for the Moon Camp Project Site, San Bernardino County, California, prepared by Kevin Derby, FirstCarbon Solutions (2018); (Appendix 10)

No comments pertaining to biological resources were received in response to the March 31, 2007 Scoping Meeting held on behalf of the project.

4.2.2 Environmental Setting

4.2.2.1 Existing Conditions

No change in the existing conditions has occurred since the 2020 FEIR was certified. The Moon Camp Project site (Tentative Tract No. 16136) is located approximately midway along the north shore of Big Bear Lake, at the eastern edge of the community of Fawnskin. The 62.43-acre site slopes upward from the lakeshore and State Route 38 (SR-38) (Lakeshore Drive) from a lake surface elevation of approximately 6,747 feet above mean sea level (msl) to approximately 6,960 feet msl at the northeast boundary. Slopes vary from 5 to 40 percent and continue upward beyond the property to a ridgeline exceeding 7,800 feet msl on the north. The on-site variation in elevation is approximately 213 feet.

4.2.2.2 Plant Communities

Plant communities in California have generally been classified by biologists either according to Holland's Preliminary Descriptions of the Terrestrial Natural Communities of California (1986) or Sawyer and Keeler-Wolf's A Manual of California Vegetation (1995). Holland's descriptions were developed as part of CDFW's California Natural Diversity Database (CNDDDB), and Sawyer and Keeler-Wolf's manual was developed through the California Native Plant Society (CNPS). The CDFW now has a list of terrestrial natural communities which supersedes all other lists developed by the CNDDDB. It is based on Sawyer and Keeler-Wolf's manual, but it is also structured to be compatible with previous CNDDDB lists such as Holland. Wherever applicable the plant

communities are classified according to CDFW's list of terrestrial natural communities (2003) and cross-referenced to Holland's element code. Disturbed and developed areas are described according to industry standard descriptions. The current CNPS Manual of California Vegetation (Sawyer et al. 2009) does not provide descriptions of disturbed or developed lands. Therefore, the descriptions provided in the table below are according to Holland. Four vegetation types occur within the Project site. **Figure 4.2-1**, the Plant Communities Map, illustrates their distribution and **Table 4.2-1** summarizes the extent of vegetation types present within the Project site. Each of the vegetation types observed during field surveys are described below.

Table 4.2-1
EXISTING VEGETATION TYPES ON THE PROJECT SITE

Vegetation Type	Acreage
Jeffrey Pine Forest	54.92
Pebble plain like soil conditions	0.69
Lake Shoreline/ Ruderal	4.0
Developed (SR-38)	2.82
Total	62.43

Notes:

*The Supplemental Focused Special Status Plant Species Survey (August 29, 2010) concludes that the pebble plain like soil conditions determined to be located within Lot A (as identified within the Supplemental Focused Special Status Plant Species Survey, 2008), is not true pebble plain due to the lack of the two indicator species (*Arenaria ursina* and *Eriogonum kennedyi austromontanum*).

Consideration of Pebble Plain

Drought related conditions, occurring during the early 2000s resulted in certain sensitive plant species being more difficult to locate and identify due to dormancy factors attributable to drought. Therefore, the surveys that were conducted during 2000-2007 attempted a more focused approach in order to identify all suspected areas probable for containing threatened pebble plain species. Understanding the impact of drought for certain species, including the Federally Threatened ashy-gray Indian paintbrush, these surveys considered certain areas to be occupied despite the fact that no identifiable species were found during the surveys. The surveys assumed presence of certain species, including pebble plain species, would occur during years of normal rainfall. This practice resulted in an over-calculation of species present on the Project site, which is apparent in the 2008 Supplemental Focused Rare Plant Survey and 2010 Focused Special Status Plant Species Survey, which were prepared by Dr. Krantz of Timothy Krantz Environmental Consulting. The Supplemental Focused Special Status Plant Species Survey (2008, Appendix 6, referenced in RRDEIR No. 1; 2010, Appendix 5, referenced in the 2020 FEIR) was conducted in years with normal or above average rainfall, identified an accurate distribution of ashy-gray Indian paintbrush species within the Project site, and this conclusion supersedes the assumptions made as a result of surveys conducted during drought years during 2000-2007.

The Supplemental Focused Special Status Plant Species Survey, dated June 29, 2008, and provided as Appendix 6 to this PRDEIR, concluded that Pebble plain soil like conditions occurred on approximately 0.69 acres of the Project site, north of State Route 38 (SR-38). See **Figure 4.2-2** in the RRDEIR No. 2 for the location of pebble plain soil conditions. The report stated that it appeared as a distinct open patch within open Jeffrey pine forest community in the western portion of the Project site and that the substrate in this area consisted of clay soil mixed with quartzite pebbles and gravel that were continually pushed to the surface through frost action. If so, this substrate would support a high floristic diversity consisting of small cushion-forming

plants, tiny annuals, grasses, and succulents that are well spaced, low growing, and sun tolerant. Several rare and special status plants are associated with pebble plain habitat. The Moon Camp Project was designed to include the 0.69-acre pebble plain occurrence within Lot "A", which has been designated as open space to be protected in perpetuity through a formal conservation easement. A Focused Special Status Plant Species Survey dated August 29, 2010 and provided as Appendix 5 to this PRDEIR was conducted to respond to concerns raised by commenters received on the Revised and Recirculated Draft EIR No. 1. The 2010 Focused Special Status Plant Species Survey findings augmented the 2008 Supplemental Focused Rare Plant Survey, providing an additional above-average precipitation year for observation. The 2010 Focused Special Status Plant Species Survey concluded that the pebble plain-like soil conditions located within Lot A (as identified within the 2008 Supplemental Focused Rare Plant Survey; Appendix 6) is not true pebble plain due to the lack of the two key indicator species (*Arenaria ursina* and *Eriogonum kennedyi austromontanum*). Therefore, based on the findings of the 2010 Focused Special Status Plant Species Survey, no pebble plain habitat exists on the proposed Project site.

In order to respond to the Court's writ of mandate, a Memo titled Review of Proposed Mitigation Measures and Recommend Additional Conservation Measures to Offset Impacts to Ashy-Gray Paintbrush for the Moon Camp Residential Subdivision Project San Bernardino County, California, (2023 Memo) has been prepared by Daniel Smith, Jacobs Engineering Group, Inc. in support of this PRDEIR No. 3. The 2023 Memo is provided as Appendix 9 to this PRDEIR No. 3. This 2023 Memo included a review of all of the materials pertaining to pebble plain habitat and ashy-gray Indian paintbrush to ensure consistency of the findings made in the previous reports, in the 2020 FEIR, and provide any additional recommendations or clarifications to supplement the data that has been generated related to pebble plain habitat and ashy-gray Indian paintbrush for the Moon Camp Project. The 2023 Memo concluded that, in an independent review of the findings made by past surveys in relation to pebble plain habitat, Dr. Krantz accurately concluded that the Project site did not contain any pebble plain habitat due to the lack of the two key pebble plain indicator species (southern mountain buckwheat and Big Bear Valley sandwort).

Ashy-gray Indian paintbrush (*Castilleja cinerea*)

Ashy-gray Indian paintbrush (*Castilleja cinerea*) is a federally-listed Threatened and CNPS List 1B species (a ranking for plants that are rare, threatened, or endangered in California and elsewhere). It is a root parasite on other plants, often parasitizing the Federally-listed Threatened southern mountain buckwheat and Wright's matting buckwheat. It is a perennial herb, and typically blooms between May and August. It occurs in pebble plains, meadows, seeps, and open pinyon or Jeffrey pine forest habitats from approximately 5,900 to 9,300 feet above mean sea level (amsl) and is endemic to the eastern San Bernardino Mountains (Big Bear Valley, Holcomb Valley, Onyx Summit, Snow Valley, and Sugarloaf Ridge).

As part of the effort to substantiate impacts to biological resources in RRDEIR No. 1, Scott White of Scott White Biological Consulting prepared a Draft Vegetation and Special Status Plants Survey which was dated August 2007 (refer to RRDEIR No. 1 provided as Appendix 3). The 2007 Draft Vegetation and Special Status Plants Survey determined that ashy-gray Indian paintbrush occurred within several portions of the Moon Camp Project site. However, as discussed in the 2008 Supplemental Focused Rare Plant Survey the Moon Camp Project site, the previous findings of 2007 Draft Vegetation and Special Status Plants Survey were later reviewed by Dr. Krantz in his 2008 Supplemental Focused Rare Plant Survey, and were found to be erroneous with respect to identifying two occurrences of ashy-gray Indian paintbrush habitat located in the southeast portion of the Project site.

As such, all areas identified by White as containing ashy-gray Indian paintbrush were re-visited during the 2010 Focused Special Status Plant Species Survey carried out by Dr. Kranz, which was conducted during a year of normal rainfall. The primary focus of the 2010 Focused Special Status Plant Species Survey was to further delineate and quantify occurrences of ashy-gray Indian paintbrush on the Project site. The 2010 Focused Special Status Plant Species Survey confirmed that no occurrences of ashy-gray Indian paintbrush existed at the two southeasterly sites formerly identified as part of the 2007 Draft Vegetation and Special Status Plants Survey that was conducted by Scott White. The 2010 Focused Special Status Plant Species Survey further confirmed the middle occurrence, which was delineated in the 2008 Supplemental Focused Rare Plant Survey conducted by Dr. Kranz. The general distribution of the westerly ashy-gray Indian paintbrush occurrence was approximately the same as in the 2007 Draft Vegetation and Special Status Plants Survey, 2008 Supplemental Focused Rare Plant Survey, and 2010 Focused Special Status Plant Species Survey, as well as the later survey conducted by Dr. Kranz, documented in the Survey of Ashy-gray Indian Paintbrush Moon Camp Tentative Tract 16136 dated July 27, 2016, and provided as Appendix 7 to this PRDEIR.

The findings and conclusions of the 2008 Supplemental Focused Rare Plant Survey (Appendix 6), and 2010 Focused Special Status Plant Species Survey (Appendix 5), and confirmed by the 2016 Survey of Ashy-gray Indian Paintbrush (Appendix 7), with respect to the ashy-gray Indian paintbrush at the Project site are described below. Altogether, the 2010 Focused Special Status Plant Species Survey concluded there were 7.71 acres of ashy-gray Indian paintbrush habitat located within the boundaries of the Project site, 4.84 acres of which are located within the Lot A and Lot H Conservation Areas.

The Survey of Ashy-Gray Indian Paintbrush (Appendix 7) confirmed the distributions and abundance of the ashy-gray Indian paintbrush have not changed significantly since 2010 Focused Special Status Plant Species Survey (Appendix 5). In addition, both the ashy-gray Indian paintbrush and its host plant, Wright's matting buckwheat, are relatively long-lived perennials, on the order of 10-20 years or more, and are, thus, not disposed to much annual variation in overall distribution. The distribution of ashy-gray Indian paintbrush within the Project site is depicted on **Figure 4.2-2**.

Discrete Occurrences of Ashy-Gray Indian Paintbrush

Occurrences of ashy-gray Indian paintbrush identified by Krantz's 2008 Supplemental Focused Rare Plant Survey were confirmed as part of the 2010 Focused Special Status Plant Species Survey, including approximately 50 plants, which were identified at the rear of proposed Lots 47-48; nine plants at the rear of Lot 49; and three plants on the west bank of the swale at the rear of Lot 50. A large tree-fall was observed above the swale, which may alter the exposure and drainage pattern immediately around the swale, but the three ashy-gray Indian paintbrush plants were still observed at this location as part of the 2010 Focused Special Status Plant Species Survey and 2016 Survey of Ashy-gray Indian Paintbrush conducted by Dr. Kranz.

Open Space Lot A

Dr. Krantz conducted a discrete count of the ashy-gray Indian paintbrush occurrences on Lot A by systematically walking the surrounding area of the knoll at this location. Altogether, a total of approximately 230 individual ashy-gray Indian paintbrush occurrences were identified within the boundaries of Lot A, a 3.40-acre open space area.

Open Space Lot H

Lot H Open Space Conservation Easement was created to protect the high densities of ashy-gray Indian paintbrush occurring in this area. Lot H is approximately 1.98 acres in area. The highest concentration of these plants extends in a broad opening in the Jeffrey pine woodland, in association with Wright's matting buckwheat. A total of approximately 4,665 ashy-gray Indian paintbrush occurrences were estimated to occur in this area based on a combination of discrete counts and a belt transect through the middle of the highest density area. Altogether, a total of 5,567 ashy-gray Indian paintbrush plants were estimated to occur on the Moon Camp property. Permanent protection of Lot H results in preservation of 84 percent (4,665 plants of 5,567 plants) of the total ashy-gray Indian paintbrush plants on-site.

Combined, Lot A and Lot H comprise a total of 4.84 acres of occupied ashy-gray Indian paintbrush habitat that will be permanently preserved. Note that Lot A and Lot H total 5.38 acres, which are dedicated to conservation as shown on **Figure 1-4**, however, the ashy-gray Indian paintbrush habitat therein totals 4.84 acres.

Lots 1-5, Road Easement and Well Lot F

Discrete counts of ashy-gray Indian paintbrush plants were conducted on Lots 1-5 of the revised Moon Camp subdivision, including the new Lots 1, 2, and 3. The new Lot 1 contains approximately 45 plants, all located within a 5-meter radius of the southeast corner of the Project site. These plants are within the rear-lot and side-lot building setbacks, established for the proposed Moon Camp Project. Therefore, although not protected by a conservation easement, these plants may not be disturbed by physical development of the lot.

A total of approximately 150 ashy-gray Indian paintbrush plant occurrences were observed on the new Lot 2. The plants are scattered across the Lot.

The new Lot 3 contains approximately 175 ashy-gray Indian paintbrush plants. Lot 4 contains approximately 70 ashy-gray Indian paintbrush plants to the front-center of the Lot, and another 20 plants are located to rear of the Lot (not in the buildable area of the Lot), for a total of approximately 90 plants. Lot 5 contains approximately 30 plants, and another approximately 40 ashy-gray Indian paintbrush plants are in the road right-of-way across the front of Lot 5. Additionally, Well Site Lot F and the associated access road contain approximately 80 plants.

The total estimated numbers of ashy-gray Indian paintbrush plants located within the proposed Project site are outlined within **Table 4.2-2**, below. In addition, the location of occupied ashy-gray Indian paintbrush plants is located within **Figure 4.2-2**.

Table 4.2-2
SUMMARY OF ASHY-GRAY INDIAN PAINTBRUSH OCCURRENCE ON THE MOON CAMP SITE

Lot Designation	Habitat within Lot Area (acres)	Number of Plants	Impacts		Conservation	
			Acres	Individual Plants	Acres	Individual Plants
Lot H/A	4.84	4,895	-	-	4.84	4,895
Roadway	0.5	40	0.5	40		
Lot F	0.14	80	0.14	80		
Lots 1-5	2.00	490	2.00	490		
Lot 47/48	0.11	50	0.11	50		
Lot 49	0.01	9	0.01	9		
Lot 50	0.11	3	0.11	3		
Total	7.71	5,567	2.87	672	4.84	21

Source: ELMT Consulting, 2018. Technical Review of the Biological Database for the Moon Camp Project Site. May 23, 2018. Appendix 6, referenced in the 2020 FEIR

Redesign of the lot layout, as reflected in the **Figures 1-1, 1-4, and 1-5**, results in a significant increase in ashy-gray Indian paintbrush conservation. On an acreage basis, the Project will impact approximately 2.87 acres of the 7.71 acres of habitat. Creation of Lot A and Lot H preserves 4.84 acres of habitat, resulting in an on-site mitigation ratio of 1.68:1.³ Of the 5,567 ashy-gray Indian paintbrush plants determined to occur on site through the updated plant surveys, 4,895 plants will be permanently protected within Lot A and H, representing 88 percent of the total number of ashy-gray Indian paintbrush plants within the proposed Project site, and an on-site conservation to impacted plant ratio of 7:1.⁴ Of the remaining ashy-gray Indian paintbrush plants on private Lots, plants within Lots 1, 47, 49, and 50 are all within the rear Lot building setbacks, as well as 20 plants on Lot 4, for a total of 127 plants that are anticipated to be capable of being preserved within the Project site. Specific impacts and mitigation for this species are discussed under **Subsection 4.2.6, Potential Impacts**, below.

4.2.2.3 Biological Communities for which there has been No Change since the Certification of the 2020 FEIR

In response to the Court's writ of mandate, the County has chosen to take specific action necessary to bring its consideration of the Project into compliance with CEQA. The County has determined that revising the relevant sections of the July 2020 FEIR to address the inadequacies identified by the Court is the appropriate process for complying with the Court's ruling and writ of mandate. As a result, the following biological communities (vegetation communities, plant species, wildlife species, critical habitat, wildlife movement, etc.) require no update from that which was certified as part of the July 2020 FEIR:

³ The 1.68:1 acreage ratio was calculated as acreage retaining plants in comparison to acreage containing plants impacted by the Project. The actual ratio would be 4.84:2.87, which can be simplified, if divided by 2.87 to equal 1.68:1. Thus, the ratio is 1.68:1.

⁴ The 7:1 occurrence ratio was calculated as plants retained in comparison to plants impacted by the Project. The actual ratio would be 4,895:672, which can be simplified, if divided by 700 to equal 6.99:0.96. Thus, the ratio has been rounded to 7:1.

- Lakeshore Species
- Developed
- Amphibians
- Reptiles
- Birds
- Mammals
- Special Status Biological Resources
- Special Status Plants
- Parish Rock Cress.
- Big Bear Valley Woollypod (*Astragalus leucolobus*).
- Palmer's Mariposa Lily (*Calochortus palmeri* var. *palmeri*).
- San Bernardino Mountains Dudleya (*Dudleya abramsii* ssp. *affinis*).
- Leafy Buckwheat (*Eriogonum foliosum*).
- Jepson's Bedstraw (*Galium jepsonii*).
- Johnston's Bedstraw (*Galium johnstonii*).
- Silver-Haired Ivesia (*Ivesia argyrocoma*).
- Duran's Rush (*Juncus duranii*).
- Short-Sepaled Lewisia (*Lewisia brachycalyx*).
- Baldwin Lake Linanthus (*Linanthus killipii*).
- San Bernardino Mountain Monkeyflower (*Mimulus exiguus*).
- Purple Monkeyflower (*Mimulus purpureus* var. *purpureus*).
- Chickweed Oxytheca (*Oxytheca caryophylloides*).
- Parish's Yampah (*Perideridia parishii* ssp. *parishii*).
- Transverse Range Phacelia (*Phacelia exilis*).
- Mojave Phacelia (*Phacelia mohavensis*).
- Bear Valley Phlox (*Phlox dolichantha*).
- San Bernardino Bluegrass (*Poa atropurpurea*).
- Bear Valley Pyrrocoma (*Pyrrocoma uniflora* ssp. *gossypina*).
- Parish's Rupertia (*Rupertia rigida*).
- Prairie Wedge Grass (*Sphenopholis obtusata*).
- Laguna Mountains Jewelflower (*Streptanthus bernardinus*).
- Southern Jewelflower (*Streptanthus campestris*).
- Pine Green-Gentian (*Swertia neglecta*).
- Small-Flowered Bluecurls (*Trichostema micranthum*).
- Special Status Wildlife
- Critical Habitat
- Wildlife Movement
- Migratory Bird Treaty Act

Please refer to the descriptions of the above Biological Communities on pages 2-2 through 2-35 of RDEIR No. 2, provided as Appendix 4 to this PRDEIR No. 3. Additionally, please refer to the 2020 FEIR Errata provided on pages 4-13 to 4-15, which amends the descriptions provided in RDEIR No. 2.

4.2.2.4 Jurisdictional Delineation

A Delineation of federal and State Jurisdictional Waters was prepared by RBF Consulting (RBF) in March of 2002 in conjunction with the 2004 DEIR (Appendix 2 to this PRDEIR) for several

unnamed drainages located within the Project site. Prior to visiting the site, RBF conducted a review of U.S. Geological Survey (USGS) topographic maps (Quadrangle Fawnskin, California, dated 1996) and aerial photographs to identify areas that may fall under an agency's jurisdiction. United States Army Corps of Engineers (USACE) jurisdictional wetlands are delineated using the methods outlined in the USACE Wetland Delineation Manual (1987) based on hydrologic and edaphic features of the site, and on the vegetation composition of the site. Non-wetland waters of the United States (WOUS) are delineated based on the limits of the ordinary high-water mark (OHWM) as determined by erosion, the deposition of vegetation or debris, and changes in the vegetation. Generally, CDFW takes jurisdiction to the bank of the stream/channels or to the limit of the adjacent riparian vegetation, whichever is greater. Analysis of the Project site consisted of field surveys and verification of current conditions conducted in March 2002 (refer to the 2004 DEIR).

Vegetation within the drainages of the Project site consisted of upland habitat, dominated by Jeffrey pines. Soils within the drainages were documented to be silty-sand (large grain). Soil samples taken on-site were generally dry and lacked characteristics of hydric soils (i.e., odor, streaking, mottling). No flow within the on-site drainages was observed during the March 15, 2002, field visit. However, evidence of an OHWM was observed within the drainages, which was primarily indicated by sediment deposits. It should also be noted that Big Bear Lake abuts the Project site to the south. Based on discussions with the Big Bear Municipal Water District (BBMWD), the current water level of Big Bear Lake at the time (as of May 27, 2009) was 6,738.1-feet amsl. The OHWM is reported to be 6,743.2 feet amsl. As of May 8, 2023, the current water level of Big Bear Lake is about 6,736.48 feet amsl.⁵

Waters of the U.S. (Non-Wetland) Determination

Based on the results of the field observations and data collection, RBF identified 0.15-acre of Corps jurisdictional WOUS within the Project site. The drainages are ephemeral. However, based on TTM No. 16136 provided as **Figure 1-1**, which depicts the most current development plans, it was determined that roadway improvements would only impact 0.04-acre of Corps jurisdiction.

A field visit conducted by FirstCarbon Solutions (FCS) on May 18, 2018, confirmed that the location and USACE jurisdictional area of these drainages remains unchanged and are consistent with the previous report. This field visit was documented in the 2020 FEIR, and is provided as Appendix 10 to this PRDEIR No. 3.

California Department of Fish and Game (1603) Jurisdiction

Based on the results of the field observations and data collection, RBF identified 0.15-acre of CDFW jurisdictional waters. However, based on TTM No. 16136 provided as **Figure 1-1**, which depicts the most current development plans, it was determined that roadway improvements would impact 0.04-acre of CDFG jurisdiction.

A field visit conducted by FCS on May 18, 2018, confirmed that the location and delineated CDFW jurisdictional area of these drainages remains unchanged and are consistent with the 2002 delineation map and report provided in Appendix 10 to this PRDEIR No. 3.

⁵ BBMWD, 2023. 2023 Lake Data.

<https://static1.squarespace.com/static/627164749214a633bc06f1fd/t/64591ba57cdd9606a1dd7cfd/1683561381388/1985+-+2023+Weekly+Lake+Levels.pdf> (accessed May 10, 2023)

4.2.3 Regulatory Setting

The proposed Moon Camp Project would be required to comply with the following federal and state regulations and laws:

1. NEPA and CEQA guidelines that apply to sensitive biological resources
2. U.S. Army Corps of Engineers (COE) Clean Water Act Section 404 Permit and
3. U.S. Environmental Protection Agency (EPA) 404 (b)1 Alternatives Analysis
4. Section 7 and/or 10 of U.S. Endangered Species Act of 1973, as amended
5. U.S. Migratory Bird Treaty Act
6. U.S. Bald Eagle Act
7. California Endangered Species Act
8. California Department of Fish and Game (CDFG) Streambed Alteration Agreement
9. (Section 1600 of the Fish and Game Code)
10. State of California Native Plant Protection Act
11. Plant Protection and Management Ordinances (County Code Title 8, Div. 11)

4.2.3.1 Federal

Federal Endangered Species Act

The federal Endangered Species Act (ESA) (1973) protects plants and wildlife that are listed by the United States Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) as endangered or threatened. Section 9 of the ESA prohibits the taking of endangered wildlife, where “taking” is defined as any effort to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct” (50 CFR 17.3). For plants, this statute governs removing, possessing, maliciously damaging, or destroying any endangered plant on federal land and removing, cutting, digging up, damaging, or destroying any endangered plant on non-federal land in knowing violation of state law (16 United States Code [USC] 1538). Under Section 7 of the ESA, federal agencies are required to consult with the USFWS if their actions, including permit approvals or funding, could adversely affect an endangered species (including plants) or its critical habitat. Through consultation and the issuance of a biological opinion, the USFWS may issue an incidental take statement allowing take of the species that is incidental to an otherwise authorized activity, provided the action will not jeopardize the continued existence of the species. The ESA specifies that the USFWS designate habitat for a species at the time of its listing in which are found the physical or biological features “essential to the conservation of the species,” or which may require “special Management consideration or protection...” (16 USC § 1533[a][3].2; 16 USC § 1532[a]). This designated Critical Habitat is then afforded the same protection under the ESA as individuals of the species itself, requiring issuance of an Incidental Take Permit prior to any activity that results in “the destruction or adverse modification of habitat determined to be critical” (16 USC § 1536[a][2]).

Interagency Consultation and Biological Assessments

Section 7 of the ESA provides a means for authorizing the “take” of threatened or endangered species by federal agencies, and applies to actions that are conducted, permitted, or funded by a federal agency. The statute requires federal agencies to consult with the USFWS or NMFS, as appropriate, to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of threatened or endangered species or result in the destruction or adverse modification of critical habitat for these species. If a proposed project “may affect” a listed species or destroy or modify critical habitat, the lead agency is required to prepare a biological assessment evaluating the nature and severity of the potential effect.

Habitat Conservation Plans

Section 10 of the ESA requires the acquisition of an Incidental Take Permit (ITP) from the USFWS by non-federal landowners for activities that might incidentally harm (or “take”) endangered or threatened wildlife on their land. To obtain a permit, an applicant must develop a Habitat Conservation Plan (HCP) that is designed to offset any harmful impacts the proposed activity might have on the species. There are no HCPs applicable to the Moon Camp Project.

The Migratory Bird Treaty Act of 1918

The Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711) makes it unlawful to possess, buy, sell, purchase, barter or “take” any migratory bird listed in Title 50 of the Code of Federal Regulations CFR Part 10. “Take” is defined as possession or destruction of migratory birds, their nests or eggs. Disturbances that cause nest abandonment and/or loss of reproductive effort or the loss of habitats upon which these birds depend may be a violation of the MBTA.

Clean Water Act Section 404

Wetlands are generally considered to be areas that are periodically or permanently inundated by surface or ground water, and support vegetation adapted to life in saturated soil. Wetlands are recognized as important features on a regional and national level due to their high inherent value to fish and wildlife, use as storage areas for storm and floodwaters, and water recharge, filtration, and purification functions. Technical standards for delineating wetlands have been developed by the USACE which generally defines wetlands through consideration of three criteria: hydrology, soils, and vegetation. Under Section 404 of the Clean Water Act (CWA), the USACE is responsible for regulating the discharge of dredged or fill material into waters of the United States. The term “waters” includes wetlands and non-wetland bodies of water that meet specific criteria as defined in the CFR.

Currently the applicability of the Federal Clean Water Act (CWA) in accordance with the “2023 Waters Rule” and must be harmonized with the Supreme Court of the U.S. (SCOTUS) rulings on *United States v. Riverside Bayview (Bayview)*, *Solid Waste Agency of Northern Cook County v. Army Corps (SWANCC)*, *Rapanos v. United States (Rapanos)*, and *Sackett v. Environmental Protection Agency (Sackett)* rulings.

The following summarizes the changes that may occur as a result of this ruling. The 2023 Rule defines the following Waters of the U.S. (WOTUS). There are no changes from the Pre-2015 Waters Rule in the definitions of a(1), a(2), and a(4) Waters. However, there are nuance changes to a(3) Waters, and there substantial changes to identifying a(5) Waters. In general, the 2023 Rule does not consider “isolated” as described in SWANCC, nor does it consider a need to have ties to interstate commerce (Bayview). This rule relies entirely on the definitions below for Traditionally Navigable Waters, and their impoundment and tributaries, which are established by having a “Significant Nexus” by contributing to the biological, chemical, or physical characteristics of a Traditionally Navigable Water.

During the first two months of the 2023 Rule implementation, several court cases have enjoined the use of the rule and subsequently have reverted to the Pre-2015 Rule. Currently 27 States are using the Pre-2015 Rule. However, California has not been enjoined and continues to fall under the 2023 Rule. On May 26, 2023 the Supreme Court of the United States (SCOTUS) ruled on *Sackett v. EPA (Sackett)*. In this ruling they found the CWA’s use of “waters” encompasses “only those relatively permanent, standing or continuously flowing bodies of water ‘forming geographic[al] features’ that are described in ordinary parlance as ‘streams, oceans, rivers, and

lakes.” 547 U.S., at 739 (quoting Webster’s New International Dictionary 2882 (2d ed. 1954) (Webster’s Second); original alterations omitted).

The Court appears to have struck down the use of the Significant Nexus Analysis, use of “Similarly Situated Waters” being combined to have a biological, chemical, or biological nexus to a Traditionally Navigable Water. Further, the Court has determined that WOTUS extent only to tributaries of Traditionally Navigable Waters that have Relatively Permanent Flows, such that they flow or are inundated unless there is unusually prolonged drought, or the ebb of a tide.

The USACE and U.S. Environmental Protection Agency (USEPA) will continue to implement the WOTUS Rule under these revised definitions, which may affect the applicability of USACE issued permits for elements of this and other Projects. The USEPA and the USACE will determine CWA jurisdiction over a project site and complete the “significant nexus test” as detailed in the guidelines and the USACE-approved Jurisdictional Determination Form.

Rivers and Harbors Act 1899

Section 10 of the Rivers and Harbors Act of 1899 requires authorization from the USACE for the construction of any structure in or over any navigable waters of the U.S.

Fish and Wildlife Coordination Act

The Fish and Wildlife Coordination Act (16 U.S.C. Sections 661 to 667e et seq.) applies to any federal project where any body of water is impounded, diverted, deepened, or otherwise modified. Project proponents are required to consult with the USFWS and the appropriate state wildlife agency.

Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. Section 1801 et seq.) requires all federal agencies to consult with the NMFS on all actions or proposed actions (permitted, funded, or undertaken by the agency) that may adversely affect fish habitats. It also requires cooperation among NMFS, the councils, fishing participants, and federal and state agencies to protect, conserve, and enhance essential fish habitat, which is defined as those waters and substrates needed by fish for spawning, breeding, feeding, and growth to maturity.

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (The Eagle Act) (1940), amended in 1962, was originally implemented for the protection of bald eagles (*Haliaeetus leucocephalus*). In 1962, Congress amended the Eagle Act to cover golden eagles (*Aquila chrysaetos*), a move that was partially an attempt to strengthen protection of bald eagles, since the latter were often killed by people mistaking them for golden eagles. This act makes it illegal to import, export, take (molest or disturb), sell, purchase, or barter any bald eagle or golden eagle or part thereof. The golden eagle, however, is accorded somewhat lighter protection under the Eagle Act than that of the bald eagle.

Noxious Weed Act of 1974

This act (7 USC § 2814), as amended, provides for the control and management of nonindigenous weeds that injure or have the potential to injure the interests of agriculture and commerce, wildlife resources, or the public health. The Secretary of Agriculture has authority to designate plants as noxious weeds; to inspect, seize, and destroy products; and to quarantine areas if necessary to prevent the spread of such weeds.

Lacey Act

This act (16 USC 3371 et. seq.) protects plants and wildlife by creating civil and criminal penalties for a wide variety of violations, including illegal take, possession, transport, or sale of protected species.

Wild and Scenic Rivers Act

This act (16 USC § 1271 et seq.) established a national system of rivers to be preserved in free-flowing condition, and their immediate environments protected. The three classifications of rivers in the system are wild, scenic, or recreational, depending on the nearby level of development.

Executive Orders (EO)

Invasive Species—Executive Order 13112 (1999)

Issued on February 3, 1999, promotes the prevention and introduction of invasive species and provides for their control and minimizes the economic, ecological, and human health impacts that invasive species cause through the creation of the Invasive Species Council and Invasive Species Management Plan.

Protection of Wetlands—Executive Order 11990 (1977)

Issued on May 24, 1977, helps avoid the long-term and short-term adverse impacts associated with destroying or modifying wetlands and avoiding direct or indirect support of new construction in wetlands when there is a practicable alternative.

Migratory Bird—EO 13186 (2001)

Issued on January 10, 2001, promotes the conservation of migratory birds and their habitats and directs federal agencies to implement the Migratory Bird Treaty Act. Protection and Enhancement of Environmental Quality—EO 11514 (1970a), issued on March 5, 1970, supports the purpose and policies of the National Environmental Policy Act (NEPA) and directs federal agencies to take measures to meet national environmental goals.

Migratory Bird Treaty Reform Act

The Migratory Bird Treaty Reform Act (Division E, Title I, Section 143 of the Consolidated Appropriations Act, 2005, PL 108–447) amends the Migratory Bird Treaty Act (16 U.S.C. Sections 703 to 712) such that nonnative birds or birds that have been introduced by humans to the United States or its territories are excluded from protection under the Act. It defines a native migratory bird as a species present in the United States and its territories as a result of natural biological or ecological processes. This list excluded two additional species commonly observed in the United States, the rock pigeon (*Columba livia*) and domestic goose (*Anser domesticus*).

4.2.3.2 State

California Endangered Species Act

The California Endangered Species Act (CESA) (Sections 2050 to 2085) establishes the policy of the state to conserve, protect, restore, and enhance threatened or endangered species and their habitats by protecting “all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation.” Animal species are listed by the CDFW as threatened or endangered, and plants are listed as

rare, threatened, or endangered. However, only those plant species listed as threatened or endangered receive protection under the California ESA.

CESA mandates that state agencies do not approve a project that would jeopardize the continued existence of these species if reasonable and prudent alternatives are available that would avoid a jeopardy finding. There are no state agency consultation procedures under the California ESA. For projects that would affect a species that is federally and state listed, compliance with ESA satisfies the California ESA if the CDFW determines that the federal incidental take authorization is consistent with the California ESA under Section 2080.1. For projects that would result in take of a species that is state listed only, the project sponsor must apply for a take permit, in accordance with Section 2081(b).

Clean Water Act Section 401/Porter-Cologne Act

The State of California regulates water quality related to discharge of dredge or fill material into waters of the State pursuant to Section 401 of the CWA. Section 401 compliance is a federal mandate regulated by the State. The local Regional Water Quality Control Boards (RWQCB) have jurisdiction over all those areas defined as jurisdictional under Section 404 of the CWA. In addition, the RWQCBs regulate water quality for all waters of the State, which may also include isolated wetlands, as defined by the California Porter-Cologne Water Quality Control Act (Porter Cologne; Ca. Water Code, Div. 7, Section 13000 et seq.). The RWQCB regulates discharges that can affect water quality of both waters of the U.S. and waters of the State. If there is no significant nexus to a traditional navigable water body and thus no USACE jurisdiction over waters of the U.S., then the RWQCB regulates water quality of waters of the State through a Waste Discharge Permit, as required to comply with the Porter-Cologne Water Quality Control Act when a Section 401 water quality certification would not apply.

Sections 1600 through 1606 of the California Fish and Game Code (CFGC)

These sections require that a Streambed Alteration Application be submitted to the CDFW for “any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake.” The CDFW reviews the proposed actions and, if necessary, submits to the applicant a proposal for measures to protect affected fish and wildlife resources. The final proposal that is mutually agreed upon by the Department and the applicant is the Streambed Alteration Agreement. Often, projects that require a Streambed Alteration Agreement also require a permit from the USACE under Section 404 of the CWA. In these instances, the conditions of the Section 404 permit and the Streambed Alteration Agreement may overlap.

California Fish and Game Codes (CFGC)

All birds, and raptors specifically, and their nests, eggs and parts thereof are protected under Sections 3503.5 of the CFGC. Disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young) is considered a violation of this code. Additionally, Section 3513 of the CFGC prohibits the take or possession of any migratory non-game bird listed by the MBTA. The CDFW has jurisdiction over the conservation, protection, and management of wildlife, native plants, and habitat necessary to maintain biologically sustainable populations (CFGC Section 1802). The CDFW, as a trustee agency under CEQA Guidelines Section 15386, provides expertise in reviewing and commenting on environmental documents and makes and regulates protocols regarding potential negative impacts to biological resources held in California.

Fully Protected Species

Four sections of the CFGC list 37 fully protected species (CFGC Sections 3511, 4700, 5050, and 5515). These sections prohibit take or possession "at any time" of the species listed, with few exceptions, and state that "no provision of this code or any other law will be construed to authorize the issuance of permits or licenses to 'take' the species," and that no previously issued permits or licenses for take of the species "shall have any force or effect" for authorizing take or possession.

Bird Nesting Protections

Bird nesting protections (CFGC Sections 3503, 3503.5, 3511, and 3513) include the following:

- Section 3503 prohibits the take, possession, or needless destruction of the nest or eggs of any bird.
- Section 3503.5 prohibits the take, possession, or needless destruction of any nests, eggs, or birds in the orders Falconiformes (new world vultures, hawks, eagles, ospreys, and falcons, among others), or Strigiformes (owls).
- Section 3511 prohibits the take or possession of fully protected birds.
- Section 3513 prohibits the take or possession of any migratory nongame bird or part thereof, as designated in the MBTA. To avoid violation of the take provisions, it is generally required that project-related disturbance at active nesting territories be reduced or eliminated during the nesting cycle.

CA Migratory Bird Act-Assembly Bill 454

Existing federal law, the Migratory Bird Treaty Act, provides for the protection of migratory birds, as specified. The federal act also authorizes states and territories of the United States to make and enforce laws or regulations that give further protection to migratory birds, their nests, and eggs. Existing state law makes unlawful the taking or possession of any migratory nongame bird, or part of any migratory nongame bird, as designated in the federal act, except as provided by rules and regulations adopted by the United States Secretary of the Interior under provisions of the federal act..... (a) It is unlawful to take or possess any migratory nongame bird as designated in the federal Migratory Bird Treaty Act (16 U.S.C. Sec. 703 et seq.), or any part of a migratory nongame bird described in this section, except as provided by rules and regulations adopted by the United States Secretary of the Interior under that federal act.

Native Plant Protection Act

The Native Plant Protect Act (NPPA) (1977) (CFGC Sections 1900-1913) was created with the intent to "preserve, protect, and enhance rare and endangered plants in this State." The NPPA is administered by CDFW. The California Fish and Game Commission has the authority to designate native plants as endangered or rare and to protect endangered and rare plants from take. The CESA (CFGC 2050-2116) provides further protection for rare and endangered plant species, but the NPPA remains part of the Fish and Game Code.

Natural Communities Conservation Planning Act

This act was enacted to encourage broad-based planning to provide for effective protection and conservation of the state's wildlife resources while continuing to allow appropriate development and growth (CFGC Sections 2800 to 2835). Natural Community Conservation Plans (NCCP) may be implemented, which identify measures necessary to conserve and manage natural biological diversity within the planning area, while allowing compatible and appropriate economic development, growth, and other human uses.

Senate Concurrent Resolution No. 17 – Oak Woodlands

State Senate Concurrent Resolution No. 17 is legislation that requests state agencies having land use planning duties and responsibilities to assess and determine the effects of their decisions or actions within any oak woodlands containing Blue, Engelmann, Valley, or Coast Live Oak. The measure requests those state agencies to preserve and protect native oak woodlands to the maximum extent feasible or provide replacement plantings where designated oak species are removed from oak woodlands. The mitigation measures, as described above, will ensure that impacts to oak woodlands are less than significant

4.2.3.3 Local

County Development Code

The following provisions from the County Development Code help minimize biological resources impacts associated with new development projects and are relevant to the proposed Project.

Chapter 88.01 (Plant Protection and Management). This chapter provides regulatory and management guidance for plant resources in unincorporated areas as well as mixed public and private lands. It primarily addresses tree and vegetation removal in public land and private land in unincorporated areas.

Section 88.01.070, Mountain Forest and Valley Tree Conservation. This section conserves forest resources in the Mountain and Valley regions to supplement the Z'berg-Nejedly Forest Practice Act of 1973 (California Public Resources Code, § 4526 et seq.). It regulates private and commercial harvesting of trees on public and private land.

Section 88.01.080, Riparian Plant Conservation. This section addresses the health of riparian corridors, their impact on waterways within the region, their use as habitat by various plant and wildlife species, and their stabilization of stream banks.

Chapter 88.02, Soil and Water Conservation. This chapter promotes the health of soil communities to limit soil erosion potential and preserve air quality. This code primarily regulates ground-disturbing activities.

San Bernardino Countywide Plan

The San Bernardino Countywide Plan offers goals and policies related to the protection of biological resources. These goals and policies are found in the Natural Resources Element and Land Use Element.

Natural Resources Element

The Countywide Plan Natural Resources Element has the following goal and policies that relate to biological resources, including:

Goal NR-5 An interconnected landscape of open spaces and habitat areas that promotes biodiversity and healthy ecosystems, both for their intrinsic value and for the value placed on them by residents and visitors.

Policy NR-5.1 Coordinated habitat planning. We participate in landscape-scale habitat conservation planning and coordinate with existing or proposed habitat conservation and natural resource management plans for private and public lands to increase certainty for both

the conservation of species, habitats, wildlife corridors, and other important biological resources and functions; and for land development and infrastructure permitting.

Policy NR-5.2 Capacity for resource protection and management.

We coordinate with public and nongovernmental agencies to seek funding and other resources to protect, restore, and maintain open space, habitat, and wildlife corridors for threatened, endangered, and other sensitive species.

Policy NR-5.3 Multiple-resource benefits.

We prioritize conservation actions that demonstrate multiple resource preservation benefits, such as biology, climate change adaptation and resiliency, hydrology, cultural, scenic, and community character.

Policy NR-5.6 Mitigation banking.

We support the proactive assemblage of lands to protect biological resources and facilitate development through private or public mitigation banking. We require public and private conservation lands or mitigation banks to ensure that easement and fee title agreements provide funding methods sufficient to manage the land in perpetuity.

Policy NR-5.7 Development review, entitlement, and mitigation.

We comply with state and federal regulations regarding protected species of animals and vegetation through the development review, entitlement, and environmental clearance processes.

Policy NR-5.8 Invasive species. We require the use of non-invasive plant species with new development and encourage the management of existing invasive plant species that degrade ecological function.

Land Use Element

The Countywide Plan Land Use Element has the following policy that relates to biological resources, including:

Policy LU-2.3. Compatibility with natural environment. We require that new development is located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.

4.2.4 Thresholds of Significance

The following criteria for establishing the significance of potential impacts on biological resources were derived from Appendix G of the CEQA Guidelines. These criteria conform to the County's Initial Study Checklist. According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

However, as the focus of this PRDEIR No. 3 is to respond to the Court's writ of mandate, the County has chosen to take specific action necessary to bring its consideration of the Project into compliance with CEQA. The County has determined that revising the relevant sections of the July 2020 FEIR to address the inadequacies identified by the Court is the appropriate process for complying with the Court's ruling and writ of mandate. As a result, the County proposes to analyze the following environmental issues under this Subchapter: biological resources, specifically Project related impacts to the federally listed as threatened ashy-gray Indian paintbrush (*Castilleja cinerea*) or sensitive pebble plain habitat. This impact will be analyzed in the context of the following two criteria extracted from Appendix G of the CEQA Guidelines:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No change in the analysis for any biological community (vegetation communities, plant species, wildlife species, critical habitat, wildlife movement, etc.), other than the following discussion of impacts to ashy-gray Indian paintbrush and pebble plain like soils, is required as part of this PRDEIR No. 3, as the Court found the analysis thereof sufficient. Refer to that which was included in the July 2020 FEIR for the final text pertaining to other biological communities not discussed in this PRDEIR No. 3.

The potential biological changes in the environment are addressed in response to the above thresholds in the following analysis.

4.2.4.1 Methodology

Definition of Special Status Resources

Presented below are definitions of special-status resources analyzed in this chapter, including special-status plant species, wildlife species, and vegetation communities.

Special-Status Plant Species

- Listed as state endangered, threatened, or rare and/or listed as endangered or threatened by the USFWS (listed species), or candidates for future listing.
- Considered by the California Native Plant Society to be "rare, threatened, or endangered in California" (CRPRs 1 and 2).

- Considered a locally significant species, that is, a species that is not rare from a statewide perspective but is rare or uncommon in a local context, such as within a county or region, or is so designated in local or regional plans, policies, or ordinances.

Vegetation Communities

Vegetation communities considered special-status are those with an “S” ranking of 1, 2, or 3 or associations that are considered a high priority for inventory. Special-status vegetation communities also include those with protection under the existing Development Code, which includes compliance with the Desert Native Plant Act for the Desert Region and compliance with Oak Woodland protection. Additionally, some wetland habitat types may be considered special status.

Definition of Impacts

The Moon Camp Project could result in both direct and indirect impacts to biological resources, as defined below.

Direct Impacts

Direct impacts are the loss of individual species and/or its habitats through the alteration, disturbance, or destruction of biological resources. These include temporary impacts, such as the disturbance or removal of vegetation during construction that is replaced, and permanent impacts, such as removal of vegetation serving as habitat in perpetuity.

Indirect Impacts

Indirect impacts are the reasonably foreseeable effects outside of the direct area of impact (usually the limits of grading). These may include increased human activity, decreased water quality and altered hydrology, soil compaction, elevated noise and dust levels, and the introduction of invasive species. Indirect impacts can be temporary (e.g., construction) or permanent (e.g., maintenance).

4.2.5 Potential Impacts

- a) **Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

Special Status Plant Species Known to Occur on the Project Site

One Federally-listed Threatened and CNPS List 1B species, ashy-gray Indian paintbrush; and five CNPS List 1B species, Parish’s rock cress, Big Bear Valley woollypod, silver-haired ivesia, purple monkeyflower, and Bear Valley phlox, were observed on the Project site during the surveys undertaken for the 2003 Moon Camp – Tentative Tract 16136 Draft Biological Technical Report (refer to the 2006 FEIR, provided as Appendix 2), 2010 Focused Special Status Plant Species Survey (Appendix 5), 2008 Supplemental Focused Rare Plant Survey (Appendix 6), 2007 Draft Vegetation and Special Status Plants Survey (refer to RRDEIR No. 1, provided as Appendix 3), 2016 Survey of Ashy-gray Indian Paintbrush (Appendix 7).

The presence of ashy-gray Indian paintbrush on-site was confirmed during Krantz’s 2016 Survey of Ashy-Gray Indian Paintbrush. The surveys identified an herbaceous layer of Wright’s matting buckwheat (in the western half of the Project site) and found inclusions of ashy-gray Indian paintbrush and Parish’s rock cress throughout an approximate 18.01-acre area of open Jeffrey pine forest within the Project site. Silver haired ivesia was found to be concentrated entirely within

the Project site's mapped pebble plain like soil conditions (note that the pebble plain like soil conditions habitat is not true pebble plain due to the lack of the two key indicator species (*Arenaria ursina* and *Eriogonum kennedyi austromontanum*). This is discussed under issue "b," below. Bear Valley woollypod was found in patches scattered throughout Jeffrey pine forest habitat on the Project site. Purple monkeyflower was found to be widely distributed on the pebble plain-like soils conditions in the conservation area, with a small portion of the population extending down the draw to the east into the southern half of proposed Lot 50 (refer to TTM No. 16136, **Figure 1-1** for a reference to the area of the project site that this species occurs). Most of the purple monkey flower distribution is included within the proposed conservation easement area of Lot A. Purple monkeyflower is not a federally listed species, but is listed by the CNPS as List 1B.2. Finally, Bear Valley phlox was found to be distributed in the open black oak woodland and under Jeffrey pines (refer to **Figure 4.2-1**, which depicts the plant communities within the site). Although restricted to Big Bear and Holcomb Valleys, its regional distribution extends up to the summit of Sugarloaf Mountain south of Big Bear Valley, and as far north as White Mountain, northwest of Holcomb Valley; the taxon is fairly common within its range, and is not considered to be a high priority candidate for listing or more formal protection. The Bear Valley phlox is not a federally listed species, but is listed by the CNPS as List 1B.2.

Development of the proposed Project has the potential to significantly impact the aforementioned special status plant species. In addition to protecting the most exemplary and best quality habitat on-site (located within Lots A and H; Open Space Conservation Easement), all five of the CNPS List 1B status species observed on-site will be protected through Mitigation Measures (MMs) **BR-1b**, **BR-1c**, **BR-1d**, and **new BR-1a** which provide for the establishment and management of conservation area within the Project site that encompasses the location of these plants, and furthermore would provide for salvage of ashy-gray Indian paintbrush seed prior to any Project related impacts to this species through establishing a seed collection program for which a federal Take Permit may be required in order to implement. Overall, the development of the Moon Camp Project would establish conservation easements on-site totaling between the 6.2 and 9.2-acres covering all of Lots A, B and H, and parts of Lots C (marina parking) and D (well site). Lots C and D have been included due to the number of trees along the lake shore line that are suitable for Bald Eagle perching and foraging for fish and waterfowl over Big Bear Lake. A Draft Long Term Management Plan (LTMP) for bald eagle and rare plant habitat conservation has been prepared for the Project, it is provided as Appendix 11 to this PRDEIR No. 3.

Ashy-gray Indian paintbrush

As concluded within the 2010 Supplemental Focused Special Status Plant Species Survey, and confirmed in the 2016 Survey of Ashy-gray Indian Paintbrush (Appendix 7), there are approximately 7.71 acres of ashy-gray Indian paintbrush habitat on the Project site, of which 4.84 acres would be permanently protected through the creation of open space Lot A and Lot H. A map indicating the general locations of the species occurrences is provided as **Figure 4.2-2**. On an occurrence basis, there are approximately 5,567 occurrences of ashy-gray Indian paintbrush occurrences are located within the proposed Project site. Of the 5,567 occurrences, 4,895 will be permanently protected within the Open Space Conservation Easement of Lot A and H, representing 88 percent of the total occurrences of ashy-gray Indian paintbrush within the Project site. Lots A and H are part of the greater total conserved area on-site, as on-site conservation easements would total up to 9.2 acres covering all of Lots A, B and H, and parts of Lots C (marina parking) and D (well site). Of the remaining 672 ashy-gray Indian paintbrush plants within the boundaries of the Project site that have been identified on lots designated for the proposed residential development of the site, plants within Lots 1, 47, 48, 49, and 50, are all within

the rear Lot building setbacks, and 20 additional plants within Lot 4 could be avoided by the future development of the site, as 20 of the 90 plants within Lot 4 fall within the rear building setback.

Discrete counts of ashy-gray Indian paintbrush occurrences were also conducted on Lots 1-5 of the Moon Camp subdivision (refer to TTM No. 16136, **Figure 1-1**). Lot 1 contains approximately 45 occurrences of ashy-gray Indian paintbrush, all located within a 5-meter radius of the southeast corner of the property, within the rear-lot and side-lot building setbacks, thus presenting a potential for conservation by building setbacks and site design. Within Lot 2, approximately 150 ashy-gray Indian paintbrush plants are scattered across the Lot.

Lot 3 contains approximately 175 plants, while Lot 4 contains approximately 70 plants to the front-center of the Lot, and another 20 plants to rear of the Lot, within the required building setback, for a total of approximately 90 plants. Lot 5 contains approximately 30 plants, and an additional approximately 40 ashy-gray Indian paintbrush plants are in the road right-of-way across the front of Lot 5. Well Site Lot F and the associated access road contain approximately 80 plants.

In total, the proposed Project will impact approximately 672 occurrences of ashy-gray Indian paintbrush occupying approximately 1.55 acres. As provided above in **Subsection 4.2.2.2, Plant Communities**, the total estimated numbers of ashy-gray Indian paintbrush plants located within the proposed Project site are outlined within **Table 4.2-2**.

An additional 127 plants, as described above, and outlined in **Table 4.2-3**, below, are potentially capable of being conserved by building setbacks and site design.

Table 4.2-3
SUMMARY OF ASHY-GRAY INDIAN PAINTBRUSH OCCURRENCE ON THE MOON CAMP SITE

Lot Designation	Habitat (acres)	Number of Plants	Impacts		Potential for Preservation On-Site
			Acres	Individual Plants	Individual Plants
Roadway	0.5	40	0.5	40	-
Lot F	0.14	80	0.14	80	-
Lot 1	0.51	45	0.51	As few as 0	Up to 45
Lot 2	0.50	150	0.50	150	-
Lot 3	0.50	175	0.50	175	-
Lot 4	0.58	90	0.58	As few as 70	Up to 20
Lot 5	0.85	30	0.85	30	-
Lot 47/48	0.11	50	0.11	As few as 0	Up to 50
Lot 49	0.01	9	0.01	As few as 0	Up to 9
Lot 50	0.11	3	0.11	As few as 0	Up to 3
Total	2.87	672	2.87	Up to 672, as few as 545	Up to 127

Source: ELMT Consulting, 2018. Technical Review of the Biological Database for the Moon Camp Project Site. May 23, 2018. Appendix 6, referenced in the 2020 FEIR

Based on the above discussion, the creation of permanent conservation easements covering the areas designated as Lot H and Lot A will permanently conserve approximately 88 percent of the ashy-gray Indian paintbrush occurrences on the Project site (4,895 occurrences conserved, compared to 672 impacted occurrences). This on-site conservation of ashy-gray Indian paintbrush occurrences results in mitigation, reinforced by MM **BR-1b** for Project impacts at more than an approximately 7:1 ratio. On an acreage basis, the Project will mitigate impacts to the ashy-gray Indian paintbrush on-site at a 1.68:1 ratio.

Furthermore, though not necessary to reduce ashy-gray Indian paintbrush impacts to a level of less than significant, the Moon Camp Project has been designed with building setbacks that could facilitate the preservation of up to an additional 127 occurrences of ashy-gray Indian paintbrush, which would provide further protections to the species in place, potentially enabling the continued proliferation of the species within the Moon Camp Project site. This would be implemented as a requirement of MM **BR-1d**, which has been expanded since the certification of the 2020 FEIR. MM **BR-1d** requires the construction within Lots 1, 4, 47, 48, 49, and 50 to be restricted by means of building envelopes or building setback lines to prevent construction in the occupied ashy-gray Indian paintbrush habitat, wherever feasible. Once the Moon Camp Project is developed, the developer cannot control the actions of private home owners on private land, thus, though MM **BR-1d** would protect ashy-gray Indian paintbrush for the duration of construction, preservation of the species during occupation of the future residences cannot be guaranteed. However, given that the proposed Moon Camp Project would include the creation of a Homeowner's Association (HOA), the provisions of MM **BR-1c** have been modified to ensure that education of future homeowners of Lots 1, 4, 47, 48, 49, and 50 is provided to spread awareness of the importance of retaining this species in its natural state on site. MM **BR-1c** also sets forth a number of actions that would ensure the permanent preservation of the Conservation Areas to be established on site. Where homeowners do not wish to retain the areas of their properties containing the ashy-gray Indian paintbrush, the seed collection that shall take place during construction would suffice to ensure conservation and preserve genetic diversity in the species. MM **BR-1a** addresses seed collection, which is discussed in detail, below.

The USFWS conducts a review every 5 years for listed species. The Endangered Species Act of 1973 requires the USFWS to review each listed species' status at least once every 5 years. The most recent 5-Year Review⁶ for *Castilleja cinerea* (ashy-gray Indian paintbrush) concluded that, due to several extant, presumed extant, and extirpated known occurrences of the species, the species remains threatened. The 5-Year Review recommends future actions to reduce threats to ashy-gray Indian paintbrush, which include the following applicable recommendations to the proposed Project:

1. Reduce impacts to ashy-gray Indian paintbrush and its habitat from recreational and unauthorized Off-highway vehicle (OHV) use.
2. Reach out to private landowners to identify opportunities for conservation on private lands. Work with private landowners, local governments, and conservation organizations to conserve and manage habitat.
3. Collect ashy-gray Indian paintbrush seed and conserve seed in an ex-situ (off-site) conservation seed bank, to preserve the genetic diversity in the species.

The USFWS has identified specific actions that can be taken to mitigate potential impacts to the ashy-gray Indian paintbrush, and the applicability of those recommendations when applied to the proposed Project, is discussed below.

⁶ USFWS, 2021. 5-Year Review, *Castilleja cinerea* (ash-gray paintbrush), https://ecos.fws.gov/docs/tess/species_nonpublish/3393.pdf (accessed May 10, 2023)

In regards to recommendation 1, above, the existing Moon Camp Project site is presently vacant, and while it is private land, exclusion of OHV use of the site is not easily controlled, and is, therefore, difficult to enforce beyond maintaining exclusionary fencing along the highway preventing access to the Project site. The development of the Moon Camp Project would conserve up to 9.2-acres of the 62.43-acre Project site, and the development itself, when combined with the conservation proposed by the Project, would ensure that OHV use within the conservation areas of the site is prohibited in the future. Thus, the Moon Camp Project would further the USFWS 5-Year Review recommendations pertaining to OHV use impacts on ashy-gray Indian paintbrush.

In regards to recommendation 2, above, the proposed Moon Camp Project has incorporated conservation easements covering 88 percent of the ashy-gray Indian paintbrush that occupy the site. Thus, as a private land development, the Moon Camp Project, through site design and implementation of MMs **BR-1b** and **BR-1c**, would establish and ensure the permanent preservation of on-site conservation easements that would protect this species in perpetuity.

In regards to recommendation 3, above, the 2023 Memo prepared by Daniel Smith recommended that, based on feedback from the USFWS regarding mitigation impacts to ashy-gray Indian paintbrush, the Project applicant should consider coordinating with an organization, such as the California Botanic Garden, to salvage ashy-gray Indian paintbrush seed prior to any Project related impacts to this species. This is because seed collections allow for genetic conservation of the species and help develop propagation protocols for the species, thereby preserving its existence outside of known occurrences, as documented in the USFWS 5-Year Review for the species. The USFWS has requested ashy-gray Indian paintbrush seed collection in the past and thus, seed collection would provide an additional valuable conservation measure to further protect the ashy-gray Indian paintbrush species as part of the Moon Camp Project. MM **BR-1a** establishes the seed collection that would take place prior to construction within Lots 1, 4, 47, 48, 49, and 50.

The proposed Project would, both through site design and implementation of MMs **BR-1b** and **BR-1c**, establish and ensure the permanent preservation of on-site conservation easements that would protect 88 percent of the ashy-gray Indian paintbrush within the Moon Camp Project site, thereby resulting in mitigation protecting the species at an approximately 7:1 ratio on an on-site plant occurrence basis, and on an acreage basis at a 1.68:1 ratio. Furthermore, the proposed project would protect up to an additional 127 species through the implementation of MM **BR-1d** by restricting the building envelopes or building setback lines to prevent construction in the occupied ashy-gray Indian paintbrush habitat. Finally, to ensure adherence with USFWS recommendations for reducing threats to and providing conservation for the ashy-gray Indian paintbrush, and thereby mitigation impacts to the species, MM **BR-1a** would establish a seed collection program to conserve the ashy-gray Indian paintbrush seed for the up to 672, or as few as 545 affected occurrences of the species on-site. The above-described implementation of mitigation measures would facilitate not only protection of the species in place on site totaling at least 88% of on-site occurrences, but would also preserve the existence of the species through genetic conservation by way of a seed collection. Thus, the impacts to ashy-gray Indian paintbrush would be fully mitigated through adherence to the provisions of the USFWS recommendations for conservation and protection of the species, thereby impacts to ashy-gray Indian paintbrush are collectively concluded to be less than significant.

- b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

Sensitive Plant Communities

Pebble Plain like Soils

Approximately 1,511 acres of pebble plain are known to exist in the San Bernardino Mountains (Krantz, 2008), 60 percent (906 acres) of which occurs on public lands. Pebble plain is a rare plant community associated with specific soil conditions comprised of dense clay soils covered in a surface layer of quartzite rocks that are brought to the surface by frost heave. In addition to the unique soil characteristics and treeless habitat structure of pebble plains, this habitat is defined by the presence of two endemic threatened (federal) plant species: *Eriogonum kennedyi* var. *austromontanum* (southern mountain buckwheat) and *Eremogone ursina* (Big Bear Valley sandwort [formerly *Arenaria ursina*]) (Derby and Wilson 1978; Krantz 2008).

The 2008 Supplemental Focused Rare Plant Survey indicated that pebble plain like soil conditions occurred on approximately 0.69 acres of the project site, north of State Route 38 (SR-38). The report stated that it appeared as a distinct open patch within open Jeffrey pine forest in the western portion of the Project site and that the substrate in this area consisted of clay soil mixed with quartzite pebbles and gravel that were continually pushed to the surface through frost action. Approximately 0.69 acres of the Project site has some pebble plain like soil characteristics (Krantz 2008; Krantz 2010; McGill 2018). However, Dr. Krantz noted in his 2008 Supplemental Focused Rare Plant Survey and 2010 Focused Special Status Plant Species Survey reports that neither of the two key pebble plain indicator species (southern mountain buckwheat and Big Bear Valley sandwort) were present on-site and the ashy-gray paintbrush documented on the Project site occurs within yellow pine forest habitat.

Furthermore, the 2010 Focused Special Status Plant Species Survey, which was conducted to respond to concerns raised in comments received on the RRDEIR No. 1, concludes that the prior biological surveys mischaracterized the 0.69-acre portion of the project site as true pebble plain. As discussed in the 2010 Focused Special Status Plant Species Survey, the area previously classified as pebble plain habitat is not actually pebble plain due to the lack of the two key indicator species southern mountain buckwheat and Big Bear Valley sandwort. The 2010 Focused Special Status Plant Species Survey findings augment the 2008 Supplemental Focused Rare Plant Survey conducted by Dr. Krantz by providing an additional above-average precipitation year for observation. Therefore, based on the findings of the 2010 Focused Special Status Plant Species Survey, no true pebble plain habitat exists on the project site, and thus, the implementation of the proposed Project will have no potential to impact pebble plain habitat, and thus would not result in a potentially significant impact and no mitigation is required. This was further confirmed by the 2023 Memo prepared by Jacobs Engineering Group Biologist, Daniel Smith. The 2023 Memo concludes Dr. Krantz accurately concluded that the Project site does not contain any pebble plain habitat that would require mitigation (Krantz 2010).

The Project Applicant, RCK Properties, has purchased the 10-acre Dixie Lee Lane parcel. According to the 2010 Focused Special Status Plant Species Survey, the 10-acre Dixie Lee Lane parcel is estimated to contain very high densities of the two indicator species for pebble plain habitat—*Arenaria ursina* and *Eriogonum kennedyi austromontanum*—with an estimated population in the tens of thousands. Moreover, Dr. Krantz characterized the Dixie Lee Lane property parcel as a “textbook example of this rare plant community.” Dr. Krantz further opined that, to the best of his knowledge, the Dixie Lee Lane property parcel represents the highest density of pebble plain plant species of any privately held land in Big Bear Valley. The Dixie Lee Lane parcel is currently owned by the applicant and has no deed restrictions. As part of the proposed Project, the Project Applicant is offering this 10-acre parcel as a benefit to the

community to be preserved in perpetuity, which will be enforced through the County's Conditions of Approval for the Project.

As of this writing, the parent parcel surrounding the Dixie Lee Lane parcel that is owned by the Moon Camp Project Applicant, has been conveyed to the Bear Valley Unified School District (BVUSD). The BVUSD and the Big Bear Valley Education Foundation are working with the San Bernardino Mountains Land Trust and the ad-hoc Pebble Plains Advisory Committee on several pebble plains restoration and biological monitoring projects on the Sawmill pebble plains west of the Dixie Lee Lane parcel. As discussed above, as part of the community benefits proposed by the Moon Camp Project, RCK Properties, shall duly record a Conservation Easement over the Dixie Lee Lane Parcel in the name of a CDFW-authorized entity. In 1988, the EIR prepared for the development of Big Bear High School (BBHS) identified a portion of the Dixie Lee Lane parcel as mitigation to offset impacts related to the development of the BBHS. A conservation easement was not established, and therefore the whole of the parcel was retained by RCK Properties with the intent of establishing a conservation easement that would cover the whole of the site to provide additional benefits to the community⁷ as part of the Moon Camp Project. Regardless, the creation of a conservation easement at the Dixie Lee Lane parcel is not considered mitigation to offset impacts to any special status plants (such as ashy-gray Indian paintbrush) or sensitive natural communities (such as pebble plain habitat), as originally identified in the 2020 FEIR for the Moon Camp Project. Impacts to ashy-gray Indian paintbrush, as discussed under issue (a), above, can be mitigated to a level of less than significant with implementation of the 4 mitigation measures identified below. Furthermore, no mitigation is required to minimize impacts to the pebble plain habitat on-site, because the Project site does not contain any pebble plain habitat.

4.2.6 Impacts with No Change

Consistent with Subsection 4.2.2.3, Biological Communities for which there has been No Change since the Certification of the 2020 FEIR, the following constitutes a list of impacts that were fully analyzed in the 2020 FEIR, and were determined to be sufficiently analyzed therein by the Court under Biological Resources:

Special Status Plant Species Potentially Occurring on the Project Site

No change.

Special Status Wildlife Species

- Reptiles
- Birds Including the Following Species:
 - Bald Eagle.
 - Cooper's Hawk, Northern Goshawk, Sharp-shinned Hawk, Golden Eagle, Long-eared Owl, Ferruginous Hawk, Northern Harrier, White-tailed Kite, Merlin, American Peregrine Falcon, Osprey, Prairie Falcon, and California Spotted Owl.

⁷ These benefits include:

- The development of the Moon Camp Project would establish conservation easements on-site totaling up to 9.2-acres covering all of Lots A, B and H, and parts of Lots C and D.
- The development of the Moon Camp Project would establish perpetual protection and maintenance of designated habitat areas on site.
- The development of the Moon Camp Project would result in the creation of a conservation easement at the Dixie Lee Lane 10-acre off-site parcel comprised of high-density pebble plain habitat.
- The development of the Moon Camp Project would designate nearly an acre to neighborhood lake access.
- The development of the Moon Camp Project would not include any residential development along the lakeshore, conserving the scenic beauty of the lakeshore.

- Black Swift, Yellow Warbler, Hepatic Tanager, Purple Martin, and Gray Vireo.
- Mammals Including the Following Species:
- Pallid Bat, Spotted Bat, Small-Footed Myotis, Long-Eared Myotis, Occult Little Brown Bat, Fringed Myotis, Long-Legged Myotis, Yuma Myotis, and Pacific Western Big-Eared Bat.
- San Bernardino Mountain Flying Squirrel.

No change.

Direct Impacts Including:

- Flora and Vegetation Type Impacts
- Jeffrey Pine Forest
- Lake Shoreline
- Developed
- Wildlife Impacts

No change.

Indirect Impacts Including:

- Pebble Plains
- Noise Impacts
- Increased Dust and Urban Pollutants
- Night Lighting
- Human Activity
- Non-Native Species
- Jurisdictional Waters

No change.

Regional and Local Policies Pertaining to Biological Resources Including:

- Potential Conflict with Regional and Local Policies/Plans
 - Note that even though the Countywide Plan was adopted in the months following the certification of the 2020 FEIR, the proposed project would be consistent with applicable general plan goals and policies. This is discussed in detail under Subchapter 4.2, Land Use and Planning.
- County of San Bernardino Biotic Resources Overlay District
- Plant Protection and Management Ordinance – County of San Bernardino Development Code

No change.

Wildlife Movement

No change.

Migratory Bird Treaty Act

No change.

Cumulative Impacts

No change.

4.2.7 Avoidance, Minimization and Mitigation Measures

Special Status Biological Resources

Special Status Plants and Plant Communities

BR-1a *The Project applicant shall coordinate with a botanical conservation seed collection/seed bank organization, such as the California Botanic Garden or Center for Plant Conservation, that shall be approved by USFWS to collect seed from the 672 affected ashy-gray Indian paintbrush plants within the Roadway, Lot F, and Lots 1, 2, 3, 4, 5, 47, 48, 49, and 50 after seed has set. The seed collection shall be carried out by a qualified biologist(s) familiar with the ashy-gray Indian paintbrush species. Prior to the collection of seeds, the approved Biologist/Botanist shall prepare and submit for approval by USFWS and California Botanic Garden a Seed Collection and Banking Plan that is consistent with the California Botanic Garden Seed Collection Policy and Seed Collection Guidelines. Per California Botanic Garden Seed Collection Guidelines, a minimum of 2,500 seeds obtained from a minimum of 50 individual plants shall be collected.*

Overheating can kill seeds, and excessive heat and temperature fluctuations shall be avoided. High moisture content during storage can also cause seed damage and loss of viability due to molds, and as such, high moisture periods shall also be avoided. Seed collection shall be collected and stored in such a way as to ensure its viability, where the sum of temperature (degrees F) and relative humidity (%) does not exceed 100.⁸ The seed collection shall occur prior to construction or ground disturbance within the lots occupied by the ashy-gray Indian paintbrush species. USFWS shall be contacted upon the coordination of the seed collection with the botanical conservation seed collection/seed bank organization to provide an opportunity for collaboration on the species conservation efforts. Any recommendations by USFWS for seed collection and seed banking shall be taken into account.

BR-1b *Prior to the initiation of clearing or grading activities on the project site, the 6.2-9.2-acre on-site conservation easements (including Lot-A and Lot-H) covering all of Lots A, B and H, and parts of Lots C and D shall be established. The conservation easement shall be in favor of a California Department of Fish and Wildlife approved conservation or mitigation bank (<https://wildlife.ca.gov/Conservation/Planning/Banking/Approved-Banks>) and shall be recorded in the San Bernardino County Recorder's Office. The easement shall provide for the continued protection and preservation of the property American Bald Eagle and Rare Plant habitat through development of a Long-Term Management Plan (LTMP). The LTMP shall provide for the preservation, restoration, and enforcement of the Conservation Areas so that each area is maintained, and restored where needed, to its natural condition. The LTMP will also include documentation of baseline conditions, any needed site preparation, anticipated restoration/enhancement activities, a biological monitoring program, the creation of a set of success criteria for managing the site, anticipated maintenance activities, an annual reporting process, and a set of contingency or adaptive management measures to be implemented in case success criteria are not being met; to ensure that the implementation of the LTMP is fully funded, a Property Action Report (PAR) will be prepared that will document costs for site security, maintenance activities, site preparation, restoration/enhancements activities, biological monitoring, contingency measure and annual reporting. The costs identified in the PAR will be used to develop a non-wasting endowment that will ensure all costs will be available to establish the site, conduct any needed restoration and enhancements, and to fund reoccurring annual cost needed to manage the site in perpetuity. The easement shall, at a minimum, restrict all use*

⁸ United States Forest Service, 2023. Collecting Native Seed.
https://www.fs.usda.gov/wildflowers/Native_Plant_Materials/developing/collecting.shtml#:~:text=Storage,of%20viabilit y%20due%20to%20molds.

of the property that has the potential to impact bald eagle perch trees, the quality of valuable biological habitat, including the occurrences of the Federally Threatened ashy-gray Indian paintbrush. The property shall be fenced and signs shall be placed on the fencing indicating the sensitive nature of the property habitat and warning that any entry would be prosecuted as a trespass. Project proponent shall also create a perpetual, non-wasting endowment for the management and preservation of the mitigation property. The management entity will be approved by the CDFW.

BR 1-c *The Project Applicant shall take the following actions to further ensure the permanent preservation of the Conservation Areas:*

- Except for access by residents to Lot B & C, access to the Conservation Areas by pedestrians and motor vehicles shall be restricted. The Conservation Areas shall be secured through installation of fencing or other barriers to prevent access to Conservation Areas. Barriers shall be installed prior to commencement of any construction activities on-site. The Project Applicant shall also include provisions in the CC&Rs for the Project instituting penalties to residents who violate the restrictions and cause any damage to the protected plant habitat and Bald Eagle perch trees.*
- Include enforcement provisions in the CC&Rs requiring the Homeowner's Association, individual resident within the project, the Conservation or Mitigation Bank and/or County of San Bernardino to enforce any violation of the provisions intended for the protection of sensitive plant species located within Lot A and Lot H.*
- Include enforcement provisions in the CC&Rs requiring the Homeowner's Association to implement an awareness program for special status plant species, specifically ashy-gray Indian paintbrush, with special attention to homeowners on lots with retained ashy-gray Indian paintbrush. The awareness program shall encourage residents to retain ashy-gray Indian paintbrush within individual property owner lots in a natural state to preserve the species.*
- Include enforcement provisions in the CC&Rs requiring the Homeowner's Association to prohibit and enforce prohibition of use of OHV within the Project site.*
- Install appropriate signage identifying Conservation Areas and the sensitive nature of such areas on the Project site and that access is prohibited. The Conservation Areas shall be monitored on a regular basis by the Conservation Entity.*
- Prohibit use of invasive plant species in landscaping. Each lot owner shall be given a list of prohibited invasive plant species upon purchase of lot with the parcel. Landscape plans for individual parcels shall be approved by the County prior to development to ensure no inappropriate plant material is incorporated into the design of any individual lot or common area which may compromise the quality of the Conservation Areas.*
- Development may not change the natural hydrologic conditions of the Conservation Areas. All grading plans shall be reviewed by the County to ensure hydrologic conditions of the conservation lands are not adversely changed by development.*
- The Project Applicant or Approved Conservation or Mitigation Bank shall monitor Conservation Areas on a periodic basis to ensure invasive, non-native species are not present. All non-native invasive plant species shall be removed from Conservation Areas.*
- Fuel modification zones and programs shall not be implemented in Lots A and H.*
- The Conservation Entity shall prepare an annual biological monitoring report identifying the current status of the rare plant species and any necessary actions to further enhance and protect the habitat.*
- The Conservation Entity shall conduct routine monitoring of rare plant resources on Lot A and H. The occurrence of non- native species outbreaks, or other examples of ecological disturbance as a result of indirect impacts of development in and around Lots A and H shall be reported in the annual biological monitoring reports and remedial action shall be recommended and implemented by the Conservation Entity.*

- BR-1d.** *Construction (i.e. ground disturbing activities) that falls within the rear portions of Lots 1, 4, 47, 48, 49, and 50 shall be prohibited by means of building envelopes or building setback lines to prevent construction in the occupied ashy-gray Indian paintbrush habitat. To ensure that ashy-gray Indian paintbrush occurring within building setback lines within the rear portions of Lots 1, 4, 47, 48, 49, and 50 are not impacted by project-related activities, the Project Applicant shall install orange construction fence around the perimeter of the rear building setbacks. All ground disturbing activities shall be restricted outside of the rear building setbacks of Lots 1, 4, 47, 48, 49, and 50.*

Special Status Wildlife

- BR-2.** *Trees and downed logs shall remain in place, to the extent that clearing is not required by the development process, and a 50-foot setback (measured on each side of the centerline) must be maintained along the deepest ravine at the eastern edge of the property. This measure will serve to preserve habitat for potential special status wildlife species.*

- BR-3.** *Given the negative results of on-site surveys and the available technical and peer reviewed literature, negative effects to the San Bernardino flying squirrel are not expected. However, because marginal foraging habitat was found on-site, the following mitigation measures will be implemented in the lots with densely forested areas and snags. These mitigation measures are to be implemented to avoid and minimize impacts to San Bernardino flying squirrels:*

- *The Project Applicant shall have a qualified biologist as a monitor just prior to and during all tree removal on-site.*
- *Minimize the removal of large coarse woody debris (>10cm diameter), which provide microhabitat for the growth of hypogeous fungi.*
- *Limit removal of standing snags (>25cm dbh) and large trees (>25cm dbh), which provide both structural complexity and potential nesting habitat.*
- *Prioritize the retention of large trees and snags with visible potential cavity nesting structures, which are associated with higher densities of northern flying squirrels.*
- *Minimize the loss of continuous canopy closure, especially in the drainages, which provides protection from predators while foraging and may play an important role in maintaining habitat connectivity.*
- *The Project Applicant must compensate for the removal of suitable habitat through construction and erection of two nest boxes and one aggregate box per snag removed.*
- *The Project Applicant is required to provide homeowners with information on the biology of the San Bernardino flying squirrel and suggest steps that homeowners can take to reduce their urban-edge effects.*
- *All subsequent home developers must comply with these provisions, which shall be enforced by the County of San Bernardino through implementation of the Mitigation Monitoring and Reporting Program as mandated by CEQA.*

If the monitoring biologist observes a flying squirrel during pre- construction and/or construction monitoring, the biologist will immediately halt work until the occupied tree can be vacated prior to felling the tree; however, if the work is during the nesting season (generally March through May), when baby squirrels could be present, the nest will not be vacated until after the nesting season ends (June 1st), as cleared by the monitoring biologist.

- BR-4.** *Eagle perch trees identified in the 2002 Bonterra Consulting Bald Eagle Survey for Tentative Tract 16136, Moon Camp, Fawnskin, San Bernardino County, California, (see Appendix A of the Revised and Recirculated Draft EIR No. 2), and the Long-Term Management Plan shall be preserved in place upon project completion. If any of the designated perch trees should become hazardous and need to be taken down, replacement will be either (1) at a 5:1 ratio with the creation of artificial perch trees within the Conservation Areas or by enhancing other trees by trimming and limbing to make*

suitable for eagle perching. The exact method of perch tree replacement shall be made after consultation with a certified arborist. Prior to commencement of construction activity, the applicant shall have a qualified consultant survey all trees on-site to determine the location of all perch trees to be preserved. Any development that may occur within the Project site and in the individual lots must avoid impacts to trees larger than 24 inches dbh and their root structures to the maximum extent feasible. If any additional non-perch trees on-site larger than 24 inches dbh are removed, then a replacement ratio of 2:1 shall be required and replacement trees shall be 24-inch box trees or larger. Whenever an eagle perch tree or other non-perch tree larger than 24 inches dbh is removed, the Homeowners Association shall retain a qualified consultant to oversee removal and compliance with the replacement requirement. 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 lots 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.

BR-5. *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 4.5 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 shall avoid impacts to tagged trees and their root structures. If such trees cannot be avoided, their removal shall be coordinated with the County of San Bernardino to minimize impacts to the extent feasible. 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 individual lots 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.*

BR-6. *Seven days prior to the onset of construction activities, a qualified biologist shall survey within the limits of project disturbance for the presence of any active raptor nests. Any nest found during survey efforts shall be mapped on the construction plans. If no active nests are found, no further mitigation would be required. Results of the surveys shall be provided to the CDFW.*

If nesting activity is present at any raptor nest site, the active site shall be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. Nesting activity for raptors in the region of the Project site normally occurs from February 1 to July 31. To protect any nest site, the following restrictions on construction are required between February 1 and July 31 (or until nests are no longer active as determined by a qualified biologist): (1) clearing limits shall be established a minimum of 300 feet in any direction from any occupied nest and (2) access and surveying shall not be allowed within 200 feet of any occupied nest. Any encroachment into the 300/200-foot buffer area around the known nest shall only be allowed if it is determined by a qualified biologist that the proposed activity shall not disturb the nest occupants. Construction during the nesting season can occur only at the sites if a qualified biologist has determined that fledglings have left the nest.

BR-7. *Vegetation removal, clearing, and grading on the Project site shall be performed outside of the breeding and nesting season (between February 1 and July 31) to minimize the effects of these activities on breeding activities of migratory birds and other species. If clearing occurs during breeding season, a 30-day clearance survey for nesting birds shall be conducted. Any nest found during survey efforts shall be mapped on the construction*

plans. If no active nests are found, no further mitigation would be required. Results of the surveys shall be provided to the CDFW. If nesting activity is present at any nest site, the active site shall be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code.

- BR-8.** *The use of the boat dock for motorized boating shall be prohibited between the dates of December 1 and April 1. No motorized boats shall be allowed to launch or moor in the vicinity of the boat dock at any time during this period. This restriction shall be clearly displayed on signage at the entrance to the parking lot and on the boat dock visible from both land and water. This requirement shall also be published in the Homeowner's Association Conditions, Covenants & Restrictions (CC&Rs).*

Sensitive Natural Communities/Habitats

Wildlife Impacts/Indirect Impacts

- BR-9.** *Street lamps on the Project site shall not exceed 20 feet in height, shall be fully shielded to focus light onto the street surface and shall avoid any lighting spillover onto adjacent open space or properties. Furthermore, street lights shall utilize low color temperature lighting (e.g., red or orange).*
- BR-10.** *Outdoor lighting for proposed homes on the individual tentative tracts shall not exceed 1,000 lumens. Furthermore, residential outdoor lighting shall not exceed 20 feet in height and must be shielded and focused downward to avoid lighting spillover onto adjacent open space or properties. These restrictions on outdoor lighting of the individual lots must be clearly presented and explained to any potential prospective developers and/or homeowners prior to assumption of title and close of escrow. This requirement shall also be published in the Homeowner's Association CC&Rs.*
- BR-11.** *To limit the amount of human disturbance on adjacent natural open space areas, signs shall be posted, to the satisfaction of the Planning Director or appointee, along the northern and eastern perimeter of the Project site where the property boundary abuts USFS open space with the following statement: "Sensitive plant and wildlife habitat. Please use designated trails and keep pets on a leash at all times."*

In addition, a requirement stating that residents shall keep out of adjacent open space areas to the north with the exception of designated trails will be published in the Homeowner's Association CC&Rs and a map of designated hiking trails will be provided to all residents.

- BR-12.** *Prior to recordation of the final map, a landscaping plan for the entire tract shall be prepared (inclusive of a plant palette) with an emphasis on native trees and plant species, and such plan shall be submitted to the County of San Bernardino for review and approval by a qualified biologist. The review shall determine that invasive, non-native plant species are not to be used in the proposed landscaping. The biologist will suggest appropriate native plant substitutes or non-invasive, nonnative plants. A note shall be placed on the Composite Development Plan indicating that all proposed landscaping (including landscaping on individual lots) shall conform to the overall approved tract map landscaping plan. A requirement shall be included stating that residents shall be restricted to the use of tree and plant species approved per the overall tract map landscaping plan. The Homeowner's Association CC&Rs shall also require individual lot owners to use only tree and plant species approved per the overall tract map landscaping plan/plant palette.*

Jurisdictional Delineation

BR-13. *Prior to issuance of grading permits, the Project applicant shall obtain all required authorization from agencies with jurisdiction over all unavoidable impacts to State and Federal jurisdictional lakes, streams, and associated habitat within the Project site. Impacted features shall be offset through onsite restoration, offsite restoration, or purchase of credits at an agency-approved mitigation bank in the region at no less than a 3:1 for direct impacts and 1:1 for indirect impacts if impacts cannot be avoided.*

Wildlife Movement

No change; no mitigation measures are recommended.

Regional and Local Policies/Plans

No change; no mitigation measures are recommended.

Cumulative

No change; no mitigation measures are recommended.

4.2.8 Cumulative Impacts

No change in cumulative impacts have been made in the paragraphs below. This section is provided for context on the cumulative impacts to biological resources as a whole from Moon Camp Project implementation.

Significant and unavoidable adverse impacts from development of the proposed Moon Camp Project related to Biological Resources have been identified for impacts to the bald eagle. MM **BR-4** requires that eagle perch locations be preserved in place upon completion of the proposed Moon Camp Project, and that any development that may occur within the Project site and in the individual lots must avoid impacts to trees larger than 24 inches diameter breast height (dbh) and their root structures. Still, even with the implementation of MM **BR-4** and the establishment of nearly 6 acres of Conservation/Open Space set aside, some trees will still need to be removed from the Project site to allow for the development of the 50 residential lots. Additionally, due to the County's strict threshold for impacts to the bald eagle under CEQA, any human development and habitation on the Project site would result in a significant impact. Thus, impacts to bald-eagle are considered significant and unavoidable at both the project-specific, and cumulative impact levels.

Six listed threatened or endangered species could potentially occur on the Project site. These include bird's foot checkerbloom (endangered), San Bernardino bluegrass (endangered), California dandelion (endangered), Big Bear Valley sandwort (threatened), southern mountain buckwheat (endangered), ashy-gray Indian paintbrush (threatened) and slender-petalled thelypodium (endangered). In addition, 26 CNPS List 1B or 2 species could potentially occur on the Project site. According to the 2008 Supplemental Focused Rare Plant Survey, only the ashy-gray Indian paintbrush was observed on-site. Special status plant species found by Dr. Krantz on the project site included: Parish's rock cress, Bear Valley phlox, purple monkeyflower, and fuzzy rat-tail. The other potentially four occurring Pebble Plain special status plant species (Bear Valley sandwort, southern mountain buckwheat, San Bernardino Mountains dudleya, and Baldwin Lake

linanthus) were not observed despite favorable conditions during both surveys and are presumably absent.

None of the five listed or special status Montane meadow plant species were identified on-site. The shoreline habitat was determined to be highly disturbed and ruderal in nature. The area did not support a viable Montane meadow habitat capable of supporting listed or special status plant species.

A search of the yellow pine habitat, particularly areas with rocky soils or outcrops, identified one of the three CNPS List 1B plant species (Bear Valley woollypod) as occurring on the Project site. The other two potentially occurring special-status plant species (Big Bear Valley milkvetch and southern yellow jewelflower) were not observed and are presumed absent.

All but one, Bear Valley phlox, of the observed special-status species are confined to the western portion of the Project site. In addition, impacts to CNPS List 1B or 2 species special status plants, not listed as threatened or endangered (Section IV. B.4.) would generally not meet the CEQA threshold for mandatory findings of significance. As indicated previously, on-site mitigation is sufficient to mitigate impacts to the ashy-gray Indian paintbrush to less than significant levels both on a Project specific and cumulative basis. Impacts to other special status plant species is similarly reduced to less than significant levels. When considered in connection with the development of the cumulative projects, the impacts of the proposed Project on special status plant species are less than significant.

A total of 50.72 acres of Jeffrey pine forest, including 13.81 acres of open Jeffrey pine forest, would be impacted by Project implementation. Approximately 58,526 acres of Jeffrey pine forest occurs in the San Bernardino National Forest and 141,604 acres in the Cleveland, San Bernardino, Angeles and Los Padres National Forests, collectively. Approximately 4.2 acres of open Jeffrey pine forest will be permanently preserved by a conservation easement. Impacts on this vegetation type would be considered cumulatively less than significant since this vegetation type is common throughout the San Bernardino Mountains and other mountain ranges in the region.

A total of 4.0 acres of ruderal lake shoreline would be impacted by Project implementation. Man-made lakes are essentially distinct ecosystems, with an aquatic fauna and flora that bears little resemblance to what naturally occurs in the streams that formed them. Impacts on this vegetation type would be considered less than significant.

A total of 2.82 acres of disturbed vegetation in developed areas (SR-38) would be impacted by Project implementation. Impacts on this vegetation type would not be considered significant since this vegetation type is considered to have a low biological value.

In summary, when considered in conjunction with the other cumulative projects, the Moon Camp Project would add incrementally to the cumulative significant impact on the bald eagle. Accordingly, cumulative impacts to the bald eagle are considered significant and unavoidable.

4.2.9 Unavoidable Adverse Impacts and Summary of Impacts after Mitigation

As indicated above, the Project revisions incorporated into the Moon Camp Project analyzed herein, are in direct response to the 2010 Focused Special Status Plant Species Survey prepared by Dr. Krantz. The survey identified a large number of ashy-gray Indian paintbrush occurrences

in the western portion of the Project site, which shall be conserved through the creation of conservation areas A and H, as shown on **Figure 4.2-2**.

The 2010 Focused Special Status Plant Species Survey concluded that Project site contained 7.71 acres of habitat for the ashy-gray Indian paintbrush, of which 4.84 acres will be permanently preserved on-site. This results in mitigation of project impacts on a 1.68:1 ratio, on an acreage basis. On an occurrence basis, the Project site contains 5,567 occurrences of ashy-gray Indian paintbrush with 88 percent, or 4,895 of the occurrences within the Project site that will be protected through permanent conservation easements designated within both lettered Lots A and H, which equates to a conservation on an occurrence basis of approximately 7:1. The conservation easements would be established through MM **BR-1b**, and the preservation of the conservation easements would be ensured through MM **BR-1c**. Furthermore, MM **BR-1a** would require seed collection of ashy-gray Indian paintbrush in order to salvage ashy-gray Indian paintbrush seed prior to any Project related impacts to this species, and MM **BR-1d** would require the construction within Lots 1, 4, 47, 48, 49, and 50 to be restricted by means of building envelopes or building setback lines to prevent construction in the occupied ashy-gray Indian paintbrush habitat, wherever feasible, thereby minimizing impacts to the plants that can be feasibly retained as part of the Project.

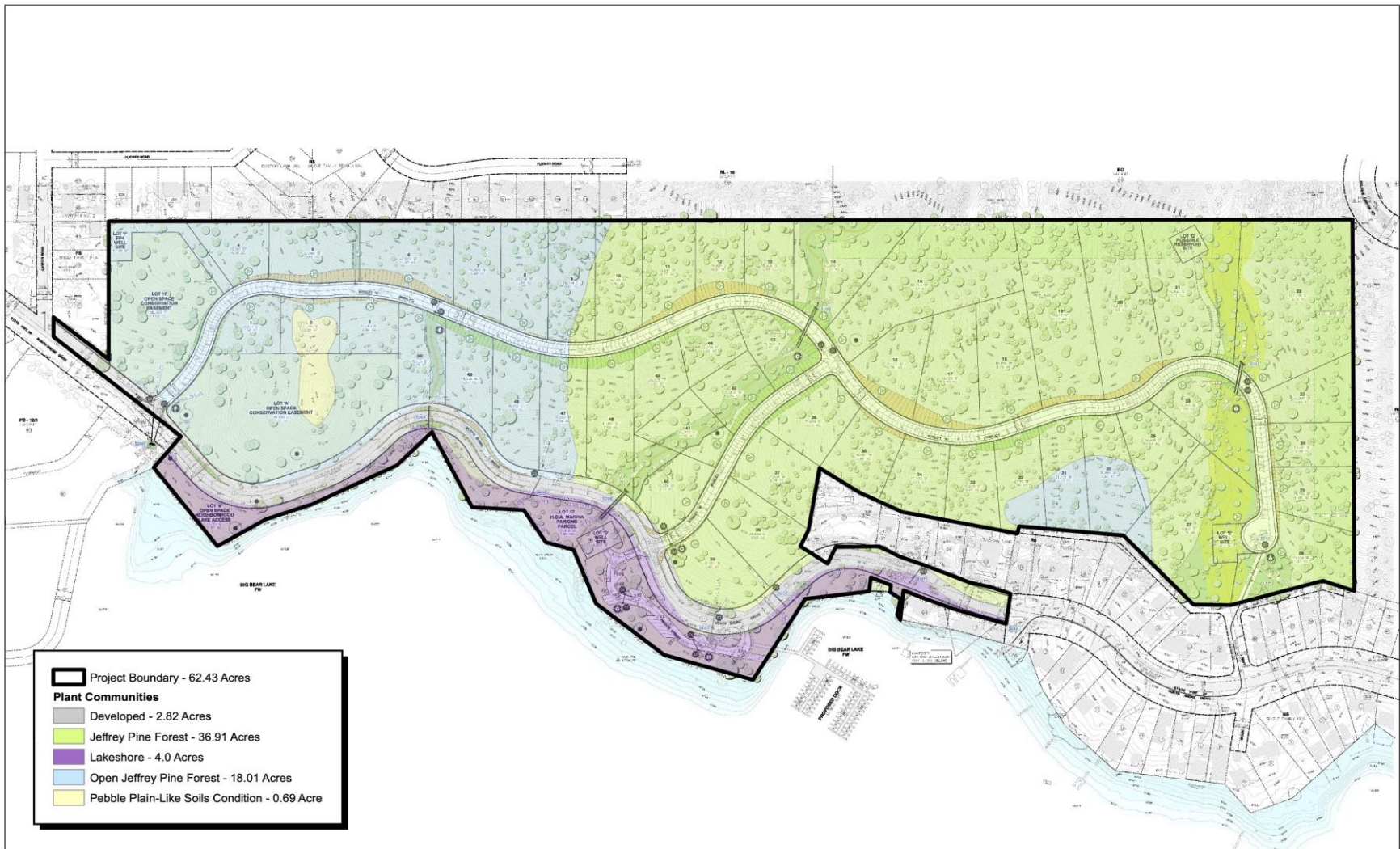
Additionally, the 2010 Focused Special Status Plant Species Survey clarified that the 0.69-acre area previously identified as sensitive pebble plain habitat, located in the central portions of Lot A (preserved for the conservation easement) and Lot 1 (a residential lot), is not true pebble plain habitat due to the lack of associated indicator species. Therefore, this area has been clarified to be referred to as pebble plain like soil conditions. Because no true pebble plain habitat exists onsite, disturbance of the area previously characterized as pebble plain and included within the boundaries of Lot 2, does not constitute a significant impact. Accordingly, no impacts to pebble plain habitat would occur as a result of Project implementation as no pebble plain habitat exists within the Project site.

Significant and unavoidable impacts related to Biological Resources have been identified for impacts to bald eagle. MM **BR-4** would mitigate impacts by requiring replacement of perch trees at a ratio of 5:1 with the creation of artificial perch trees along the shoreline designated open space. In addition, 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. However, because the Project would result in a permanent change in existing conditions under which the bald eagle currently occupies the site and vicinity, impacts would remain significant and unavoidable.

It should be noted that CEQA requires all potentially significant impacts be avoided or substantially reduced prior to project approval, to the extent feasible. As previously noted, the Project is likely to result in significant unavoidable impacts to the bald eagle. Based on the County of San Bernardino criteria for determining impacts to bald eagles, any removal of perch trees or human activity resulting in light noise impacts are considered a significant impact under CEQA. This threshold is so restrictive that there is no reasonable configuration to the Moon Camp Project that could avoid a significant impact to the bald eagle. Therefore, further project modifications would not avoid or substantially reduce the identified impacts to bald eagles.

No additional significant impacts related to Biological Resources have been identified following implementation of mitigation measures and/or compliance with applicable standards, requirements and/or policies by the County of San Bernardino.

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Source: Source: Hicks & Hartwick, Inc. (December 2010), Tim Krantz (2008), Scott White & MBA.



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Feet

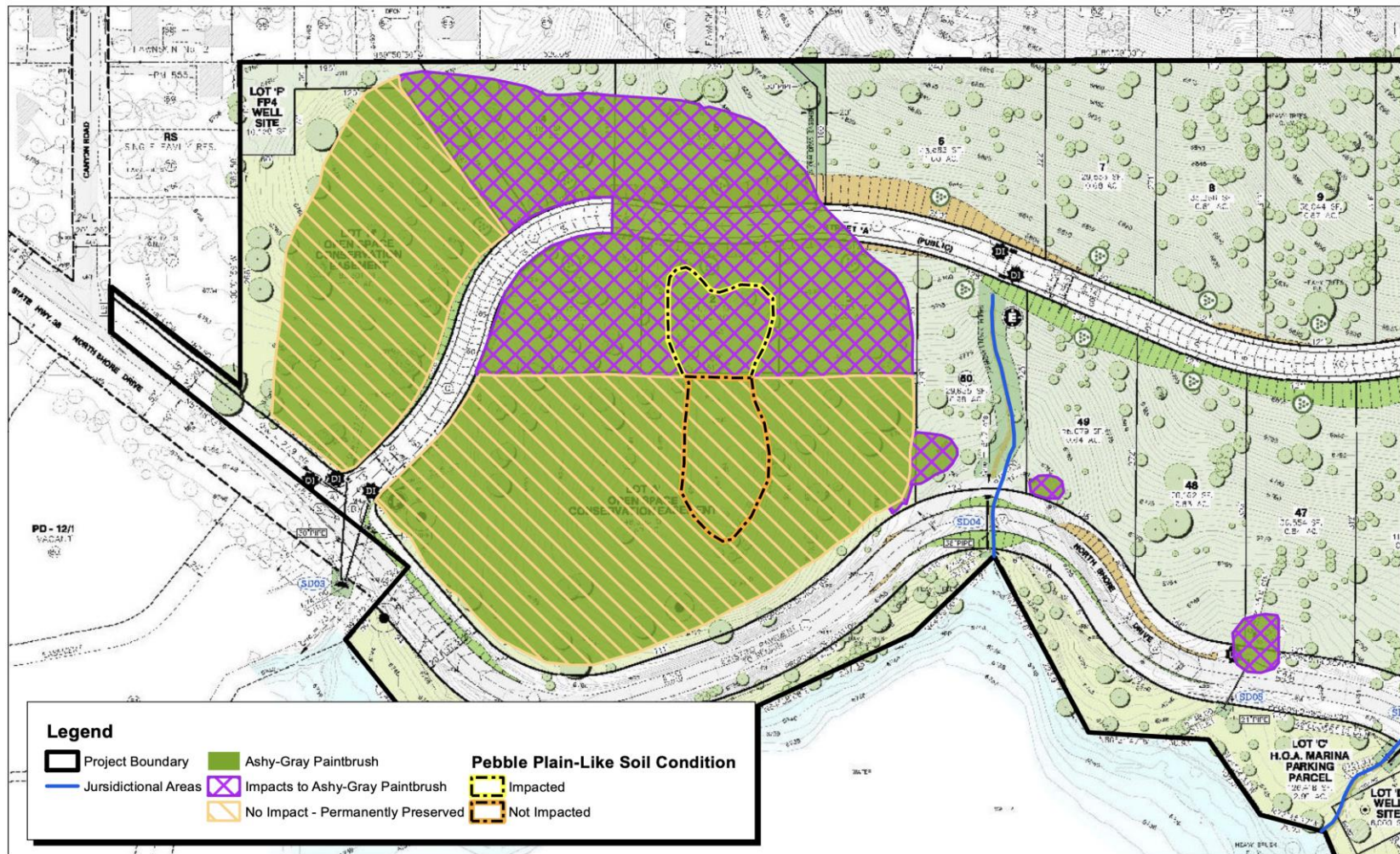
Michael Brandman Associates

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Plant Communities Map

SAN BERNARDINO COUNTY
MOON CAMP RESIDENTIAL SUBDIVISION PROJECT

FIGURE 4.2-1



Source: Hicks and Hartwick, Inc.



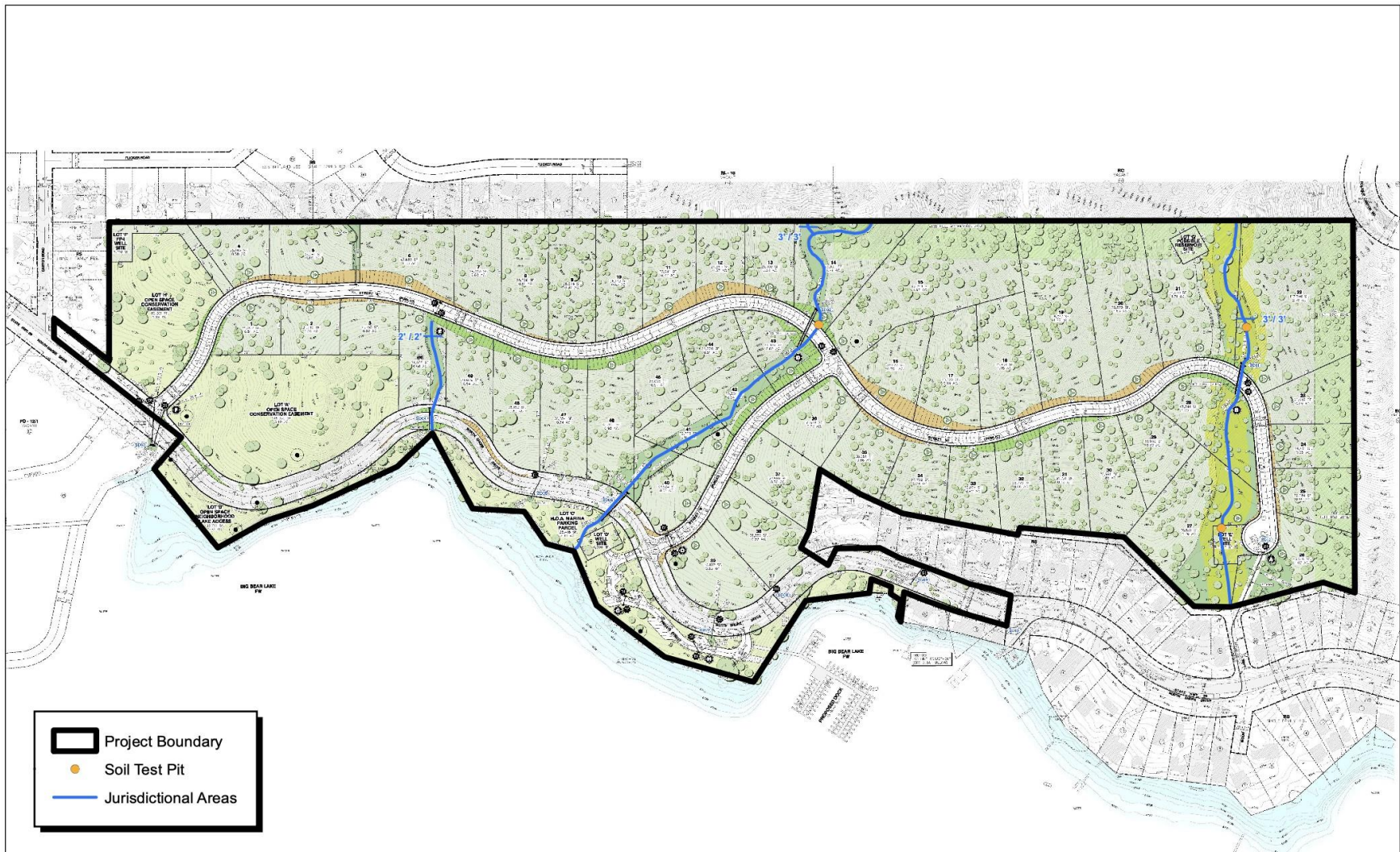
Michael Brandman Associates
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Occupied Ashy-Gray Indian Paintbrush and Pebble Plain Soil Conditions

SAN BERNARDINO COUNTY
MOON CAMP RESIDENTIAL SUBDIVISION PROJECT

FIGURE 4.2-2



Source: Hicks & Hartwick, Inc. (December, 2010), Bon Terra Consulting (July, 2003), Tim Krantz (2008), Scott White & MBA.



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Jurisdictional Map

SAN BERNARDINO COUNTY
MOON CAMP RESIDENTIAL SUBDIVISION PROJECT

FIGURE 4.2-3

4.3 HAZARDS AND HAZARDOUS MATERIALS

4.3.1 Introduction

This subchapter evaluates the environmental impacts to hazards and hazardous materials from implementation of the proposed Moon Camp Project, as part of this PRDEIR No. 3. The County proposes to analyze the following environmental issues in this Subchapter of the PRDEIR No. 3: Hazards and hazardous materials, specifically Project related impacts on wildfire evacuation and risks thereof. The threshold analyzed in this Subchapter is derived from Appendix G of the CEQA Guidelines, in view of federal, state, and local laws and policies, which identifies the issues that examine whether the proposed Moon Camp Project would have a substantial adverse impact with respect to hazards or hazardous materials by impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan.

These issues will be discussed below as set in the following framework:

- 4.3.1 Introduction
- 4.3.2 Environmental Setting
- 4.3.3 Regulatory Setting
- 4.3.4 Thresholds of Significance
- 4.3.5 Methodology
- 4.3.6 Potential Impacts
- 4.3.7 Avoidance, Minimization and Mitigation Measures
- 4.3.8 Cumulative Impacts
- 4.3.9 Unavoidable Adverse Impacts and Summary of Impacts after Mitigation

The following references were used in the preparation of this Subchapter of the PRDEIR No. 3¹:

- Dudek, 2023. Moon Camp Wildfire Evacuation Plan. Provided as Appendix 12, Volume 2 to this PRDEIR No. 3
- San Bernardino Countywide Plan. San Bernardino County (2020). <https://countywideplan.com/> (accessed 09/14/23)
- San Bernardino Countywide Plan Environmental Impact Report. San Bernardino County (2019). <http://countywideplan.com/eir/> (accessed 09/14/23)
- San Bernardino County Development Code

The following public comments regarding evacuation were provided during the March 31, 2007, scoping meeting:

- Address emergency evacuation plan for the site and how it will integrate with the existing plan for the community.

The July 2020 Moon Camp FEIR is provided as Appendix 1, Volume 2 to this document. The Hazards and Hazardous Materials issue was addressed as an Effect Found Not to be Significant in the 2006 FEIR provided as Appendix 2, Volume 2 to this document. Emergency evacuation impacts were analyzed under Subchapter 4.7, Public Services in the 2010 RRDEIR No. 1, provided as Appendix 3. Based on the current CEQA Checklist, the issue of wildfire evacuation and risks thereof is analyzed in the context of Hazards and Hazardous Materials. This Subchapter, focused solely on the issue of wildfire evacuation, is being updated herein.

¹ Refer to the listed reference documents for a comprehensive list of references utilized to prepare those reports and used in support of the sections that have been extracted and utilized in support of this Subchapter.

In response to the Court issued writ of mandate, a Wildfire Evacuation Plan has been prepared by Dudek, dated September 2023, that is provided as Appendix 12, Volume 2 to this PRDEIR No. 3.

4.3.2 Environmental Setting: Hazards and Hazardous Materials

4.3.2.1 Introduction

The following environmental setting discussion pertains to wildfire evacuation and risks thereof at the Project site and surrounding area. This Subchapter only addresses the issues necessary to rectify any inadequacies identified in the Court issued a writ of mandate. Therefore, this Subsection, "Environmental Setting," only provides information relevant to the discussion of the impact analysis responding to the question *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?* As such, there will be no further discussion of the environmental setting for other hazards and hazardous materials issues. Refer to the 2020 FEIR, and 2006 FEIR for further discussion of hazards and hazardous materials.

4.3.2.2 Wildland Fire Hazards

The California Department of Forestry and Fire Protection (CAL FIRE) maps the Fire Hazard Severity Zones (FHSZ) of Big Bear Valley. The FHSZs are based on an evaluation of fuels, topography, dwelling density, weather, infrastructure, building materials, brush clearance, and fire history. The majority of the Big Bear Valley is located within a very high FHSZ, as shown on **Figure 4.3-1**, which depicts the San Bernardino Countywide Plan FHSZ Map of the project site and project area. **Figure 4.3-2** displays the San Bernardino Countywide Plan FHSZ Responsibility Areas Map. The Moon Camp Project features that would be developed are designated as being within a very high FHSZ (VHFHSZ), while the shore line area that encroaches into the Project's southern border is within a moderate FHSZ. The entire project site is located within a State Responsibility Areas (SRA).

The Project is also located within the County of San Bernardino Fire Safety Overlay (displayed on **Figure 4.10-1**).

4.3.2.3 Evacuation Routes and Evacuation Planning

The San Bernardino Countywide Plan PEIR identifies SR-18 and SR-38 in the vicinity of the proposed Project as designated evacuation routes (**Figure 4.3-3**).

Evacuation Road Network

As evidenced by historical mass evacuations in San Bernadino County and throughout Southern California, even with roadways that are designed to the code requirements, it may not be possible, or even the best response, to move large numbers of persons at the same time as part of a mass-evacuation. Instead, informed, phased evacuations enable more streamlined evacuations where those at highest risk are moved first. Road infrastructure throughout the United States, including San Bernadino County, is not designed to accommodate a short-notice, mass evacuation without some level of congestion. The need for evacuation plans, pre-planning, and tiered or targeted and staggered evacuations becomes very important for improving evacuation effectiveness. Among the most important factors for successful evacuations in urban settings is control of intersections downstream of the evacuation area. If intersections are controlled by law enforcement,

barricades, signal control, and other means, potential backups and slowed evacuations can be minimized. Multiple evacuation points enable more evacuees the ability to evacuate with less impact on roadways.

Wildfires that occur on non-extreme weather days behave in a much less aggressive manner and pose fewer dangers to life and property than on extreme weather days because they include less aggressive fire behavior and are easier to control. However, there can be on-shore wind conditions that can lead to aggressive fire behavior. Terrain and fuel are typically the wildfire drivers. During these non-extreme weather days, vegetation is much more difficult to ignite and does not spread fire as rapidly. In these situations, firefighters have a very high success rate of controlling fires and keeping them under 10 acres. The historical fire record shows that most vegetation fires occur during average weather conditions and that such fires account for only a proportionally small amount of the land area burned. Conversely, a small number of wildfires that occur during extreme fire weather account for most of the land area burned. These data highlight that the most dangerous fire conditions are those related to a fire that moves rapidly due to high winds and low humidity, whereas under normal conditions fires are likely to be controlled with no evacuation or possibly limited extent, focused evacuations.

While it is possible that a fire driven by average wind conditions could require evacuation of the Project, such an event would be highly unusual. Moreover, due to the reduced fire behavior during normal weather periods, the evacuation would not be expected to be a large-scale evacuation. Instead, most of the Project area population would be anticipated to remain at their locations and within their communities, with a more targeted evacuation being ordered, if needed.

If a wildfire ignited closer to the Project site and surrounding area during weather that facilitates rapid fire spread, a different evacuation approach would need to be considered. Because it is preferred to evacuate long before a wildfire is near, and in fact, history indicates that most human fatalities from wildfires are due to late evacuations when evacuees are overtaken on roads, it is prudent to consider a contingency option. For example, if a wildfire is anticipated to encroach upon the Project area in a timeframe that is shorter than would be required to evacuate all occupants, then options available to responding fire and law enforcement personnel should include: 1) partial relocation where occupants are temporarily relocated to nearby shelter sites or areas, or ; 2) temporary shelter in place where occupants are instructed to remain in protected on-site structures or at a designated site, while firefighters perform their structure protection function.

Among the most important factors for successful evacuations in populated settings is control of intersections downstream of the evacuation area. If intersections are controlled by law enforcement, barricades, signal control, firefighters or other means, potential backups and slowed evacuations can be minimized. Another important aspect of successful evacuation is a managed and phased evacuation declaration. Evacuating in phases, based on vulnerability, location, or other factors, enables the subsequent traffic surges on major roadway to be smoothed over a longer time frame and can be planned to result in traffic levels that flow better than when mass evacuations include large evacuation areas at the same time.

As stated under **Subsection 4.3.2.2**, above, the Project site and surrounding area are subject to wildfires, and based on the adjacent land uses and open space in the vicinity, the wildfire potential is considered high.

4.3.2.3.1 Moon Camp Project Wildfire Evacuation Plan and San Bernardino County Evacuation Planning

The Moon Camp Project Wildfire Evacuation Plan was prepared based on the San Bernardino County Emergency Operations Plan (EOP), which is discussed in detail under the regulatory setting under **Subsection 4.3.3.3**, below.

To establish a framework for implementing well-coordinated evacuations, the San Bernardino County Fire Protection District (SBCFPD or Fire Department), like most California emergency operations agencies, has adopted evacuation procedures in accordance with the State of California's Standardized Emergency Management System (SEMS) and the National Incident Command System (NIMS). Large-scale evacuations are complex, multi-jurisdictional efforts that require coordination between many agencies and organizations. Emergency services and other public safety organizations play key roles in ensuring that an evacuation is effective, efficient, and safe.

Evacuation is a process by which people are moved from a place where there is immediate or anticipated danger, to a safer place, and offered temporary shelter facilities. When the threat passes, evacuees are able to return to their normal activities, or to make suitable alternative arrangements.

Evacuation during a wildfire is not necessarily directed by the fire agency, except in specific areas where fire personnel may enact evacuations on-scene. The San Bernardino County Sheriff's Department (SBCSD) would be the primary law enforcement agency responsible for evacuations within the unincorporated County. As detailed in the County's EOP, SBCSD would staff the Law Enforcement Branch, which manages the Evacuation & Reentry Unit. If the evacuation requires coordination with other jurisdictions, the County Sheriff's Department Operations Center (DOC) will coordinate evacuation and re-entry activities and overall San Bernardino County Sheriff's Department emergency response. During any evacuation event that exceeds normal SBCSD capacity, the County's Operational Area's Emergency Operations Center (EOC) will be activated. In the event the EOC is activated, the EOC Law Enforcement Branch will activate the Evacuation Re-Entry Unit to coordinate the countywide evacuation and re-entry functions. Incident information and resource needs will be communicated from the Sheriff's DOC to the Operational Area EOC Law Enforcement Branch.

The County Sheriff's DOC works closely with other organizations including SBCFPD, with the County Sheriff's DOC being in charge of coordinating SBCFPD activities. Additionally, the Law Enforcement branch will link the County's Operational Area's EOC to many resources including the Sheriff's DOC Incident Command for incidents under the management of law enforcement services, as appropriate, Evacuation teams, Shelters, Transportation agencies, and other Supporting agencies.

Every evacuation scenario will include some level of unique challenges, constraints, and fluid conditions that require interpretation, fast decision making, and alternatives. For example, one roadway incident that results in blockage of evacuating vehicles may require short-term or long-term changes to the evacuation process. Risk is considered high when evacuees are evacuating late, and fire encroachment is imminent. This hypothetical scenario highlights the importance of continuing to train responding agencies, model various scenarios, educate the public, provide contingency plans, and take a very conservative approach to evacuation decision timelines.

Equally as important, the evacuation procedures should be regularly updated with lessons learned from actual evacuation events, including the Old Fire in 2003. This can mean that the Wildfire Evacuation Plan for an individual project is updated, especially following lessons learned from actual incidents, as new technologies become available that would aid in the evacuation process, and as changing landscapes and development patterns occur within and adjacent to the Project site that may impact how evacuation is accomplished.

As demonstrated during large and localized evacuations occurring throughout San Bernadino County historically, an important component to successful evacuation is early assessment of the situation and early notification via managed evacuation declarations. The County utilizes early warning and informational programs to help meet these important factors. Among the methods available to citizens for emergency information are Telephone Emergency Alert System (TENS), a mass communications hub platform that allows the County to provide secure, reliable, and relevant information to residents in real-time, the Ready SB app, in addition to radio, television, social media/internet, neighborhood patrol car or County Sheriff patrol car, and aerial public address notifications. The County instituted this regional notification system that is able to send telephone notifications to occupants and businesses within the County impacted by, or in danger of being impacted by, an emergency or disaster. This system, called TENS, is used by emergency response personnel to notify homes and businesses at risk with information on the event and/or actions (such as evacuation, shelter-in-place, gas leak, missing person, etc.) they are advised to implement. The system utilizes the region's 9-1-1 database, provided by the local telephone company(ies), and thus is able to contact landline telephones whether listed or unlisted. It is TTY/TDD capable.

Because the system uses the 9-1-1 database, only landline numbers are in the system. If individuals have a Voice over IP (VoIP) or cellular telephone and would like to be notified over that device, or if individuals would like an email notification, individuals must register those telephone numbers and/or email address for use by the system to receive voice, text, and email messages.

San Bernardino County Evacuation Planning

The Wildfire Evacuation Plan incorporates concepts and protocols practiced throughout San Bernadino County. The County follows basic protocols set forth the County's EOP and California Master Mutual Aid Agreement, which dictate who is responsible for an evacuation effort and how regional resources will be requested and coordinated.

First responders are responsible for determining initial protective actions before EOCs and emergency management personnel have an opportunity to convene and gain situational awareness. Initial protective actions are shared/communicated to local EOCs and necessary support agencies as soon as possible to ensure an effective, coordinated evacuation. **Exhibit 4.3-1** summarizes the functional interactions of local government EOCs under the Incident Command System.

The San Bernadino Sheriff's Department (SBCSD) is the lead agency for executing evacuations of the unincorporated areas of the County. The SBCSD, as part of Unified Command, assesses and evaluates the need for evacuations, and orders evacuations according to established procedures. During an evacuation effort, the EOC Law Enforcement Branch Director supports the development of alert and warning messages and provides intelligence regarding road closures and evacuations, this position is staffed by the SBCSD. The SBCSD will be assisted by other law enforcement and support agencies. Law enforcement agencies, highway/road/street

departments, and public and private transportation providers will conduct evacuation operations as directed by the County's Operational Area's EOC. Procurement, regulation, and allocation of resources will be accomplished by those designated. Evacuation operations will be conducted by the following agencies:

- San Bernadino County Office of Emergency Services
- San Bernadino County Public Works Department
- San Bernadino County Department of Environmental Health Services (DEH)
- San Bernadino County Department of Aging and Adult Services
- San Bernadino County Agricultural Commissioner's Office
- Cal OES Law Enforcement Mutual Aid Region VI
- US Forest Service
- American Red Cross
- Volunteers Active in Disasters (VOAD)
- California Highway Patrol (CHP)
- Transportation agencies
- Other County and state agencies, as needed.

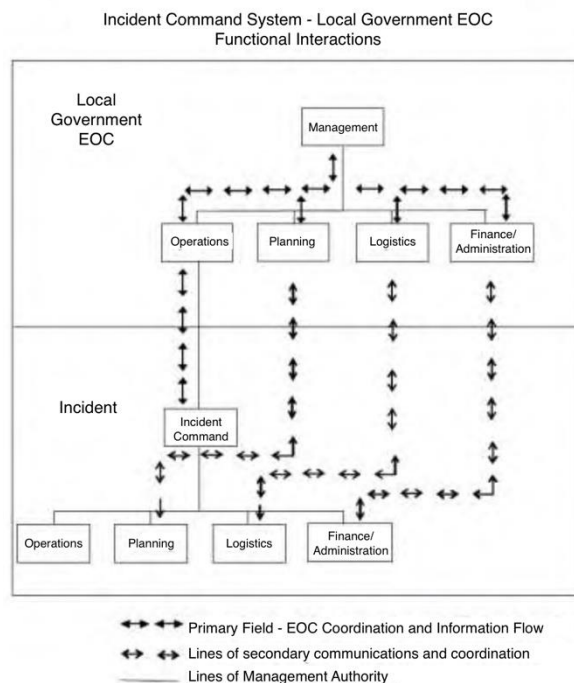


Exhibit 4.3-1. Incident Command System Local Government EOC Functional Interactions

As provided in the Big Bear Valley Community Wildfire Protection Plan (CWPP)² the San Bernardino County Sheriff's Department maintains an exhaustive Emergency Evacuation/Reentry Plan for the Big Bear Valley, dated June 2005, to supplement the County EOC. During the Old Fire in 2003, the Emergency Evacuation/Reentry Plan for the Big Bear Valley was successfully

² Big Bear Fire Department, 2023. Community Wildfire Protection Plan. <https://bigbearfire.com/community-wildfire-protection-plan-cwpp#:~:text=The%20Big%20Bear%20Valley%20Community,collective%20%E2%80%9Csystems%20approach%E2%80%9D%20process.> (accessed 07/26/23)

implemented. The Emergency Evacuation Plan is a confidential document developed and further refined after the successful mountain evacuation during the 2003 Old Fire. The evacuation plan uses a tiered approach to evacuation, i.e., warning, voluntary, mandatory, immediate, and shelter-in-place.

P.A.C.E Evacuation Planning

P.A.C.E. evacuation planning is based on a military concept focused on mitigating risk by developing a strong primary evacuation plan along with three back up plans. If the Primary plan is compromised, the Alternate plan would be triggered. If the Alternate is considered not functional or not safe, the Contingency Plan is implemented. If that does not mitigate the risk, then the evacuation reverts to the Emergency plan. P.A.C.E. Planning is a simple and effective tool used to accomplish evacuations with flexibility and redundant contingencies.

Emergency Plan: The plan provides the following:

- (1) Based on and includes a documented, facility-based and community-based risk assessment, utilizing hazard analysis approach.
- (2) Include strategies for addressing emergency events identified by the risk assessment.
- (3) Address participant population, including, but not limited to, the type of services the PACE organization has the ability to provide in an emergency; and continuity of operations, including delegations of authority.
- (4) Include a process for cooperation and collaboration with emergency preparedness officials' efforts to maintain an integrated response during a disaster or emergency situation.

Primary: This is the overall preferred plan of action to use based on the most likely and most damaging scenario resulting from hazard analysis.

Alternate: The Alternate plan should be as viable as your Primary plan. That isn't always the case, but that should be the goal whenever possible. Alternate plans are needed because unforeseen circumstances arise during emergency evacuations.

Developing the Alternate plan includes analyzing the most likely problems that could cause your primary plan to fail and then come up with a plan that fits with your situation that won't be affected by those problems. Whenever possible, come up with a few to several vulnerabilities in your primary plan and find an alternate that's just as good but covers all those bases.

Contingency: The contingency evacuation plan is the action that will be implemented if you cannot implement either the Primary or the Contingency action due to compromised safety. The contingency isn't always (or isn't usually) as preferred as the others, but is a viable option that doesn't rely on the same actions as the Primary and Alternate.

Emergency: This is the action that is implemented if all three of the previous actions fail. In some respects, it is a last resort that is the least preferred option, but is a viable and safe option, nonetheless. The goal is to utilize an Emergency plan that's independent from reliance on the types of actions in the first three options, that evaluate whether it is a flexible plan, has the highest probability of succeeding, and offers a reliable option with little potential for compromise.

An emergency plan may not be the most convenient or preferred plan and may include components that are uncomfortable to visitors, but it should be as foolproof as possible.

Evacuation Objectives

SBCSD is the lead agency for evacuations of areas within the unincorporated County, including the proposed Moon Camp Project. The SBCSD, as part of a Unified Incident Command System, assesses and evaluates the need for evacuations, and orders evacuations according to established procedures. Additionally, as part of the Unified Incident Command System, the SBCSD identifies available and appropriate evacuation routes and coordinate evacuation traffic management with Caltrans, CHP, other supporting agencies, and all impacted jurisdictions.

The decision whether to evacuate or shelter-in-place must be carefully considered with the timing and nature of the incident. This decision is made by first responders in the field by the established Incident Command (IC) or Unified Command (UC). An evacuation effort involves an organized and supervised effort to relocate people from an area of danger to a safe location. Tactical decisions, such as detailed evacuation areas, specific routes, road closures and temporary evacuation points are decided in the field by IC or UC based upon the dynamics of the incident.

Per the County's EOP, evacuations are led by the Law Enforcement Operations Unit:

- Responsible for an orderly, systematic evacuation of residents and visitors due to an extreme emergency.
- Ensure that all items under the Americans with Disabilities Act are covered for evacuations/movement operations.
- Ensure public safety for incarcerated evacuees.
- Develop an evacuation and or re-entry plan.

Evacuation Response Operations

An evacuation of any area requires significant coordination among numerous public, private, and community/non-profit organizations. Wildfire evacuations will typically allow time for responders to conduct evacuation notification in advance of an immediate threat to life safety; giving occupants time to gather belongings and make arrangements for evacuation. On the other hand, other threats, including wildfires igniting nearby, may occur with little or no notice and certain evacuation response operations will not be feasible (for example, establishing contra flow requires between 24 to 72 hours to be implemented; a no-notice event will not allow for contra flow to be established). Evacuation assistance of specific segments of the population may also not be feasible.

Evacuation Points and Shelters: When the SBCSD or Incident Command (IC) implements an evacuation order, they coordinate with the responding fire and rescue agency, the EOC, and others, to decide on locations to use as a Temporary Evacuation Point. The SBCSD will provide emergency alerts through the TENS platform and Ready SB County app to direct evacuees to the established Temporary Evacuation Points or shelters. These evacuation points will serve as temporary safe zones for evacuees and will provide basic needs such as food, water, and restrooms. Historical fires have not reached the City of Big Bear and the land uses along Big Bear Lake. In past fire events, the Incident Commander in partnership with the Red Cross have traditionally used local educational facilities as evacuation centers³. However, studies indicate that people generally resort to these evacuation centers only as a last option, mainly due to the absence of privacy and convenience⁴. Therefore, it is assumed that evacuees will likely head

³ BBFD, 2023. Press Releases: Radford Fire Update. <http://www.bigbearfire.org/homepage/press-releases/252-radford-fire-update> (accessed 09/14/23)

⁴ UC Berkeley, 2020. Review of California Wildfire Evacuations from 2017 to 2019 <https://tsrc.berkeley.edu/publications/review-california-wildfire-evacuations-2017-2019> (accessed 09/14/23)

toward the more urbanized center of the City of Big Bear Lake, where multiple lodging options are available, or to stay with family and friends.

Possible shelters and assembly areas that can provide at least short-term refuge and that would be designated by emergency managers during an evacuation near the Project include:

- Big Bear High School
- Big Bear Middle School

If there are occupants unable to evacuate or in need of transportation assistance to get to a TEP or shelter, the SBCSD or IC may establish transportation points to collect and transport people without transportation resources to evacuation points. These transportation points should be large, well-known sites such as shopping centers, libraries, and schools. Transportation should be accessible to all populations, including people with disabilities and other access and functional need.

Pet Evacuations: The Pets Evacuation and Transportation Standards Act of 2006 (defined in detail under the Regulatory Setting (**Subsection 4.3.3**)), below, amends the Stafford Act, and requires evacuation plans to consider the needs of individuals with household pets and service animals, prior to, during, and following a major disaster or emergency.

The San Bernadino County Animal Care, a subdivision of the County Department of Public Health, has plans in place to transport and shelter pets in a disaster under ESF 16 of the San Bernardino County Operational Area EOP. Domestic animals in need of housing will be accepted at and/or transported to animal shelters used by the Animal Control Unit. These may include County animal shelters and/or partner agency shelters. Animal Control will provide provisions for service animals at human shelters to include food, water, relief area identification and any other provisions needed to support the animal. Depending on the severity of the imminent or actual event, it may be necessary to prepare for and operate additional animal shelters. If American Red Cross shelters are open for human evacuees, a determination will be made regarding the feasibility of co-locating animals at shelters. In most cases, humans and animals (not including service animals) cannot be co-located at the same shelter site due to concerns with allergies, bites, etc. Service animals are permitted at human shelters at all times and in every circumstance. If colocation is an option, animal response teams will be dispatched to American Red Cross shelter sites and arrangements will be made to obtain emergency supplies and any specialized equipment needed to care for the animals.

If co-location is not an option, or if the animal is not a service animal, existing animal shelter sites will be utilized as noted above, the Animal Control Unit will provide for the pick-up and transport of animals from human shelter sites to animal shelter sites. Animals at shelter sites will be provided for with shelter, food, water and other necessary provisions. Animal Control has a professional system they use to identify and re-unify animals with their owners.

Shelter-In-Place (County EOP Discussion): As stated in the County EOP, sheltering-in-place advises people to stay secure at their current location. This tactic shall only be used if an evacuation will cause a higher potential for loss of life. Consideration should be given to assigning incident personnel to monitor the safety of citizens remaining in place. The concept of shelter-in-place is an available option in those instances where physical evacuation is impractical. This procedure may be effective for residential dwellings in the immediately impacted areas, or for large facilities that house a high percentage of non-ambulatory persons (e.g., hospitals and

convalescent homes). Sheltering-in-place attempts to provide a safe haven within the impacted area.

The decision on whether to evacuate or shelter-in-place is carefully considered with the timing and nature of the incident (San Bernadino County, 2018). Sheltering-in-place is the preferred method of protection for people that are not directly impacted or in the direct path of a hazard. This would reduce congestion and transportation demand on the major transportation routes for those that have been directed to evacuate by police or fire personnel. In the Project area, there are homes that were built in the 2000s, which are in varying states of ignition resistance. In these instances, responding fire and law enforcement personnel may not be able to direct existing occupants of such developments to temporarily refuge in their homes or on-site because these developments are not built to the ignition-resistant standards. Contrastingly, newer residential communities and residences would conform to the ignition-resistant building codes codified in Chapter 7A of the California Building Code, and would be ignition-resistant, defensible and designed to require minimal firefighting resources for protection, which would enable sheltering in place as a contingency option when it is considered safer than evacuation.

Ready, Set, Go!

The focus of the “Ready, Set, Go!” program (Appendix A of the Wildfire Evacuation Plan [Appendix 12, Volume 2 to this PRDEIR No. 3]) is on public awareness and preparedness, especially for those living and/or working in wildland-urban interface (WUI) areas. The program is designed to incorporate the local fire protection agency as part of the training and education process in order to ensure that evacuation preparedness information is disseminated to those who are subject to the potential impact from a wildfire. There are three components to the program:

- “READY” – Preparing for the Fire Threat: Take personal responsibility and prepare long before the threat of a wildfire so you and your home are ready when a wildfire occurs. Employees should assemble an emergency kit for their car. Confirm you are registered for Reverse 911, TENS, and the Ready SB App. Make sure all residents understand the plan, procedures and escape routes.
- “SET” – Situational Awareness When a Fire Starts: If a wildfire occurs and there is potential for it to threaten the Project site and surrounding communities, be ready to evacuate. Stay aware of the latest news from local media and your local fire department for updated information on the fire. If you are uncomfortable, leave the area.
- “GO!” – Leave Early! Leaving early, well before a wildfire is threatening the Project area, provides you with the least delay and results in a situation where, if a majority of neighboring developments also leave early, firefighters are now able to better maneuver, protect and defend structures, evacuate other occupants who couldn’t leave early, and focus on citizen safety.

“Ready, Set, Go!” is predicated on the fact that being unprepared and attempting to flee an impending fire late (such as when the fire is physically close to your community) is dangerous and exacerbates an already confusing situation.

4.3.3 Regulatory Setting

Federal, State, and local laws, regulations, plans, and guidelines that are applicable to the narrow focus of this analysis—wildfire evacuation risk—in relationship to the proposed project are summarized below.

4.3.3.1 Federal

Federal Emergency Management Agency

The Federal Emergency Management Agency (FEMA) is responsible for ensuring the establishment and development of policies and programs for emergency management at the federal, State, and local levels. This includes the development of a national capability to mitigate against, prepare for, respond to, and recover from a full range of emergencies.

Disaster Mitigation Act

The Disaster Mitigation Act of 2000 requires that a state mitigation plan, as a condition of disaster assistance, add incentives for increased coordination and integration of mitigation activities at the state level through the establishment of requirements for two different levels of state plans: "Standard" and "Enhanced." States that develop an approved Enhanced State Plan can increase the amount of funding available through the Hazard Mitigation Grant Program. The Disaster Mitigation Act also established a new requirement for local mitigation plans.

National Incident Management System

The National Incident Management System (NIMS) guides all levels of government, nongovernmental organizations and the private sector to work together to prevent, protect against, mitigate, respond to and recover from incidents. NIMS provides community members with a shared vocabulary, systems and processes to successfully deliver the capabilities described in the National Preparedness System. The National Preparedness System is a Presidential Policy Directive establishing a common goal to create a secure and resilient nation associated with prevention, protection, mitigation, response and recovery to address the greatest risks to the nation. One core area is fire management and suppression. NIMS defines operational systems that guide how personnel work together during incidents

Pet Evacuation and Transportation Standards Act

The Pets Evacuation and Transportation Standards Act of 2006 amends the Stafford Act, and requires evacuation plans to take into account the needs of individuals with household pets and service animals, prior to, during, and following a major disaster or emergency.

4.3.3.2 State

Fire Hazard Severity Zones

To assist each fire agency in addressing its responsibility area, California Department of Forestry and Fire (CAL FIRE) uses a severity classification system to identify areas or zones of severity for fire hazards within the state. CAL FIRE is required to map these zones for State Responsibility Areas and identify Very High Fire Hazard Severity Zones (VHFHSZ) for Local Responsibility Areas (LRAs). The Project is designated as a VHFHSZ within an SRA.

California Wildland-Urban Interface Code

On September 20, 2005, the California Building Standards Commission approved the Office of the State Fire Marshal's emergency regulations amending the California Building Code (CBC) (California Code of Regulations [CCR] Title 24, Part 2). Section 701A of the CBC includes regulations addressing materials and construction methods for exterior wildfire exposure and applies to new buildings located in State Responsibility Areas or Very High Fire Hazard Severity Zones in Local Response Areas.

California Fire Code

The 2022 California Fire Code (CCR Title 24, Part 9) establishes regulations to safeguard against the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The Fire Code also establishes requirements intended to provide safety for and assistance to firefighters and emergency responders during emergency operations. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout California. The Fire Code includes regulations regarding fire-resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services features such as fire apparatus access roads, means of egress, fire safety during construction and demolition, and wildland-urban interface areas. The County has adopted the 2022 California Fire Code as Chapter 8.16, as amended, including appendices addressing fire-flow requirements for buildings.

California Emergency Services Act

The California Emergency Services Act (California Government Code §8550, et seq.), provides for the creation of an Office of Emergency Services, assign and coordinate functions and duties to be performed during an emergency, facilitate mutual aid, and assign resources (including manpower and facilities) throughout the state for dealing with any emergency that may occur.

California Office of Emergency Services

The California OES is responsible for the coordination of overall state agency response to disasters. Assuring the state's readiness to respond to, recover from all hazards and assisting local governments in their emergency preparedness, response, recovery and mitigation.

Standardized Emergency Management System

Standardized Emergency Management System (SEMS) is the cornerstone of California's emergency response system and the fundamental structure for the response phase of emergency management. The system unifies all elements of California's emergency management community into a single integrated system and standardizes key elements. SEMS incorporates:

- Incident Command System (ICS) - A field-level emergency response system based on management by objectives
- Multi/ Inter-agency coordination - Affected agencies working together to coordinate allocations of resources and emergency response activities
- Mutual Aid - A system for obtaining additional emergency resources from non-affected jurisdictions.
- Operational Area Concept - County and its sub-divisions to coordinate damage information, resource requests and emergency response.

Attorney General Guidance

The California Office of the Attorney General issued (October 2022) guidance (AG Guidance) outlining best practices for analyzing and mitigating wildfire impacts of development projects under the California Environmental Quality Act (CEQA). The Guidance is intended to help local governments' evaluation and approval considerations for development projects in fire-prone areas, and to help project design in a way that minimizes wildfire ignition and incorporates emergency access and evacuation measures. Importantly, the Guidance does not impose additional legal requirements on local governments, nor does it alter any applicable laws or regulations.

The AG Guidance states that evacuation modeling and planning should be required for all projects located in high FHSZ and VHFHSZ that present an increased risk of ignition and/or evacuation impacts. It further states that local jurisdictions should require evacuation modeling and planning to be developed prior to project approval to provide maximum flexibility in design modifications necessary to address wildfire risks and impacts. The Project is in an area designated as a VHFHSZ within a LRA and is adjacent to open space areas, which is why this Wildfire Evacuation Plan was prepared for the Project and includes the analysis of several evacuation scenarios, including existing and with Project conditions.

4.3.3.3 Local

San Bernardino County Emergency Operations Plan

The Emergency Management Program of San Bernardino County is governed and coordinated by the San Bernardino County Fire Protection District, Office of Emergency Services. The National Response Framework (NRF), NIMS, SEMS, and State of California Emergency Operations Plan provide planning and policy guidance to counties and local entities. These documents support the foundation for the County's Emergency Operations Plan (EOP), an all-hazard plan describing how the County will organize and respond to incidents. It is based on and compatible with the laws, regulations, plans, and policies listed above. The EOP describes how various agencies and organizations in the County will coordinate resources and activities with other Federal, State, County, local, and private-sector partners.

The 2018 San Bernadino County EOP describes a comprehensive emergency management system that provides for a planned response to disaster situations associated with natural disasters, technological incidents, terrorism, and nuclear-related incidents. It delineates operational concepts relating to various emergency situations, identifies components of the Emergency Management Organization, and describes the overall responsibilities for protecting life and property and providing for the overall well-being of the population. The plan also identifies the sources of outside support that might be provided (through mutual aid and specific statutory authorities) by other jurisdictions, state and federal agencies, and the private sector.

San Bernardino County Fire Protection District

The Project area receives fire and emergency response services from the San Bernardino County Fire Protection District (SBCFPD). The SBCFPD is responsible, on both the city and county level, for enforcing the State regulations governing hazardous waste generators, hazardous waste storage, and underground storage tanks, including inspections and enforcement. The SBCFPD also regulates the use, storage, and disposal of hazardous materials in San Bernardino County by issuing permits, monitoring regulatory compliance, investigating complaints, and other enforcement activities.

In addition to providing fire protection and emergency services, and provides emergency response, the SBCFPD also administers the local Fire Code which incorporates articles of the Uniform Fire Code (UFC). The UFC is a model code, setting construction standards for buildings and associated fixtures, in order to prevent or mitigate hazards resulting from fire or explosion. The SBCFPD reviews technical aspects of hazardous waste site cleanups, and oversees remediation of certain contaminated sites resulting from leaking underground storage tanks. The SBCFPD is also responsible for providing technical assistance to public and private entities which seek to minimize the generation of hazardous waste.

San Bernadino County Fire Code

The San Bernadino County Fire Code consists of the San Bernardino County Fire Protection District Ordinance No. FPD 23-01, which adopts by reference the 2022 California Fire Code with some changes, modifications, amendments, additions, deletions, exceptions and applicable sections of the CCR. Provisions of the California Fire Code are described under State Regulations, above.

San Bernardino County Multi-Jurisdictional Hazard Mitigation Plan

The San Bernardino County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) is reviewed, monitored, and updated to reflect changing conditions and new information every five years. The purpose of the County's Multi-Jurisdictional Local Hazard Mitigation Plan (San Bernadino County, 2022) is to identify the County's hazards, review and assess past disaster occurrences, estimate the probability of future occurrences, and set goals to mitigate potential risks to reduce or eliminate long-term risk to people and property from natural and human-made hazards. The 2022 updated San Bernardino County Unincorporated Area MJHMP⁵ was approved by FEMA. The MJHMP presents updated information regarding hazards faced by the County, San Bernardino County Fire Protection District, San Bernardino County Flood Control District, Big Bear Valley Recreation and Parks District, Bloomington Recreation and Parks District, and those Board-governed Special Districts administered by the San Bernardino County Special Districts Department. The MJHMP also presents measures to help reduce consequences from hazards, as well as outreach/education efforts within the unincorporated area of the County since 2005. An important San Bernardino County Multi- Jurisdictional Hazard Mitigation Plan component is the Community Emergency Response Team (CERT), which educates community members about disaster preparedness and trains them in basic response skills, including fire safety.

San Bernadino County Building Code

The County's Building Code (Title 6, Division 3, Sections 63.0101 through 63.0105) is intended to regulate the construction of applicable facilities and encompasses (and formally adopts) associated elements of the California Building Code. Specifically, this includes regulating the "regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, use, height, area and maintenance of all structures and certain equipment therein."

San Bernardino County Fire Hazard Abatement (FHA) Program

To enhance wildfire prevention efforts, the San Bernardino County Fire Hazard Abatement (FHA) Program enforces fire hazard regulations outlined in San Bernardino County Code Section 23.0301–23.0319. The primary goal of this program is to proactively establish defensible space and reduce or remove flammable materials on properties, thus minimizing the risk of fires in communities.

Throughout the year, the Fire Hazard Abatement Program conducts property surveys to identify potential fire hazards. Once hazards are identified, property owners are sent notices to address the hazards within 30 days. Failure to comply may result in citations, penalties, and/or fees imposed by the County. The program is available year-round to respond to complaints in both unincorporated areas and contracting Cities and Fire Districts. The Moon Camp Project is within the San Bernadino County Fire District's Mountain Region, which receives one survey during the summer.

⁵ San Bernardino County, 2017. San Bernardino County Multi-Jurisdictional Hazard Mitigation Plan. <http://www.sbcounty.gov/uploads/sbctfire/content/oes/pdf/hazard-mitigation-plan.pdf> (accessed 07/26/23)

4.3.4 Thresholds of Significance

The criteria used to determine the significance of impacts related to hazards and hazardous materials are based on Appendix G, Section IX, of the CEQA Guidelines. The proposed Project would result in a significant impact with respect to hazards or hazardous materials if the project would:

- f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

A discussion of the impacts and mitigation measures for the proposed project is presented below.

4.3.5 Methodology

The AG Guidance is intended to help local governments' evaluation and approval considerations for development projects in fire-prone areas, and to help project design in a way that minimizes wildfire ignition and incorporates emergency access and evacuation measures. Importantly, the Guidance does not impose additional legal requirements on local governments, nor does it alter any applicable laws or regulations.

The AG Guidance states that evacuation modeling and planning should be required for all projects located in high FHSZ and VHFHSZ that present an increased risk of ignition and/or evacuation impacts. It further states that local jurisdictions should require evacuation modeling and planning to be developed prior to project approval to provide maximum flexibility in design modifications necessary to address wildfire risks and impacts. The Project is in an area designated as a VHFHSZ within a LRA and is adjacent to open space areas, which is why this Wildfire Evacuation Plan was prepared for the Project and includes the analysis of several evacuation scenarios, including existing and with Project conditions.

The AG Guidance further states that evacuation modeling and analysis must augment existing information when necessary to include adequate analysis of the following, which has been extracted from the Wildfire Evacuation Plan prepared by Dudek, provided as Appendix 12, Volume 2 to this PRDEIR No. 3:

- Evaluation of the capacity of roadways to accommodate project and community evacuation and simultaneous emergency access.
 - Existing and future roadway capacities are analyzed in Section 4 of the Evacuation Plan, and under **Subsection 4.3.5, Potential Impacts**, herein.
- Assessment of the timing for evacuation.
 - Analysis of evacuation timing is detailed in Section 4.1 of the Evacuation Plan, and under **Subsection 4.3.5, Potential Impacts**, herein.
- Identification of alternative plans for evacuation.
 - Alternative plans for evacuation would be feasible due to the high ignition resistance level of Project structures.
- Evaluation of the Project's impacts on existing evacuation plans.
 - Existing evacuation plans do not exist for the area. The Project would utilize primary evacuation routes that would be available to other evacuees (refer to **Figure 4.3-3**). The Evacuation Plan is based on the County's Emergency Operations Plan.
- Consideration of the adequacy of emergency access, including the Project's proximity to existing fire services and the capacity of existing services.
 - Emergency access is provided that is consistent with the fire code requirements.

- Traffic modeling to quantify travel times under various likely scenarios (demonstrated on **Figure 4.3-5**).
 - The Wildfire Evacuation Plan utilizes a basic formula approach that is comprehensive but based on number of vehicles estimated within the Study Area, including the Project, and the current road capacities with and without the Project. Additionally, the Wildfire Evacuation Plan analyzes a cumulative with and without the Project scenario.

In consideration of the above, the AG Guidance encourages local jurisdictions to develop thresholds of significance for evacuation times based on community-wide standards. Any conclusion that an increase in evacuation times is a less than significant impact should be based on a threshold of significance that reflects community-wide goals and standards. Thresholds should also consider consistency with an adopted emergency operations or evacuation plan, a safety element updated to integrate wildfire and evacuation concerns, or recommendations developed by CAL FIRE relating to safety of subdivisions. However, there are no established thresholds for evacuation times for this Project or at the time of this plan's preparation, for any California community, to the knowledge of the authors of this PRDEIR No. 3. This is primarily because every location and fire scenario are unique. There is no evacuation timeframe threshold that Projects must meet in order to avoid a CEQA impact or to be consistent with codes, regulations or policies. This evacuation analysis forecasts impacts not based solely on a numerical threshold, but is qualitative in nature, based on the extent to which the Project would interfere with an adopted emergency response plan or emergency evacuation plan, if at all.

4.3.5.1 Evacuation Assumptions

The Wildfire Evacuation Analysis (Appendix 12, Volume 2) was performed for the Project to determine how long it would take for residents and visitors of the Moon Camp Project and the surrounding communities to evacuate to the developed areas of the City of Big Bear Lake in case of a fire emergency. Evacuation routes were selected based upon review of the Project's site, available evacuation routes, and the quickest way to leave areas located adjacent to the available vegetative fuels. Evacuations during large wildfire events would focus on removing threatened populations from the area, likely off the mountain. For this analysis, the model assumed a condition where the populations are directed to the developed areas of the City of Big Bear Lake, selecting the path requiring the least travel time. This location provides a significant buffer to the north/northeast with Big Bear Lake acting as a large fuel break. Current evacuation practice typically targets the scope of the evacuation only to the area in immediate danger and placing a larger area on standby for evacuation. This practice allows for better evacuation operations, reduces gridlock, and reserves sufficient travel way for emergency vehicles. It is assumed that first responders or law enforcement will direct traffic at all major downstream intersections during the evacuation process.

During the evacuation process, which can proceed aided by typical roadside vegetation management, wildfire spread, and encroachment may be slowed by fire-fighting efforts that would likely include fixed wing and helicopter fire-fighting assets. Hand crews would also be deployed toward containment. None of the evacuation scenarios assumed contraflow lanes, as these lanes are reserved for first responders, law enforcement, and fire fighters in case of unforeseen circumstances.

Since the Project is located amidst residential and recreation land uses, this examination assumes an evacuation directive on a Saturday afternoon when most Project and neighboring residents are expected to be at home. The estimation of vehicles evacuating from the Project's site was

derived by multiplying the number of households by the average vehicle ownership per household in the vicinity. Similarly, for the surrounding residential areas, the number of evacuating vehicles was determined using land use information from Parcel Quest parcel map data in conjunction with the average vehicle ownership data provided by the US Census Bureau. For a reasonable analysis, these scenarios assumed that two percent (2%) of the evacuating vehicles are heavy vehicles (trucks with trailers). Two percent is the nationally acceptable ratio of heavy vehicles to all vehicles.

Saturday Afternoon Evacuation: Full Operation, All Residents are Home

For this analysis, the scenario modeled presumes that the evacuation would transpire on a Saturday afternoon, a time when residents from the Project and nearby communities are home, meaning all residential vehicles would be required to evacuate. Additionally, it is assumed that the parking demand for nearby recreational land uses would be fully occupied, thus the vehicles associated with the recreational land uses would evacuate at the same time as the Project and other residential land uses. In an actual evacuation scenario, the total number of vehicles needing to evacuate may actually be less. The Operation Area commander would prioritize evacuation of land uses located closest to the area with immediate risk, depending on the location of the fire. Additional assumptions during a wildfire event are as follows:

1. The Operation Area commander would prioritize land uses located adjacent to the Wildland Urban Interface area or area with immediate risk, depending on the location of the fire.
2. Because wildfire may burn up to and within urban areas in the Project vicinity, for a conservative analysis, it is assumed that all of the areas shown in **Figure 4.3-4** would evacuate at the same time.
3. The analysis also operates under the assumption that the traffic to be evacuated would be directed to the developed areas of the City of Big Bear Lake, selecting the path requiring the least traffic time, and therefore the least travel time for evacuees to reach safety. It is assumed that the Project and surrounding land uses would utilize local thoroughfares including SR-38/North Shore Drive, Stanfield Cutoff, Big Bear Boulevard, using the path requiring the least travel time.

Primary Evacuation Routes

The traffic simulations assumed that traffic evacuating from both the Project and nearby communities/land uses would use the closest evacuation routes to leave the area. Evacuation routes were selected based upon review of the Project's site, available evacuation routes, and the quickest way to leave areas located adjacent to the available vegetative fuels. Evacuations during large wildfire events would focus on removing threatened populations from the area, likely off the mountain. For this analysis, the model assumed a condition where the populations are directed to the developed areas of the City of Big Bear Lake, selecting the path requiring the least travel time. This location provides a significant buffer to the north/northeast with Big Bear Lake acting as a large fuel break. Based on Google's traffic data for a typical Saturday afternoon, the fastest evacuation route for traffic from the Project and areas A through C (**Figure 4.3-4**) would be to head east on SR-38/North Shore Drive and then proceed towards the City of Big Bear Lake via Stanfield Cutoff and Big Bear Boulevard. Conversely, the quickest route for Area D (**Figure 4.3-4**) would be to head southwest via North Shore Drive and Big Bear Boulevard. The Google travel time assessment is provided in Attachment A of Appendix C of the Wildfire Evacuation Plan (Appendix 12, Volume 2). This assumption selects a reasonable evacuation route for the assumed extreme weather scenario.

No contraflow⁶ lanes were assumed to provide access for first responders and law enforcement. Two-way travel was assumed, with evacuating vehicles traveling outbound to the designated Safe Zone. It is assumed that first responders or law enforcement will direct traffic at all major intersections during the evacuation process. Should evacuation managers determine that contraflow is preferred or necessary, evacuation capacity would increase and correspondingly, evacuation times would decrease.

The traffic simulations carried out by CRA were carried forth independent of the Traffic Analyses prepared by Urban Crossroads in 2007 (Appendix E of the RRDEIR No. 1, provided as Appendix 3, Volume 2 to this PRDEIR No. 3), and in 2018 (Appendix M of the 2020 FEIR, provided as Appendix 1, Volume 2 to this PRDEIR No. 3). This is because, as stated above, it is assumed that first responders or law enforcement will direct traffic at all major intersections. While the traffic improvements are necessary to minimize off-site traffic impacts from implementation and operation of the proposed Project, enforced by MM T-1, T-2, and T-3, during normal traffic conditions, they are not applicable to the Wildfire Evacuation Analysis and traffic simulations therein that represents traffic conditions under special circumstances, i.e. that which would be expected to occur in the event of a wildfire evacuation.

Safe Zone

Based on Dudek's review of the area's fire history⁷, fires have halted along areas adjacent to wildland fuels and have not historically progressed into the more densely urbanized, irrigated, and hardscaped areas. Specifically, none of the historical fires encroached beyond the periphery areas within the wildland urban interface area of the City of Big Bear Lake and the land uses along the Big Bear Lake shoreline. Thus, it is assumed that evacuees are considered to reach a safe area once they are within the more developed areas, such as the City of Big Bear Lake.

4.3.6 Potential Impacts

The analysis addresses the potential for the Moon Camp Project to interfere with an adopted emergency response plan. The impact is assessed in terms of the applicable regulatory requirements, and mitigation measures are identified as appropriate.

a) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The Project site is located within an area that is subject to wildfires and based on the adjacent land uses and open space in the vicinity, the wildfire potential is considered high. Once the project site is developed, the fire intensity would be expected to be moderate within the post-Project's footprint due to the design characteristics of the proposed residential development and would be high to very high within the open space areas (United States National Forest [USNF]) that occur

⁶ Contraflow or lane reversal involves directing traffic to use lanes coming from the source of a hazard to move people away from the hazard. Such a strategy can be used to eliminate bottlenecks in communities with road geometries that prevent efficient evacuations or to facilitate traffic flow out of a major urban area. Among the considerations in planning emergency contraflow are whether sufficient traffic control officers are available, potential negative impact on responding fire apparatus, access management, merging, exiting, safety concerns, and labor requirements. Contraflow configurations must be carefully planned based on on-site factors and should not be implemented in an *ad-hoc* fashion. Dudek July 2014. "Wildland Fire Evacuation Procedures Analysis" for City of Santa Barbara, California, page 65.

⁷ 2022 Radford Fire, 2017 Holcomb Fire, others. An unnamed 1987 fire did burn into the Baldwin Lakes area destroying 5 homes, but they were of older construction and water wasn't available for firefighting in the area at that time.

adjacent to the Project site. This on-site, reduced fire behavior, along with specific protection features, would be expected to facilitate evacuations, as well as potential on-site sheltering within designated safe shelter structures, if considered safer than a short-notice evacuation. Although not a designated shelter-in-place site, Project structures include the same level of ignition resistance (e.g., enhanced construction materials) and landscape maintenance (e.g., annual FMZ inspection), that would be defensible against the anticipated wildfire exposure, and are designed to require minimal resources for protection, which enables this contingency option.

The Project roads and adjacent road circulation system will be able to effectively handle average daily trips generated by the Project. As evidenced by mass evacuations in San Bernadino and elsewhere, even with roadways that are designed to the code requirements, it may not be possible, or even necessary to move large numbers of persons at the same time. As stated above, road infrastructure throughout the United States, and including in the Big Bear region, is not designed to accommodate a short-notice, mass evacuation. The need for evacuation plans, pre-planning, and tiered or targeted and staggered evacuations becomes very important for improving evacuation effectiveness.

Among the most important factors for successful evacuations in populated settings is control of intersections downstream of the evacuation area. The Wildfire Evacuation Plan defers to Law Enforcement and EOC to appropriately phase evacuations and to consider the vulnerability of communities when making decisions. For example, newer development in the area, including the Project, will offer its occupants a high level of fire safety on-site, along with options for firefighter safety zones and temporary on-site refuge as a contingency, as discussed further below.

Under **Subsection 4.3.2.3.1: Moon Camp Project Wildfire Evacuation Plan and San Bernardino County Evacuation Planning**, the P.A.C.E evacuation model is discussed. In **Table 4.3-1** below, the Moon Camp Project approach to the P.A.C.E evacuation model is summarized.

Table 4.3-1
P.A.C.E. EVACUATION PLAN FOR MOON CAMP PROJECT

- | |
|---|
| <p>1. Primary: Project will evacuate via the primary evacuation route(s) early after receiving evacuation notice utilizing the primary evacuation route(s) as directed by law enforcement/emergency managers.</p> |
| <p>2. Alternate: Project will follow evacuation instructions which may include an alternate plan to utilize secondary routes or to relocate to nearby urban areas based on congested traffic conditions. Notifications that this alternate plan is being implemented will be provided via the notification systems or on-site emergency personnel, media and social media.</p> |
| <p>3. Contingency: Due to primary and alternate options being compromised or undesirable, the contingency plan of evacuating smaller, highest vulnerability populations will be implemented. For the Project, this may include evacuating until direction is provided to cease evacuation and initiate on-site sheltering of a smaller on-site population.</p> |
| <p>4. Emergency: When the wildfire or other emergency dictates that off-site evacuation is not advised by the primary or alternate evacuation routes, and conditions are such that open air exposure would be unhealthy or unsafe, the Moon Camp population will be directed to shelter in place. Sheltering in place is possible due to the ignition resistant construction materials and irrigated landscape that creates a fire hardened development. Sheltering in place may also be the preferred option for other emergencies, e.g., active shooter, earthquake. Persons sheltering in place are advised to remain aware of the situation and move out of the building to a designated safe zone if directed to do so or otherwise necessitated.</p> |

Evacuation Scenarios Modeled

A total of seven evacuation scenarios were analyzed for each fire scenario: Fire encroaching on the Project from the north/east and fire encroaching on the Project from the west. The evacuation

modelling for a fire encroaching from the west assumed that all evacuation zones including Area D would utilize eastbound evacuation routes.

- **Scenario 1 – Existing Land Uses:** This scenario estimates the evacuation time for existing land uses within the study area (Area A through D), reference **Figure 4.3-4**. This scenario represents the existing condition and provides context for how the Project could potentially impact evacuation times in the study area.
- **Scenario 2 – Proposed Project Only:** This scenario assumed full evacuation of the proposed Project site without evacuation of existing area land uses. This scenario establishes the time needed to evacuate only the Project's occupants.
- **Scenario 3 – Existing Land Uses with the proposed Project:** This scenario estimates the evacuation time for all existing land uses within the study area (Area A through D), with the addition of the proposed Project traffic. The scenario represents the potential for the Project to impact evacuation times for the existing condition (Scenario 1).
- **Scenario 4 – Existing Land Uses with Cumulative Growth:** This scenario estimates the evacuation time for all existing land uses within the study area (Area A through D), with a growth rate of 5% to represent potential cumulative growth in the area, the Marina Point project (120 dwelling units)⁸ and TT 17670 (22 dwelling units). This scenario represents cumulative growth conditions without the Project, which considers both ambient growth and other known proposed or approved projects in the area.
- **Scenario 5 – Existing Land Uses with Cumulative Projects with the proposed Project:** This scenario is similar to Scenario 4, with the addition of the proposed Project traffic. The scenario represents cumulative growth conditions with the Project, which considers both ambient growth and other known proposed or approved projects in the area.
- **Scenario 6 - Existing Land Uses with Cumulative Projects (Area D only):** This scenario is similar to Scenario 4, but assuming that only Area D is under an evacuation order. Under this scenario, all of Area D would evacuate eastward via North Shore Drive, then southward via Stanfield Cutoff to arrive at the City of Big Bear. This scenario represents cumulative growth conditions without the Project, which considers both ambient growth and other known proposed or approved projects in the area. However, only Area D is under an evacuation order, and the scenario encompasses both existing land uses and cumulative projects.
- **Scenario 7 – Existing Land Uses with Cumulative Projects with Project (Area D only) –** This scenario is similar to Scenario 6, with the addition of the proposed Project traffic. This scenario represents cumulative growth conditions with the Project, which considers both ambient growth and other known proposed or approved projects in the area; however, only Area D is under an evacuation order, and the scenario encompasses both existing land uses and cumulative projects, in addition to the Project.

Evacuating Vehicles Assumptions

The number of evacuating vehicles was calculated using the following assumptions:

- Project and nearby Residential land uses: Residential units x average vehicle ownership (2 vehicles per household)
- Recreational land uses: Full occupancy of parking lots
- RV resorts: Full occupancy of parking lots and site.

Average vehicle ownership, residential units, and evacuating vehicles calculations are provided in Attachment A of Appendix C of the Wildfire Evacuation Plan (Appendix 12, Volume 2). **Table 4.3-2** displays the number of vehicles evacuating under each scenario.

⁸ Source: Moon Camp Focused Traffic Impact Assessment, Urban Crossroad, 2018.

**Table 4.3-2
EVACUATING VEHICLES**

Scenario	Number of Evacuating Vehicles					
	Nearby Land Uses (Area)				Project	Total
	A	B	C	D		
Scenario 1 – Existing Land Uses	112	380	394	1,425	0	1,425
Scenario 2 – Proposed Project Only	0	0	0	0	100	100
Scenario 3 – Existing Land Uses with Proposed Project	112	380	394	1,425	100	1,525
Scenario 4 – Existing Land Uses with Cumulative Projects	120	400	420	1,790	0	1,790
Scenario 5 – Existing Land Uses with Cumulative Projects with the proposed Project	120	400	420	1,790	100	1,890
Scenario 6 - Existing Land Uses with Cumulative Projects (Area D only)	0	0	0	1,790	0	1,790
Scenario 7 - Existing Land Uses with Cumulative Projects with Project (Area D only)	0	0	0	1,790	200	1,990

Source: Appendix C of the Wildfire Evacuation Plan (CR Associates [2023]), US Census Bureau (2023), Google Maps (2023).

Potential Project Evacuation Impacts on Existing Conditions

The potential occurrence of a simultaneous, large evacuation event, including evacuation of a large area of existing populations is minimal, but possible. In this case, the existing populations for potential evacuation in the area would be associated with a variety of populations including residential, recreational, and other uses. To analyze the evacuation events, CR Associates (CRA) conducted simulations using Vissim, a microscopic, multimodal traffic flow modeling software used to simulate different traffic conditions. In Vissim simulations, roadway capacity is accounted for and each vehicle in the traffic system is individually tracked through the model and comprehensive measures of effectiveness, such as average vehicle speed and queueing, are collected on every vehicle during each 0.1-second of the simulation. This software enables drivers' behaviors during an evacuation to be replicated. A total of 20 simulations were conducted to yield a reasonable sample size to determine the performance of the study area roadways and impacts during evacuation scenarios. To be conservative, CRA assumed a worst-case scenario in which all vehicles belonging to households in the study area would be used in the evacuation, instead of the necessary number of vehicles needed to evacuate the impacted population. Detailed evacuation analysis information is provided in Attachment B of Appendix C, to the Wildfire Evacuation Plan provided as Appendix 12, Volume 2 to this PRDEIR No. 3.

Based upon review of previous fires and evacuation orders, evacuation modeling considered traffic evacuating from both the Project and nearby developments. A summary of the evacuation time for each scenario is provided below, and shown in **Table 4.3-3**:

- **Scenario 1:** It would take between 37 minutes and 1 hour and 23 minutes to evacuate the existing land uses (Areas A through D).
- **Scenario 2:** It would take 25 minutes to evacuate only the proposed Project occupants. Existing land uses are not considered in the scenario.
- **Scenario 3:** It would take between 37 minutes and 1 hour and 23 minutes to evacuate the existing land uses and the proposed Project. Under this scenario, the Project would not cause an increase in evacuation time to area D, and the Project would cause an increase of 5 minutes to area A and 2 minutes to area B. It would take 52 minutes to evacuate the Project's site.

- **Scenario 4:** It would take between 38 minutes and 1 hour and 39 minutes to evacuate the nearby land uses under the cumulative growth scenario.
- **Scenario 5:** It would take between 39 minutes and 1 hour and 39 minutes to evacuate the nearby and Project area land uses under the cumulative growth with Project scenario. Similar to Scenario 3, the Project would cause an increase of 6 minutes to area A evacuation time and an increase of 2 minutes to area B evacuation time. It would take 54 minutes to evacuate the Project's site.
- **Scenario 6:** It would take 1 hour and 40 minutes to evacuate Area D, assuming that all of Area D evacuate eastward via North Shore Drive, then southward via Stanfield Cutoff to arrive at the City of Big Bear.
- **Scenario 7:** It would take 1 hour and 42 minutes to Evacuate Area D, an increase of 2 minutes, and 26 minutes to evacuate the Project.

**Table 4.3-3
EVACUATING TIME SUMMARY: ALL SCENARIOS**

Scenario	Total Evacuation Vehicles	Evacuation Time (hours : minutes)				
		Nearby Land Uses				Project
		A	B	C	D	
Scenario 1 – Existing Land Uses	1,425	0:48	0:38	0:37	1:23	N/A
Scenario 2 – Proposed Project Only	100	N/A	N/A	N/A	N/A	0:25
Scenario 3 – Existing Land Uses with Proposed Project	1,525	0:53	0:40	0:37	1:23	0:52
Change in Evacuation Time - Existing Condition (Scenario 3 – Scenario 1)	-	0:05	0:02	0:00	0:00	0:52
Scenario 4 – Existing Land Uses with Cumulative Projects	1,790	0:50	0:41	0:38	1:39	N/A
Scenario 5 – Existing Land Uses with Cumulative Projects with the proposed Project	1,890	0:56	0:43	0:38	1:39	0:54
Change in Evacuation Time – Existing with Cumulative Projects (Scenario 5 – Scenario 3)	-	0:06	0:02	0:00	0:00	0:54
Scenario 6 - Existing Land Uses with Cumulative Projects (Area D only)	1,790	N/A	N/A	N/A	1:40	N/A
Scenario 7 - Existing Land Uses with Cumulative Projects with Project (Area D only)	1,990	N/A	N/A	N/A	1:42	0:26
Change in Evacuation Time – Existing with Cumulative Projects Area D only (Scenario 5 – Scenario 3)	-	N/A	N/A	N/A	0:02	0:26

Source: Appendix C of the Wildfire Evacuation Plan (CR Associates [2023])

As noted in **Table 4.3-3**, Project related impacts to existing community evacuation times are considered insignificant with the maximum potential increased evacuation time occurring within Land Use A (Scenario 1 compared to Scenario 3) of 5 minutes. Under the cumulative scenarios (Scenario 4 compared to Scenario 5), the Project's greatest impact is to Land Use A, increasing evacuation time 6 minutes, with a 2-minute increase to Land Use B and no increase for Land Use C or Land Use D. Additionally, the Project does not contribute to a substantial increase in evacuation times for Land Use D under the cumulative scenarios that include an evacuation order

for Area D only, as indicated with a minor increase in evacuation time by 2 minutes (Scenario 6 compared to Scenario 7).

Under the most conservative scenario, changes in evacuation times (Scenario 1 compared to Scenario 5 and 7) are minor for Land Use Areas A through D, with 6-, 2-, 0-, and 2-minute increases in evacuation time with the proposed Project, respectively. The 1-to-6-minute potential evacuation time increases are considered minimal and do not result in evacuation times for existing residents that would be considered excessive. As this analysis focuses on the increases in evacuation times, specific to the traffic simulations and evaluation prepared by CRA, the circulation improvements determined to be necessary in the 2020 FEIR, and enforced by MMs **T-1** through **T-3**, are applicable to normal traffic conditions (i.e. day-to-day traffic circumstances barring any natural disasters, such as wildfires, in which law enforcement and first responders step in to manage circulation), and are not necessary conditions to minimize evacuation circulation impacts; however, implementation of MMs **T-1** through **T-3** would only serve to further minimize traffic conflicts during both normal and evacuation conditions, as the intent of these measures is to enhance circulation to a level of less than significant.

The minimal increase in evacuation time due to the proposed Project is determined to be insignificant when incorporating the thousands of recreationalists who visit the region and contribute to increased evacuation times. The Project's resident population would be considered a small relative increase to the region's visitor and resident population.

Additionally, it is possible that all evacuees would be instructed to evacuate off the mountain during certain large fires threatening the Big Bear region. In this type of scenario, it is likely that many people from the greater region would be evacuating, unless told they cannot pass through evacuation roadways. Wildfires requiring off mountain evacuations would likely be driven by distant wildfires approaching the region that would likely provide sufficient time (multiple hours to days) to move evacuees off the mountain. As detailed above, in the event of a mass evacuation off the mountain, the Project would not significantly contribute to the overall evacuation traffic in the study area.

Study of evacuation timeframes and potential increases in evacuation time with a proposed project are relatively new CEQA focus areas. Public safety, not time, is generally the guiding consideration for evaluating impacts related to emergency evacuation. Consistent with CEQA Guidelines Appendix G, a Project's impact on evacuation is significant if the Project will significantly impair or physically interfere with implementation of an adopted emergency response or evacuation plan.

In any populated area, safely undertaking large-scale evacuations may take several hours or more and require moving people long distances to designated areas. Further, evacuations are fluid and timeframes may vary widely depending on numerous factors, including, among other things, the number of vehicles evacuating, the road capacity to accommodate those vehicles, residents' awareness and preparedness, evacuation messaging and direction, and on-site law enforcement control. The AG Guidance suggests that jurisdictions set benchmarks of significance based on past successful evacuations or on those from communities in similar situations.

A recent study titled "Review of California Wildfire Evacuation from 2017 to 2019 " provides more insights on the topic. This research involved interviews with 553 individuals (297 evacuees affected by various fires) including the Creek Fire, Rye Fire, Skirball Fire, and Thomas Fire. The study aimed to understand the decision-making processes of these individuals during the fires,

such as whether to evacuate or stay, when to leave, the paths taken, chosen shelters, destinations, and modes of transportation. According to this research, the time it took for evacuations ranged from under 30 minutes to over 10 hours. From this dataset, the average evacuation time for the Creek Fire was found to be 3 hours and 40 minutes, involving 115,000 people. For the Thomas Fire, the average time was 4 hours and 25 minutes, impacting 104,607 individuals.

California fire and law enforcement agencies have integrated training, experience, and technology to assist in successful evacuations, which focus on moving persons at risk to safer areas before a wildfire encroaches on a populated area. Timeframes for moving people vary by site specifics, population, road capacities and other factors and there is no one threshold that would be appropriate to apply to all locations. There are no established thresholds for evacuation times for this Project or at the time of this plan's preparation, for any California community, to the knowledge of the authors of this PRDEIR No. 3. This is primarily because every location and fire scenario are unique. While it may take one community 20 minutes to evacuate safely, it is not a valid assumption to consider a 3-hour evacuation for another community as unsafe. The 3-hour evacuation can be very safe while the 20-minute evacuation may be unsafe due to the conditions and exposures along the evacuation routes.

Notwithstanding evacuation challenges and variables, the County of San Bernardino is safely managing both mass and targeted evacuations to great success. It should be noted that other variables can impact evacuation success. For instance, some individuals may choose to stay behind to defend their property or adopt a wait-and-see approach. Such decisions could delay their evacuation to a point where it becomes too late to leave safely.

Technological advancements and improved evacuation strategies learned from prior wildfire evacuation events have resulted in a system that is many times more capable of managing evacuations. With the technology in use today, evacuations are more strategic and surgical than in the past, evacuating smaller areas at highest risk and phasing evacuation traffic so that it flows more evenly and minimizes the surges that may slow an evacuation. Mass evacuation scenarios where large populations are all directed to leave simultaneously, resulting in traffic delays, are thereby avoided, and those populations most at risk are able to safely evacuate. While mass evacuation scenarios are avoided with the technology in use today, the evacuation simulations conducted in the Wildfire Evacuation Plan (Appendix 12) are based on mass evacuation scenarios to provide a worst-case scenario.

As indicated previously, the evacuation scenarios considered herein represent mass evacuations in the project vicinity to provide extremely worst-case scenarios. In a probable evacuation scenario, individuals in the existing surrounding land uses would have the opportunity to evacuate before the users of the Project even reach their vehicles in the parking structures, thereby giving priority to the existing land uses. The Incident Commander would direct a focused evacuation of zones situated near the wild urban interface, which are at higher risk. Areas that are not in immediate danger would likely not be provided with an evacuation notice initially and may be instructed to remain in place to prioritize the evacuation of vehicles from areas under direct threat. This would result in phasing evacuation traffic so that it flows more evenly and minimizes the surges that may slow an evacuation. Therefore, evacuation flow would be able to be effectively managed and would not likely lead to mass evacuations, as simulated in this report.

Neither CEQA, nor San Bernardino County has adopted numerical time standards for determining whether an evacuation timeframe is appropriate. Public safety, not time, is generally the guiding

consideration for evaluating impacts related to emergency evacuation. The County considers a Project's impact on evacuation significant if the Project will significantly impair or physically interfere with implementation of an adopted emergency response or evacuation plan.

San Bernardino County has historically had an extremely high success rate for safely evacuating large numbers of people and doing so in a managed and strategic way using available technological innovations. Safely undertaking large-scale evacuations may take several hours or more and require moving people long distances to designated areas. Further, evacuations are fluid and timeframes may vary widely depending on numerous factors, including, among other things, the number of vehicles evacuating, the road capacity to accommodate those vehicles, residents' awareness and preparedness, evacuation messaging and direction, and on-site law enforcement control.

Due to its location, the Project would also provide the responding emergency managers (e.g., Incident Commander, SBCSD) the alternative option of recommending that all or a portion of the onsite population shelter in place. This on-site sheltering option is a contingency plan, but an important option in the scenario when evacuation is considered infeasible or the less safe option. This would provide emergency managers with a safer alternative to risking a late evacuation.

The communities adjacent to the proposed Moon Camp Project include homes built in the 2000s and are in varying states of ignition resistance. Unlike most new master planned communities that incorporate ignition-resistant construction and provide defensibility throughout, responding fire and law enforcement personnel may not be able to direct existing occupants of neighboring developments to temporarily refuge in their homes or on-site. However, it would be possible for occupants of Moon Camp Project. Developments that are not built to the ignition-resistant standards can be retrofitted to increase their ability to withstand wildfire and ember storms by focusing on roofs, windows, walls, vents, appendages and defensible space. Attention to these components of a home's fire protection system is recommended for existing home and business owners within the Project Area. The structures within the Project site would conform to the ignition-resistant building codes codified in Chapter 7A of the California Building Code, would be ignition-resistant, defensible and designed to require minimal firefighting resources for protection, which enables this contingency option when it is considered safer than evacuation.

Based on the Project area's fire environment, its fuels and terrain along with weather factors, wildfire spread rates during extreme fire events are anticipated to be less aggressive than in heavy fuel, steep terrain locations. If ignitions occur near the site, then less time would be available for evacuation, and would need to include an alternative approach if the evacuation routes were considered less safe. Based on the results of this comparison, safe evacuation of the site is possible in all modeled scenarios. Certain scenarios noted above are projected to potentially use alternative actions, like focusing all evacuating vehicles to one of the three available routes and in one example, considering the possibility of a delayed evacuation where parts of the population could be directed to remain on-site until the fire burns out in the sparse fuels around the evacuation route, and then evacuated through evacuation corridors. However, the Project is considered to be well-suited for evacuations given the three potential separate evacuation routes and the alternative option of temporarily seeking refuge on-site in the wide, converted landscapes that would not readily facilitate wildfire spread.

The Project provides several features that would enhance orderly and safe evacuation, but which are not reflected in the average evacuation time results above. These features include evacuation preparedness, fuel modification along Project roadways, structural hardening of Project

structures, and temporary refuge areas and “shelter-in-place”⁹ options. These evacuation enhancements would reduce the potential for evacuation friction or interruption. However, such enhancements cannot be well depicted by the traffic evacuation model.

Mass Evacuation Vehicle Traffic

Mass evacuation events have become less common as wildfire evacuation technology and capabilities have improved dramatically in the last 15 years. Wildfire evacuations are managed to move smaller populations in a successive phasing to minimize traffic surges. Populated areas are evacuated in phases based on proximity to the event and risk levels. For example, it is anticipated that wildfire evacuations of the Project area will likely include the relocation of residential populations that are closest to open space, along with residents and visitors of the Project first, and then additional populations based on exposure to the wildfire in successive fashion rather than mass evacuating the entire Big Bear area. The Project is built to ignition resistant standards and represents fire-safe fuel breaks that provide emergency managers many options. The result of this type of evacuation is that residents and visitors that may be in locations that would be closest to a wildfire burning in open space areas are temporarily moved from the vicinity and vehicle congestion on evacuation routes is minimized, enabling a more efficient evacuation. Under this evacuation approach, the evacuation would include a much smaller population and would be implemented in a surgical way. The evacuation time would be even lower than that which is projected in **Table 4.3-3**, above, and would have very little impact on the existing communities.

Phased Evacuation: The purpose of a phased evacuation is to reduce congestion and transportation demand on designated evacuation routes by controlling access to evacuation routes in stages and sections. This strategy can also be used to prioritize the evacuation of specific populations that are in proximity to the immediate danger. A phased evacuation effort will need to be enforced by law enforcement agencies and coordinated with the EOC and affected jurisdictions.

The Department of Homeland Security (2019) provides supporting data for why jurisdictions have moved to the surgical evacuation approach that leverages the power of situation awareness to support decision making. According to its *Planning Considerations: Evacuation and Shelter in Place*¹⁰ document, delineated zones provide benefits to the agencies and community members. Evacuation and shelter-in-place zones promote phased, zone-based evacuation targeted to the most vulnerable areas, which allows jurisdictions to prioritize evacuation orders to the most vulnerable zones first and limit the need to evacuate large areas not under the threat. Zones help:

- Jurisdictions to understand transportation network throughput and capacity, critical transportation and resource needs, estimated evacuation clearance times, and shelter demand.
- Planners to develop planning factors and assumptions to inform goals and objectives.
- Community members to understand protective actions to take during an emergency.
- Shelters to limit traffic congestion and select locations suitable for the evacuated population.

The amount of time needed to evacuate the Project would vary by the type of incident, the number of evacuation routes utilized, the amount of mobilization time, actual areas at risk, and other

⁹ Shelter-in-place involves the use of a structure, including homes, to temporarily separate individuals from a hazard or threat, and is implemented when a hazard or threat is imminent or occurring and a safe evacuation is not feasible.

¹⁰ Department of Homeland Security, 2019. Planning Considerations: Evacuation and Shelter in Place <https://www.fema.gov/sites/default/files/2020-07/planning-considerations-evacuation-and-shelter-in-place.pdf> (accessed 08/02/23)

factors. It has also been established herein that the targeted approach would minimize the size of the area being evacuated and use a phased approach, which may further reduce the evacuation time estimates.

There is no evacuation timeframe threshold that Projects must meet in order to avoid a CEQA impact or to be consistent with codes, regulations or policies. Regardless, the Project has provided a comprehensive evacuation evaluation, and the evacuation time results are comparable to similar sized populations under a mass evacuation.

Further, any additional time does not necessarily generate a greater safety risk. Emergency personnel who issue evacuation orders can consider the additional time needed to implement an evacuation when determining when and where to issue evacuation orders. Risk to nearby development, including the Project or existing communities, is assessed on a regular basis in a wildfire event. Hours or days of lead time may be available to assess risk and make evacuation determinations. Further, peak occupancy conditions like those assumed in the modeling typically do not occur as all residents are not typically at home while maximum occupancy at industrial, commercial and office uses is also occurring. Further, drifting smoke, awareness of the risk, road closures, or other factors result in people avoiding the area in a fire event. Additionally, the Project is designed to allow people to shelter-in-place or take temporary refuge within the Project site, which could reduce evacuating traffic from the site.

The potential occurrence of a large evacuation event including evacuation of existing populations is minimal, but possible. In this case, the existing populations for the Project would be existing residential recreational uses to the east and west. During a large wildfire moving from north to south or east to west, it is most likely, that evacuations would be directed to the developed areas of the City of Big Bear Lake, depending on the fire location and movement. The vehicle capacity estimates utilized for this evacuation plan are based the current Highway Capacity Manual methodology for calculating adjusted saturation flow rates and are discounted for various assumed traffic-related slowing, such as higher volume and downstream bottlenecks. Therefore, the discounted vehicle capacity includes capability to absorb additional vehicles.

In an actual evacuation scenario, a phased evacuation would be implemented where orders are given to evacuate based on vulnerability, location, and/or other factors, which enables the subsequent traffic surges on major roadways to be smoothed over a longer time frame and improve traffic flow. A phased strategy can also be used to prioritize the evacuation of certain communities that are in proximity to immediate danger. The limitations of the model used for this analysis are such that it cannot accurately reflect phased evacuation conditions. Hence, a worst-case mass evacuation scenario was assumed.

The Wildfire Evacuation Plan assumes that law enforcement personnel are controlling downstream intersections to maintain traffic flow out of the area. If traffic flow is not maintained, then the estimated evacuation times would be expected to increase, potentially substantially, as is the case in any urban area. Additionally, this analysis assumes that all existing populations within the Project area and the Project are evacuating simultaneously.

Typically, fire and law enforcement officials will identify evacuation points before evacuation routes are announced to the public. Evacuation routes are determined based on the location and extent of the incident and its spread rate and direction and include as many pre-designated transportation routes as possible. However, field conditions and shifting fire behavior may result in real-time changes to predetermined routes. Having additional evacuation route options is

considered critical in these conditions. Evacuees are considered to reach a safe area once they are within the more densely urban areas, such as the developed areas within the City of Big Bear Lake.

Evacuation Procedures

Relocation/Evacuation

It is estimated that the conservatively calculated minimum amount of time needed to move the exiting and Project populations to urbanized and/or designated evacuation areas would be approximately up to 1 hour and 39 minutes under varying constraints that may occur during an evacuation. This does not include additional allowances for the time needed to detect and report a fire, for fire response and on-site intelligence, for phone, patrols, and aerial based notifications, and for notifying special needs citizens.

Wolshon and Marchive (2007) simulated traffic flow conditions in a computer derived WUI under a range of evacuation notice lead times and housing densities. To safely evacuate more people, they recommended that emergency managers (1) provide more lead time to evacuees and (2) control traffic levels during evacuations so that fewer vehicles are trying to exit at the same time.

Wildfire emergency response procedures will vary depending on the type of wildfire and the available time in which decision makers (IC, BPD, SBCFPD, CAL FIRE, SBCSD, and/or EMD) can assess the situation and determine the best course of action.

First and Primary Evacuation Type: Based on the Moon Camp Project and surrounding communities, its road network, and the related fire environment, the first and primary type of evacuation envisioned is an orderly, pre-planned evacuation process where people are evacuated to more urban areas further from an encroaching wildfire (likely to urban areas west) well before fire threatens. This type of evacuation must include a conservative approach to evacuating; i.e., when ignitions occur and weather is such that fires may spread rapidly, evacuations should be triggered on a conservative threshold that includes time allowances for unforeseen, but possible, events that would slow the evacuation process.

Second Evacuation Type: The second type of evacuation is considered by many to offer the highest level of life protection to the public, but it can result in evacuees being placed in harm's way if the time available for evacuation is insufficient (Cova et al. 2011). An example of this type of evacuation, which is highly undesirable from a public safety perspective, is an evacuation that occurs when fire ignites close to vulnerable communities. This type of situation is inherently dangerous because there is generally a higher threat to persons who are in a vehicle on a road when fire is burning in the immediate area than in a well-defended, ignition-resistant home. Conditions may become so poor that the vehicle drives off the road or crashes into another vehicle, and flames and heat overcome the occupants. A vehicle offers little shelter from a wildfire if the vehicle is situated near burning vegetation or catches fire itself. This type of evacuation must be considered a very undesirable situation by law and fire officials in all but the rarest situations where late evacuation may be safer than seeking temporary refuge in a structure (such as when there are no nearby structures, the structure[s] is/are already on fire, or when there is no other form of refuge). Temporary refuge would be possible within the newer Project structures that are built to ignition resistant levels, but some structures within surrounding communities, as previously discussed, may have a higher vulnerability to ignitions based on their older construction dates and the fire and building codes enforceable at that time.

Third Evacuation Plan: The third potential type of evacuation is a hybrid of the first two. In cases where evacuation is in process and changing conditions result in a situation that is considered unsafe to continue evacuation, it may be advisable to direct evacuees to pre-planned temporary refuge locations, including their own home if it is ignition-resistant and defensible, such as those within Moon Camp Project. As with the second type of evacuation discussed above, this situation is considered highly undesirable, but the evacuation pre-planning must consider these potential scenarios and prepare decision makers at the IC level and at the field level for enacting a contingency to evacuation when conditions dictate.

Indications from past fires and related evacuations, in San Bernadino County and throughout Southern California, which have experienced increasingly more frequent and larger fires, are that evacuations are largely successful, even with a generally unprepared populace. It then stands to reason that an informed and prepared populace would minimize the potential evacuation issues and related risk to levels considered acceptable from a community perspective.

Evacuation orders or notifications are often triggered based on established and pre-determined model buffers, which are based on topography, fuel, moisture content of the fuels and wind direction. Evacuations are initiated when a wildfire reaches or crosses one of these pre-determined buffers. Evacuations can also be very fluid. The IC, law enforcement and OES would jointly enact evacuations based on fire behavior.

Project Evacuation Baseline

For purposes of this analysis and the Wildfire Evacuation Plan, the first and most logical choice for all the occupants within the boundaries of Moon Camp Project is to adhere to the principles and practices of the “Ready, Set, Go!” Program previously mentioned in this document. As part of this program, it is important that educational and training programs, organized by Owner(s)/Property Manager/Homeowners Association (HOA), are available to all residents. In addition, it is imperative that the “Ready, Set, Go!” program information be reviewed on a routine basis along with the accompanying maps illustrating evacuation routes, temporary evacuation points and pre-identified evacuation points. It must be kept in mind that conditions may arise that will dictate a different evacuation route than the normal roads used on a daily basis.

Residents are urged to evacuate as soon as they are notified to do so or earlier if they feel uncomfortable. Directions on evacuation routes will be provided in most cases, but when not provided, residents and of the Project will proceed according to known available routes away from the encroaching fire, as detailed in the Quick Reference section of the Wildfire Evacuation Plan. Occupants are cautioned not to rely on navigation aid apps which may inadvertently lead them toward an oncoming fire. Depending on the type of emergency and the resulting evacuation, it could take approximately up to 1 hour and 39 minutes to complete an evacuation of the Project Area, based on road capacities and competing use of the roads by occupants from other areas.

Note that, during construction, continued coordination by the Owner(s) and/or Developer and/or Property Manager and fire/law enforcement agencies would need to occur during each of the construction phases. With each phase, the evacuation routes may be subject to changes with the addition of both primary and secondary evacuation routes. Otherwise, a significant impact could occur during construction. MM **HAZ-2**, below, addresses the need to update the Wildfire Evacuation Plan during construction based on the existing conditions of the site.

Conclusion

As stated above, it is estimated that the conservatively calculated minimum amount of time needed to move the existing, planned (future/cumulative) and Project populations to urbanized and/or designated evacuation areas would be approximately up to 1 hour and 42 minutes under varying constraints that may occur during an evacuation. Under the most conservative scenario, changes in evacuation times (Scenario 1 compared to Scenario 5 and 7) are minor for Land Use Areas A through D, with 6-, 2-, 0-, and 2-minute increases in evacuation time with the proposed Project, respectively. The 1-to-6-minute potential evacuation time increases are considered minimal and do not result in evacuation times for existing residents that would be considered excessive.

This evacuation analysis forecasts impacts not based solely on a numerical threshold, but is qualitative in nature, based on the extent to which the Project would interfere with an adopted emergency response plan or emergency evacuation plan, if at all. The Project's resident population would be considered a small relative increase to the region's visitor and resident population. Regardless, the Project has provided a comprehensive evacuation evaluation, and the evacuation time results are comparable to similar sized populations under a mass evacuation. Further, any additional time that a Project adds to an evacuation time does not necessarily generate a greater safety risk. The proposed Project would only add a maximum of 6 minutes to the evacuation times that would occur under Existing Land Uses with Cumulative Projects when the additional trips associated with the proposed Project are added to this scenario. Given this minimal addition to the time to it would take to evacuate to the nearest safety zone (in this case, the urban areas of the City of Big Bear Lake), the addition of the proposed Project to the Project area would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. This is particularly the case as the Wildfire Evacuation Plan that has been prepared for the proposed Project adheres to the adopted emergency response plans, which include San Bernadino County Emergency Operations Plan and the Big Bear Valley Community Wildfire Protection Plan. However, a significant impairment of implementation of an adopted emergency response plan or emergency evacuation plan could occur if updates to the Wildfire Evacuation Plan are not made to assess current conditions, and if the Ready, Set, Go! Program is not clearly communicated to residents of the Moon Camp Project. Furthermore, a significant impairment of implementation of an adopted emergency response plan or emergency evacuation plan could occur if the fire road access is not maintained for the life of the Project. Therefore, MMs **HAZ-1** through **HAZ-3** are required to ensure that updates to the Wildfire Evacuation Plan are made periodically, that the Ready, Set, Go! Program is implemented, and that fire road access is maintained. The circulation improvements determined to be necessary in the 2020 FEIR, and enforced by MMs **T-1** through **T-3**, are not necessary conditions to minimize evacuation circulation impacts; however, implementation of MMs **T-1** through **T-3** would serve to further minimize traffic conflicts during both normal and evacuation conditions, as the intent of these measures is to enhance circulation to a level of less than significant. Through the implementation of these mitigation measures, the proposed Project would have a less than significant potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

4.3.7 Avoidance, Minimization and Mitigation Measures

HAZ-1. *Fire Access Road Maintenance: Maintenance is an important component for the long-term reliability of all Project roadways. Maintenance obligations for the Moon Camp Project shall be the responsibility of the HOA for routine road surface and roadside vegetation maintenance throughout the Project site, internal to the Project site, and excluding maintenance along SR-38, for which Caltrans is responsible.*

HAZ-2. Updates to the Wildfire Evacuation Plan: *The Wildfire Evacuation Plan shall periodically updated by the HOA, which shall be included as a requirement in the HOA bylaws. The updates shall follow lessons learned from actual wildfire or other emergency evacuation incidents, as new technologies become available that would aid in the evacuation process, and as changing landscapes and development patterns occur within and adjacent to the Project site that may impact how evacuation is accomplished. This shall occur at least every 2 years. Additionally, This Wildfire Evacuation Plan shall be adjusted and continued coordination by the Owner(s) and/or Developer and/or Property Manager and fire/law enforcement agencies shall occur during each of the construction phases. With each phase, the evacuation routes may be subject to changes with the addition of both primary and secondary evacuation routes.*

The Moon Camp Project Wildfire Evacuation Plan is consistent with the County evacuation planning standards and can be integrated into a county or regional evacuation plan and other pre-plans when and if the area officials and stakeholders (CAL FIRE, SBCFD, California Office of Emergency Services [OES], SBCSD, and others) complete one.

HAZ-3. *1. Moon Camp shall designate a Fire Safety Coordinator(s) to oversee implementation of the Wildfire Evacuation Plan and overall fire coordination with Big Bear Fire Department and San Bernardino County Fire Protection District.*
2. The Fire Safety Coordinator(s) shall coordinate an annual fire evacuation drill/fire exercise to ensure proper safety measures have been implemented, facility awareness and preparation of a facility-wide "Ready, Set, Go!" plan. The Fire Safety Coordinator shall also organize resident training and awareness through various practices:
i. New hire fire awareness and evacuation training
ii. Ongoing resident training
iii. Facility sweeps by trained residents
iv. Strategically placed fire safety and evacuation/sheltering protocol information, as determined by the Fire Safety Coordinator.
3. The Moon Camp Project shall include a proactive facility wildfire education program utilizing a multi-pronged approach to fire safety following the "Ready, Set, Go!" approach to wildfire evacuation, to include, but not limited to:
i. Annual wildfire and evacuation safety awareness meeting in coordination with local fire agencies.
ii. Annual reminder notices shall be provided to each resident encouraging them to review the Wildfire Evacuation Plan and be familiar with evacuation protocols.
iii. The Project HOA website shall host a webpage dedicated to wildfire and evacuation education and awareness, which should include a copy of this Wildfire Evacuation Plan and the resources provided herein.
4. The Project includes a contingency plan for the rare occurrence that evacuation is not safe that includes residents sheltering in place within onsite structures.
5. The Fire Safety Coordinator shall submit a report detailing compliance with the above provisions to the County on a yearly basis to demonstrate compliance with this measure.

MMs T-1 through T-3 would serve to further minimize traffic conflicts during both normal and evacuation conditions, as the intent of these measures is to enhance circulation to a level of less than significant.

T-1. *Project Design Features recommended in the TIA shall be incorporated into the project design. These include:*
• Construction of North Shore Drive at its ultimate half-section width as a Mountain Major highway from Canyon Drive to the Easterly project boundary.
• Installation of a stop sign control at Driveway #1 and Driveway #2.

- **Construction of an Eastbound Left Turn Lane at Driveway 1/North Shore Drive and Driveway 2/North Shore Drive for 2030 Buildout Conditions.**
- **Construction of a 2nd Eastbound Through Lane at Driveway/North Shore Drive and Driveway 2/North Shore Drive for 2030 Buildout Conditions.**

T-2. The eastbound left turn lanes at both project access points will be constructed at opening year at 100% cost to the Applicant. The Applicant shall pay fair share costs of the construction of the eastbound through lanes at both project access points for the horizon year conditions. The developer shall pay the fair share cost of \$99,320 toward the off-site traffic improvements recommended in Appendix G of the San Bernardino Congestion Management Program, 2003 Update.

T-3. The following Project Design Features recommended in the Revised 2018 Focused Traffic Impact Assessment (FEIR Appendix M) shall be incorporated into the Proposed Alternative Project design:

- **Construction of left-turn pockets on driveways along North Shore Drive (SR-38) on Driveway 1 and Driveway 2.**
- **Construction of a Class II Bicycle Lane on North Shore Drive (SR-38) in the eastbound direction.**

4.3.8 Cumulative Impacts

As the Big Bear Valley area continues to develop, the addition of more development could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan by constructing facilities within public rights-of-way. Based on the Wildfire Evacuation Plan prepared by Dudek, and the Evacuation Traffic Simulations prepared by CRA, the proposed Project would only add a maximum of 6 minutes to the evacuation times that would occur under Existing Land Uses with Cumulative Projects when the additional trips associated with the proposed Project are added to this scenario. The implementation of MMs **HAZ-1** through **HAZ-3** would ensure that the proposed facilities' contribution to cumulative emergency access and evacuation impacts would be reduced to less than cumulatively considerable by requiring the Wildfire Evacuation Plan to be updated periodically to address current area conditions, and ensuring comprehensive strategies to reduce disruption to emergency access and evacuation are enforced for residents living in the Moon Camp Project, thereby minimizing the Project's contribution to cumulatively considerable evacuation impacts.

4.3.9 Unavoidable Adverse Impacts

As determined above, through the implementation of MMs **HAZ-1** through **HAZ-3**, no significant and unavoidable impacts relating to hazards and hazardous materials—specifically impairment of the implementation of or physical interference with an adopted emergency response plan or emergency evacuation plan—will occur as a result of the proposed project.

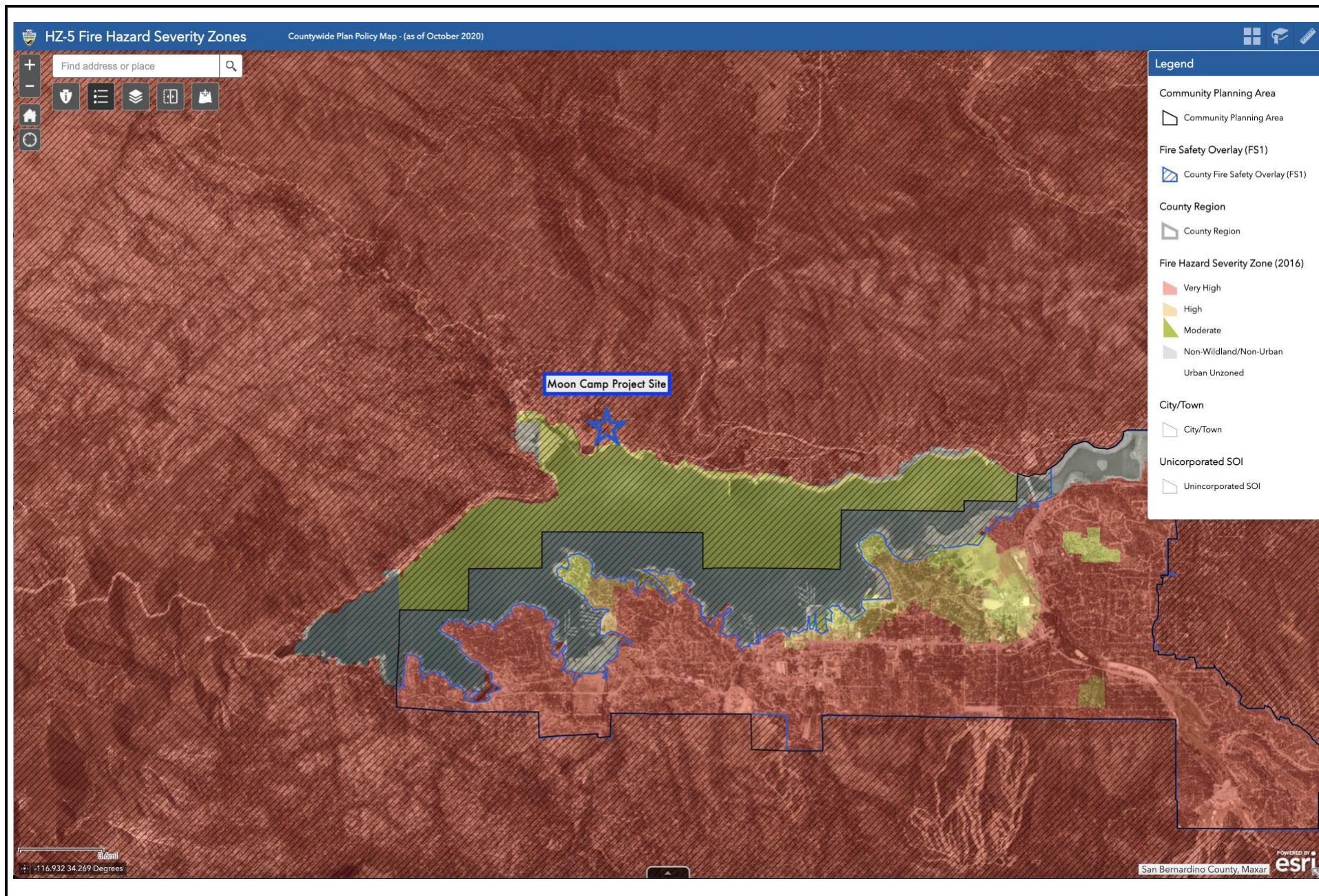


FIGURE 4.3-1

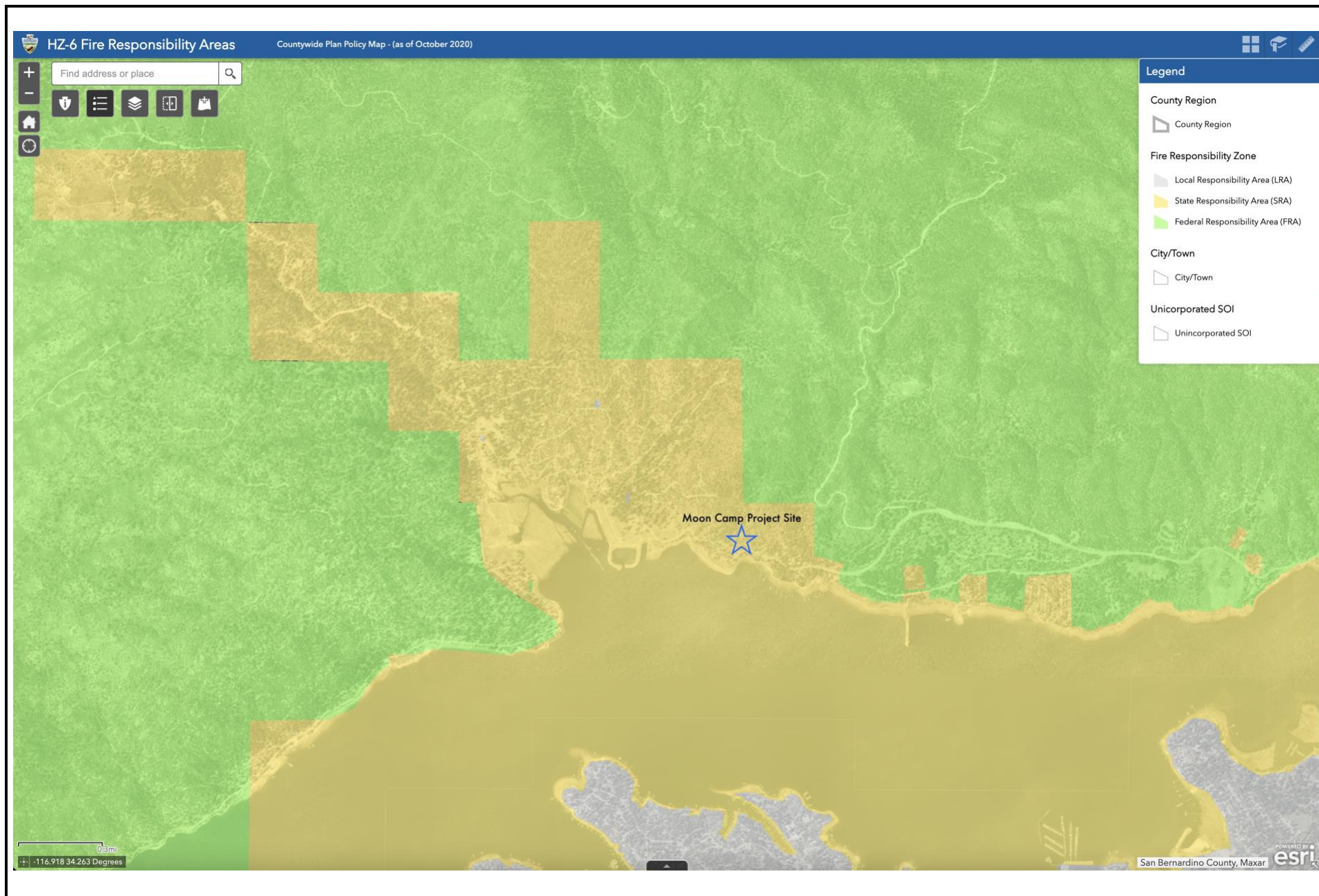


FIGURE 4.3-2

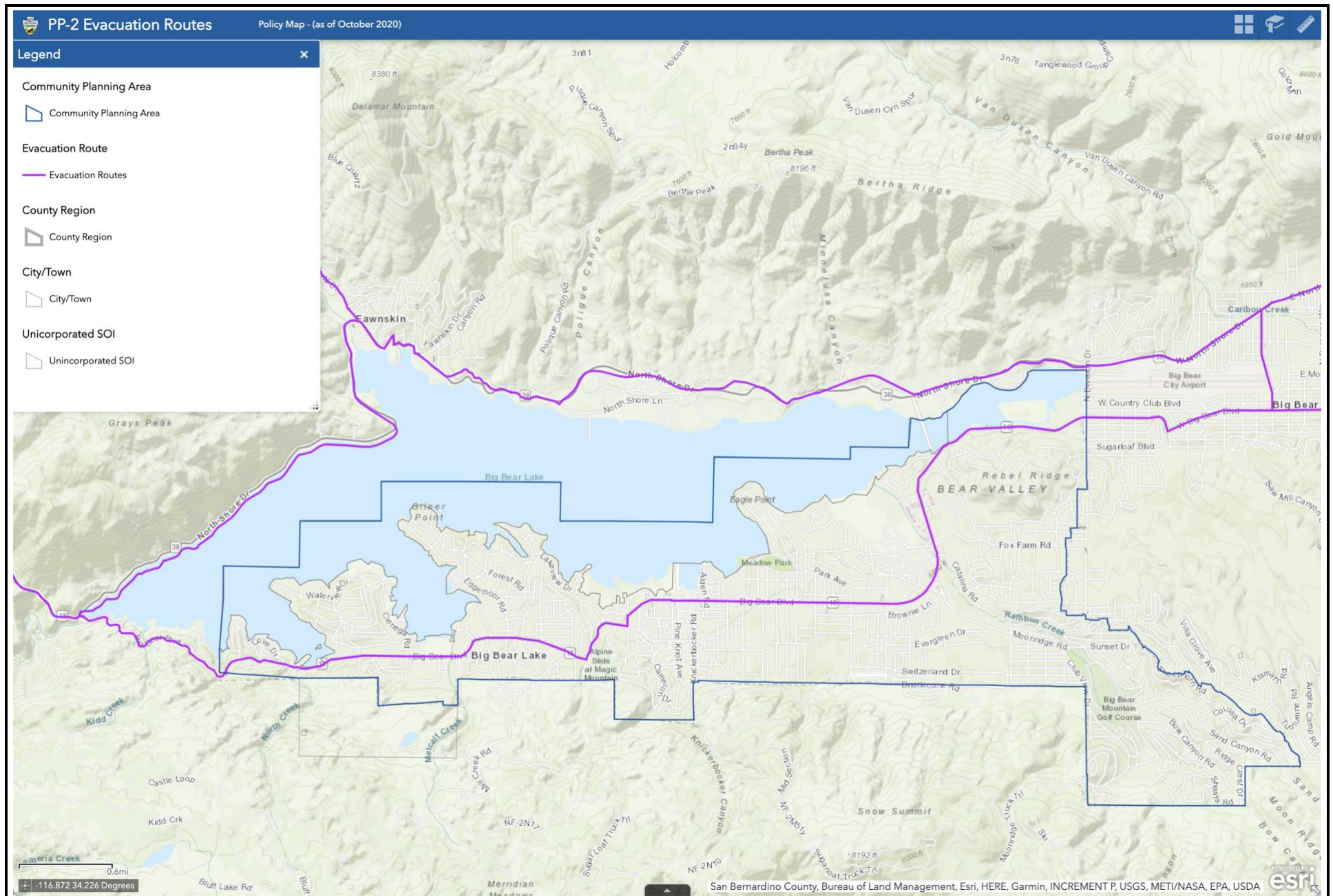


FIGURE 4.3-3

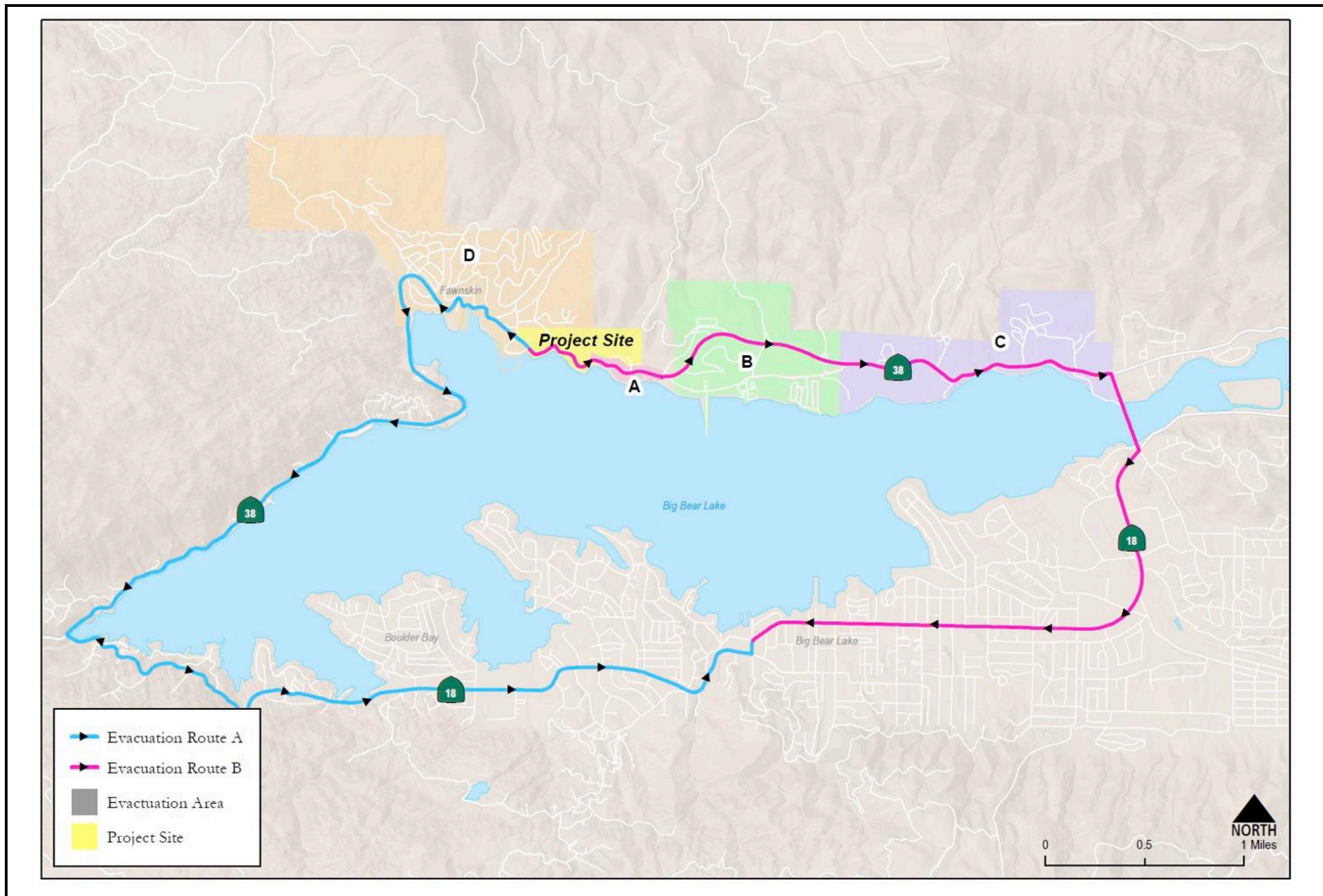


FIGURE 4.3-4

Evacuation Routes Travel Time per Google Map

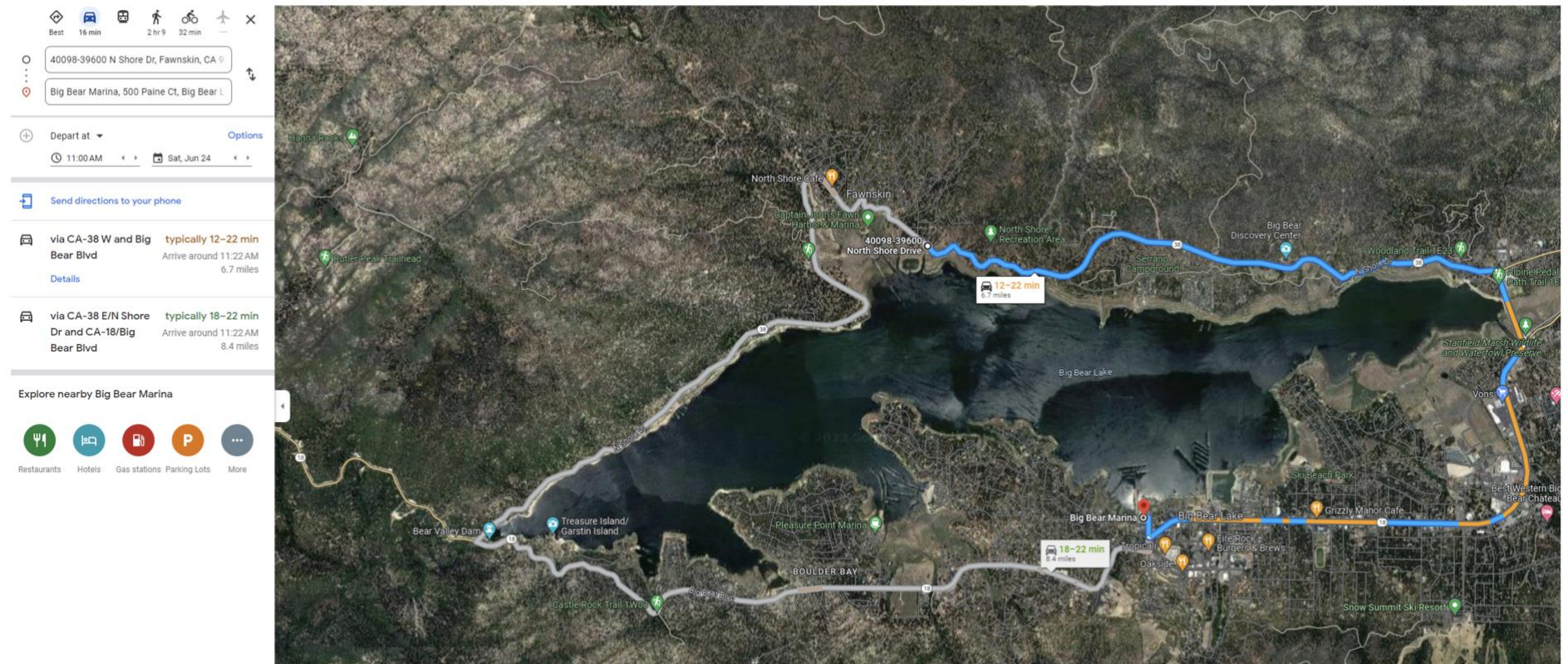


FIGURE 4.3-5

4.4 LAND USE AND PLANNING

4.4.1 Introduction

This subchapter evaluates the environmental impacts to a single land use and planning issue from implementation of the proposed Moon Camp Project, as part of this PRDEIR No. 3. Although the Court ruling did not conclude that the Land Use and Planning Section of RRDEIR No. 2 (which was incorporated as part of the 2020 FEIR) was legally inadequate, the County proposes to analyze the following environmental issue in this Subchapter of the PRDEIR No. 3: the Project's consistency with the County of San Bernardino Countywide Plan, adopted on October 27, 2020, after the Certification of the EIR and approval of the Project. The threshold analyzed in this Subchapter is derived from Appendix G of the CEQA Guidelines, in view of federal, state, and local laws and policies, which identifies the issues that examine whether the proposed Moon Camp Project would have a substantial adverse effect upon land use and planning, including consistency with the San Bernardino Countywide Plan.

This issue will be discussed below as set in the following framework:

- 4.4.1 Introduction
- 4.4.2 Environmental Setting
- 4.4.3 Regulatory Setting
- 4.4.4 Thresholds of Significance
- 4.4.5 Environmental Impacts
- 4.4.6 Avoidance, Minimization and Mitigation Measures
- 4.4.7 Cumulative Impacts
- 4.4.8 Unavoidable Adverse Impacts and Summary of Impacts after Mitigation

The following comments were received by the County during the March 31, 2007, Scoping Meeting held on the proposed Project related to Land Use and Land Use Compatibility:

- *The EIR should address how 50 new homes will contribute to increased ambient noise and light in the vicinity and address the difference between owner occupied homes and rental homes.*
- *The EIR needs to evaluate open space/land use compatibility.*
- *The EIR should address the proposed location of the marina and impacts to surrounding properties from light, noise, trash, and other issues.*
- *Will the Project be evaluated under the existing general plan or the new general plan?*
- *Will there be restrictions on building footprints?*
- *Will the building footprint and heights affect/impact views from existing neighboring homes?*
- *What are the effects on existing property values in the neighborhood?*
- *The EIR should address Project traffic on existing roads.*
- *Does the Project trigger the need for turning lanes into existing streets, particularly at Canyon Road and Highway 18? Residents do not want a traffic signal.*
- *Will a bikeway go through the existing neighborhood?*
- *Address General Plan policies relative to 'fire hazards' and 'open space.'*

The following references were used in the preparation of this Subchapter of the PRDEIR¹:

- San Bernardino Countywide Plan. San Bernardino County (2020). <https://countywideplan.com/> (accessed 05/25/23)
- San Bernardino Countywide Plan Program Environmental Impact Report. San Bernardino County (2019). <http://countywideplan.com/eir/> (accessed 05/25/23)
- San Bernardino County Development Code

The July 2020 Moon Camp FEIR is provided as Appendix 1, Volume 2 to this document. The formerly analyzed Land Use and Planning Subchapter can be found in the April 2010 RRDEIR No. 1 provided as Appendix 3, Volume 2 to this document. This Subchapter is being updated herein.

4.4.2 Environmental Setting

4.4.2.1 Existing Conditions

No change in the existing conditions have occurred since the 2020 FEIR was certified. The Moon Camp Project site (Tentative Tract No. 16136; **Figure 1-1**) is located approximately midway along the north shore of Big Bear Lake, at the eastern edge of the community of Fawnskin. The 62.43-acre site slopes upward from the lakeshore and State Route 38 (SR-38) (Lakeshore Drive) from a lake surface elevation of approximately 6,747 feet above mean sea level (msl) to approximately 6,960 feet msl at the northeast boundary. Slopes vary from 5 to 40 percent and continue upward beyond the property to a ridgeline exceeding 7,800 feet msl on the north. The on-site variation in elevation is approximately 213 feet.

Project Description

The Project consists of the subdivision of the site into 58 lots within the 62.43-acre site—50 numbered lots (single family residential lots) to be sold individually and developed into custom homes, and 8 lettered lots described as follows (and as shown on **Figure 1-1**):

- 3 designated as Open Space/Conservation easements (Lots A and H) and Neighborhood Lake Access (Lot B);
- 3 designated as water well sites (Lots D, E, and F);
- 1 designated as a potential reservoir site (Lot G); and
- 1 would be developed as the marina parking lot (Lot C), the majority of which has been reserved as a conservation easement for bald eagle and rare plant habitat conservation.

The Project proposes 6.2 acres of Open Space, Conservation, and Neighborhood Lake Access within the Project site (Lots A, B, and H). Within this 6.2 acres, 4.84 acres of the Project is occupied by ashy-gray Indian paintbrush that will be preserved in perpetuity as part of Project implementation (within Lots A and H). Additionally, the parts of Lots C (marina parking) and D (water well site) have been included as part of the Project conservation easement due to the number of trees along the lake shore line that are suitable for Bald Eagle perching and foraging for fish and waterfowl over Big Bear Lake. Thus, the development of the Moon Camp Project would establish conservation easements on-site totaling 6.2 acres, with an additional area of about 3 acres that, while not official conservation easements, have been set aside for minimal development to protect the Bald Eagle. Thus, up to 9.2-acres of conservation easements covering all of Lots A, B and H, and parts of Lots C and D would be maintained within the Project site.

¹ Refer to the listed reference documents for a comprehensive list of references utilized to prepare those reports and used in support of the sections that have been extracted and utilized in support of this Subchapter.

The Project also includes a 55-boat slip marina (Lot C). The marina parking lot also includes some open space for the preservation of existing trees. However, because of the development of the parking lot, the lot is not considered part of the Project's total provided Open Space.

Current Land Use and Zoning Districts

The Project site is currently vacant and undeveloped and is designated in the San Bernardino Countywide Plan for VLDR use (refer to **Figure 1-6**, Land Use Designations). The primary purpose of the VLDR, as identified in the Countywide Plan Land Use Element, is to allow for very low-density residential uses when developed as single-family neighborhoods that can share common infrastructure, public facilities, and services. The Project is located within the Bear Valley/Single Family Residential, 20,000-square foot minimum lot size (BV/RS20M)² Zoning District, which provides sites for single-family residential uses, incidental agricultural and recreational uses, and similar uses.

Table 4.4-1, Existing Land Use and Official Land Use Zoning District, identifies the land use category of the site and surrounding properties, as well as the current land use zoning designations.

**Table 4.4-1
Existing Land Use and Official Land Use Zoning District**

Existing Land Use		Official Land Use Designations and Zoning Districts
Project Site	Vacant	Land Use Designation: Very Low Density Residential (VLDR) The VLDR designation allows for very low-density residential uses when developed as single-family neighborhoods that can share common infrastructure, public facilities, and services. Zoning: Bear Valley/Single Residential–20,000 SF Minimum (BV/RS-20M) The Residential (RS) zoning district provides sites for single-family residential uses, incidental agricultural and recreational uses, and similar and compatible uses.
North	Residential (N and NW) Forest (N and NE)	Land Use Designation: Open Space (OS) (United States Forest Service [USFS]), Resource/Land Management (RLM), and Low Density Residential (LDR). Zoning: Bear Valley/Single Residential (BV/RS), Bear Valley/Rural Living, 10-acre minimum lot size (BV/RL-10) and Bear Valley/Resource Conservation (BV/RC) (USFS)
South	Big Bear Lake (S) Residential (SE)	Land Use Designation: Floodway (FW) (Big Bear Lake) and Low Density Residential (LDR) (Existing residential subdivision) Zoning: Bear Valley/Floodway (BV/FW) (Big Bear Lake) and Bear Valley/Single Residential (BV/RS) (Existing residential subdivision)
East	Vacant Forest (N and NE)	Land Use Designation: Open Space (OS) (USFS) Zoning: Bear Valley/Resource Conservation (BV/RC)

² The Bear Valley (BV) designation referenced in the zoning map is no longer applicable as of November 26, 2020. As part of the adoption of the San Bernardino Countywide Plan, Resolution No. 2020-198 repealed all community plans, including the community plan for Bear Valley. Since a comprehensive update to the zoning map has not been adopted, this subchapter continues to include reference to the Bear Valley (BV) designation, but said reference has no further implication.

Existing Land Use		Official Land Use Designations and Zoning Districts
West	Vacant, Residential	Land Use Designation: Special Development (SD) and Low Density Residential (LDR). Zoning: Bear Valley/Special Development-Residential (BV/SD-RES) and Bear Valley/Single Residential (BV/RS).
Source: San Bernardino County.		

4.4.3 **Regulatory Setting**

State and local laws, regulations, plans, or guidelines that are applicable to the proposed Project are summarized below.

4.4.3.1 **State**

California Planning and Zoning Law

The framework within which California cities and counties manage land use and planning oversight is set forth in State Planning and Zoning Law. Under State Planning and Zoning Law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. This requirement extends to the inclusion of seven mandatory elements described in the Government Code, including a land use element. Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies and goals; and diagrams and maps that incorporate data and analysis for the affected jurisdiction.

Office of Planning and Research General Plan Guidelines

To guide local jurisdictions in preparing their general plan, The Governor's Office of Planning and Research (OPR) is required to adopt and periodically revise guidelines for the preparation and content of local general plans pursuant to Government Code Section 65040.2. The General Plan Guidelines are advisory, not mandatory. Regardless, the Guidelines are the State's only official document explaining California's legal requirements for general plans. Local jurisdictions and the public depend upon the Guidelines for support when preparing local general plans. The courts have periodically referred to the General Plan Guidelines in determining compliance with State planning law. For this reason, the Guidelines closely adhere to statutes and case law.

4.4.3.2 **Regional**

Southern California Association of Governments

The Southern California Association of Governments (SCAG) is the federally mandated Metropolitan Planning Organization representing six Counties: Los Angeles, Imperial, Orange, Riverside, San Bernardino, and Ventura. On September 3, 2020, SCAG adopted its Connect SoCal: The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), which is an update to the previous 2016 RTP/SCS. Using growth forecasts and economic trends, the RTP/SCS provides a vision for transportation throughout the region for the next 25 years that achieves the statewide reduction targets and in so doing identifies the amount and location of growth expected to occur within the region.

4.4.3.3 Local

San Bernardino Countywide Plan

The San Bernardino Countywide Plan was adopted on October 27, 2020. The Countywide Plan serves as a guide for County decision-making, financial planning, and communications. It includes the following components:

- The County Policy Plan contains the long-term goals and policies that will guide County decisions, investments, and improvements toward achieving the Countywide Vision. The Policy Plan represents a unique approach to county planning. It serves as the County's General Plan for the unincorporated areas, which is mandated by state law, but it also includes policy direction for adult and child supportive services, healthcare, public safety, and other regional services the County administers in both incorporated and unincorporated areas.³
- The Business Plan provides overarching and ongoing guidance for existing County processes (i.e., budget, goals and objectives, performance measures, etc.). The Business Plan consists of a policy-based governance element and an action-oriented implementation plan, and two new implementation tools: A tracking and feedback system and fiscal analysis model. Combined, these sections and tools provide clarity and transparency to the public regarding County governance while ensuring the Countywide Plan remains meaningful and current.⁴
- Community Action Guides are a framework for communities to create the future character and independent identity, as identified in the workshops as community values and aspirations, through completion of community actions. As stated at the community workshops, the Community Action Guides replace any 2007/2014 Community Plans, with a greater focus on community self-reliance, grass-roots action, and implementation. Goals, policies, land use, and infrastructure decisions are addressed in the Policy Plan of the Countywide Plan. The County Development Code will still regulate zoning and land development.⁵

The Policy Plan contains eleven elements, which are described below:

1. **Land Use Element.** The land use element designates the distribution, location, intensity, and balance of land uses for the unincorporated areas of the county; establishes goals for where, when, and how the County grows, which is also guided by policies in other elements; provides direction for new development on community design, land use compatibility, and interagency coordination; and provides guidance for orderly expansion of incorporated areas.
2. **Housing Element.** The housing element identifies sites to facilitate and encourage housing for households of all economic levels, including persons with disabilities; removes governmental constraints to housing production, maintenance, and improvement as legally feasible and appropriate; assists the development of adequate housing for low- and moderate-income households; preserves publicly assisted multiple-family housing developments in each community; conserves and improves conditions in existing housing and neighborhoods, including affordable housing; and, promotes a range of housing opportunities for all individual and households consistent with fair and equal housing opportunity
3. **Infrastructure and Utilities Element.** The infrastructure and utilities element provides guidance on where, when, and how infrastructure and utilities are improved and expanded; establishes goals and policies to maintain an adequate supply of potable water

³ San Bernardino County, 2023. About the Policy Plan. <https://countywideplan.com/policy-plan/> (accessed 06/02/23)

⁴ San Bernardino County, 2023. About the Business Plan. <https://countywideplan.com/business-plan/> (accessed 06/02/23)

⁵ San Bernardino County, 2023. About Community Planning. <https://countywideplan.com/communities/howtousecags/> (accessed 06/02/23)

and the safe disposal, treatment, and recycling of wastewater, and the recycling and safe disposal of solid waste; and provides direction on system irrigation, resource conservation, and the protection of the natural environment.

4. **Transportation and Mobility Element.** The transportation and mobility element establishes the location and operational conditions of the roadway network; coordinates the transportation and mobility system with future land use patterns and Projected growth; provides guidance for the County's responsibility to satisfy the local and subregional mobility needs of residents, visitors, and businesses in unincorporated areas; and addresses access and connectivity among the various communities, cities, towns, and regions, as well as the range and suitability of mobility options: Vehicular, trucking, freight and passenger rail, air, pedestrian, bicycle, and transit.
5. **Natural Resources Element.** The natural resources element establishes policies that preserve and enhance the beauty and resiliency of our natural resources; provides guidance on coordinating with others to manage, conserve, and protect natural resources such as watersheds, wildlife habitat areas and corridors, and other natural and open space areas; promotes clean air and a supply of water for human consumption and the natural environment; supports the maintenance and enhancement of a countywide system of open space, parks, and recreation assets; provides guidance and support for mining operations and the preservation of viable agricultural and grazing lands; and provides guidance on the location and distribution of new development to protect natural resources.
6. **Renewable Energy and Conservation Element.** The renewable energy and conservation element clarifies the County's collective community, environmental, and economic values for Renewable Energy (RE) development and conservation; articulates what the County will strive to achieve and avoid through energy conservation, energy efficiency, and RE development; establishes goals and policies to manage RE development and conservation of the natural environment; and sets a framework for Development Code standards for RE development.
7. **Cultural Resources Element.** The cultural resources element establishes direction on notification, coordination, and partnerships to preserve and conserve cultural resources; provides guidance on how new development can avoid or minimize impacts on cultural resources; and provides direction on increasing public awareness and education efforts about cultural resources.
8. **Hazards Element.** The hazards element identifies potential natural and human-generated hazards, including increased risk due to climate change; provides direction to address risks to residents, businesses, workers, and visitors; and prioritizes resources and reducing pollution exposure in unincorporated disadvantaged communities.
9. **Personal and Property Protection Element.** The personal and property protection element promotes continuous improvement in the provision of public safety and administration of justice; supports coordinated and effective interagency response to emergencies and natural disasters; provides policy direction to engage communities and respond to identified needs; fosters collaboration among the Board of Supervisors-directed agencies and departments and the elected Sheriff and District Attorney; and augments, rather than replaces, state- and federally-mandated goals and objective.
10. **Economic Development Element.** The economic development element provides direction for County efforts to attract private investment in nonresidential development in unincorporated areas of the county, focuses countywide investments in workforce development on growing occupations and industries, establishes the County's intent to invest in economic development to improve the countywide jobs-housing ratio, and identifies the means through which the County promotes countywide economic development.

11. Health and Wellness Element. The health and wellness element provides guidance on addressing issues that by their nature require extensive coordination and collaboration within the County and with outside agencies and organizations, establishes a holistic approach to the continuum of care, identifies the County's policy focus regarding its use of state and federal funds to improve the physical and behavioral health of residents, and describes the County's priorities and roles in serving the health and social needs of vulnerable populations.

4.4.4 Thresholds of Significance

The following criteria for establishing the significance of potential impacts on land use were derived from Appendix G of the CEQA Guidelines. These criteria conform to the County's Initial Study Checklist. According to Appendix G of the CEQA Guidelines, a Project would normally have a significant effect on the environment if the Project would:

- a) Physically divide an established community; or
- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

However, as the purpose of this PRDEIR No. 3 is to respond to the Court's writ of mandate and to analyze the Project's consistency with the San Bernardino Countywide Plan, as the Countywide Plan was adopted after the Certification of the EIR and approval of the Project, this impact will be analyzed in the context of the following criteria extracted from Appendix G of the CEQA Guidelines:

- b) Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No change in the analysis for any other Land Use and Planning issue is required as part of this PRDEIR No. 3, as the Court found the analysis thereof sufficient, and additionally, the analysis of whether the Project would physically divide an established community remains the same, even under the updated San Bernardino Countywide Plan. Refer to that which was included in the July 2020 FEIR and RRDEIR No. 1 for the remaining Land Use and Planning Text.

The potential land use and planning changes in the environment are addressed in response to the above thresholds in the following analysis.

4.4.5 Potential Impacts

- b) **Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

SCAG RTP/SCS

SCAG's 2020-2045 RTP/SCS Plan (titled Connect SoCal) identifies coordinated transportation and land use planning strategies intended to reduce greenhouse gas ("GHG") emissions in accordance with Senate Bill 375 and to benefit regional quality of life. Connect SoCal Plan emphasizes placing higher intensity housing and jobs in locations with existing high-quality transit infrastructure that make daily travel via transit or active transportation (biking, walking, etc.) feasible and attractive alternatives to single occupancy vehicle travel. Specific metrics identified

in the Connect SoCal include the following forecasts: More than half of new housing will be multi-family by 2035; the share of new households located within designated High Quality Transit Areas (HQTAs) is Projected to increase by 6 percent between the Baseline (45.2 percent) and Connect SoCal (51.2 percent) by 2045; over half of new homes and jobs will be within walking distance of transit; fewer drive-alone trips and more transit use, biking and walking and HOV (high occupancy) trips; average auto trip length decreases; and per capita vehicle miles traveled (VMT) decreases.

The policies are not directly applicable to the Project. As shown in **Table 4.4-2**, the Project would not conflict with the SCAG adopted Connect SoCal. Therefore, impacts would be less than significant.

**Table 4.4-2
CONNECT SOCIAL CONSISTENCY ANALYSIS**

Applicable General Plan Policies	Project Consistency Analysis
RTP/SCS/Connect SoCal Goal 1: Encourage regional economic prosperity and global competitiveness.	Consistent. The Project consists of the development of TTM No. 16136 with a total of 50 residential lots, 8 lettered lots including conservation easements, and a marina with 55 boat slips within a 62.43-acre site. As a housing development, the nexus for contributing to regional economic prosperity is the provision of new residents that would contribute to the local and regional economy at large. As the proposed Project is projected to increase the number of total residents within the Big Bear Valley as a result of the additional 50 single-family residential units proposed by the Project, the Project would encourage regional economic prosperity. However, as an individual development, the Project is limited in its ability to directly contribute substantially to either regional economic prosperity or global competitiveness. Thus, the Project is consistent with Goal 1.
RTP/SCS/Connect SoCal Goal 2: Improve mobility, accessibility, reliability, and travel safety for people and goods.	No Conflict Identified. The proposed Project would be constructed within an area that would not impede mobility, accessibility, reliability, or travel safety for people and goods. The Project will include development of roadway facilities to service the Project and provide direct access for the residents to SR-38. The Project proposes two points of ingress and egress from SR-38 with Street "A" terminating on the east-end of the Project in the cul-de-sac. The Project roadway system will consist of standard two-lane roadways with two stop sign-controlled intersections on SR-38 and one intersection interior to the Project. Given that the proposed Project would not impede access to the main roadway providing access to the communities north of Big Bear Lake (SR-38), the Project would not conflict with the RTP/SCS/Connect SoCal Goal 2 to improve mobility, accessibility, reliability, and travel safety for people and goods. Thus, the Project would not conflict with, nor impede the implementation of Goal 2.

Applicable General Plan Policies	Project Consistency Analysis
RTP/SCS/Connect SoCal Goal 3: Enhance the preservation, security, and resilience of the regional transportation system.	No Conflict Identified. The Transportation analysis in RRDEIR No. 1 concluded that implementation of recommended mitigation measures would reduce impacts to the intersection of Stanfield Cutoff/Big Bear Boulevard, and Stanfield Cutoff/SR-38 to a less than significant level and with implementation of the recommended mitigation measures, and traffic hazard impacts would be less than significant. These include restricting parking along the shoulder of SR-38, constructing turn pockets, and installing stop signs at all intersections with the highway, and limiting landscaping to increase visibility at Project intersections with the highway. The Wildfire Evacuation Plan prepared for the Moon Camp Project is consistent with the evacuation planning standards and can be integrated into a county or regional evacuation plan and other pre-plans when and if the area officials and stakeholders (CAL FIRE, San Bernardino County Fire Protection District, San Bernadino County Office of Emergency Services, Big Bear Fire Department, San Bernardino County Sheriff's Department, and others) complete one. This would ensure coordination for evacuation routes and planning at the Project level. Thus, there are no components of the proposed Project that would impair the preservation, security, and resilience of the regional transportation system, or otherwise conflict with the SCAG RTP/SCS/Connect SoCal Goal 3. Thus, the Project would not conflict with, nor impede the implementation of Goal 3.
RTP/SCS/Connect SoCal Goal 4: Increase person and goods movement and travel choices within the transportation system.	No Conflict Identified. Please refer to the consistency discussion under SCAG RTP/SCS/Connect SoCal Goal 4. Given that the proposed Project is a residential development, it is limited in its ability to maximize increase person or goods movement. Furthermore, the Project would not contribute to new mode of travel choices within the existing transportation system. Thus, as the proposed Project would not impair the existing transportation systems available in the Big Bear Valley or region at large, the Project would not conflict with, nor impede the implementation of Goal 4.
RTP/SCS/Connect SoCal Goal 5: Reduce greenhouse gas emissions and improve air quality.	No Conflict Identified. The proposed Project requires incorporation of design measures to reduce greenhouse gas and air pollutant emissions with the goal of meeting State and regional programs to be consistent with RTP/SCS/Connect SoCal Goal 5. Specifically, mitigation measures include the following: Minimize fugitive dust; reduce exhaust emissions and other construction emissions; minimize wood burning stove emissions, including establishing a good neighbor policy for wood burning. Furthermore, while construction-related and operational air quality emissions would be significant and unavoidable, the Project would not prevent SCAG from implementing actions that would improve air quality within the region. Based on these findings, the implementation of the Moon Camp Project would not conflict with, nor impede, Goal 5.

Applicable General Plan Policies	Project Consistency Analysis
RTP/SCS/Connect SoCal Goal 6: Support healthy and equitable communities.	Consistent. As discussed under Table 4.4-2 , the proposed Project would comply with the Countywide Plan Environmental Justice goals and policies to support healthy and equitable communities. Furthermore, the proposed Project would provide up to 9.2 acres of conservation easements, which would promote a walkable community integrated with the portions of the conservation easements that are accessible to the public that would be preserved by the proposed Project. Furthermore, the proposed Project would include a marina enabling boat access on Big Bear Lake, which would promote outdoor recreation. Thus, based on these findings, the implementation of the Moon Camp Project would be consistent with Goal 6.
RTP/SCS/Connect SoCal Goal 7: Adapt to a changing climate and support an integrated regional development pattern and transportation network.	No Conflict Identified. Please refer to the consistency analyses under Goals 3 and 5. This goal is intended to guide County and City planning documents and the implementation thereof. As the proposed Project is a private development Project, it does not have any bearing on the development of future planning documents by the County. However, as the proposed Project is consistent with the land use designation and zoning classification for the Project site, it would not conflict with, nor impede, Goal 7.
RTP/SCS/Connect SoCal Goal 8: Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	No Conflict Identified. Please refer to the discussion under Goal 2. This goal is intended to guide transportation planning by transportation agencies, Counties and Cities within the SCAG region. As stated above, the proposed Project does not relate to new transportation technologies or other solutions to more efficient modes of travel. Based on these findings, the implementation of the Moon Camp Project would not conflict with, nor impede, Goal 8.
RTP/SCS/Connect SoCal Goal 9: Encourage development of diverse housing types in areas that are supported by multiple transportation options.	Consistent. The proposed Project would develop TTM No. 16136 with a total of 50 residential lots. The Project would, therefore, contribute 50 single family residences to the overall housing available in the Big Bear Valley and SCAG region at large. Alternative modes of transportation are limited within the Big Bear Valley, due to its remote location in the San Bernardino Mountains. However, the Mountain Area Transit, which serves the San Bernardino Mountain Region, does not serve the Fawnskin Community within which the proposed Project would be developed. Regardless, the proposed Project would contribute to the 8,832-unit housing stock deficit within unincorporated San Bernardino County identified by the SCAG 6th Cycle RHNA Allocation. ⁶ Based on these findings, the implementation of the Moon Camp Project would not conflict with, nor impede, Goal 9.
RTP/SCS/Connect SoCal Goal 10: Promote conservation of natural resources and agricultural lands and restoration of habitats.	Consistent. Of the 62.43-acre site, the proposed Project would conserve up to provide up to 9.2 acres of conservation easements. This would contribute to the preservation of many, though not all, of the bald eagle perch locations within the Project site through the implementation of Mitigation Measure (MM) BR-4 which requires that eagle perch locations be preserved in place upon completion of the proposed Moon Camp Project.

⁶SCAG, 2021. SCAG 6th Cycle RHNA Allocation https://scag.ca.gov/sites/main/files/file-attachments/6th_cycle_final_rhna_allocation_plan_070121.pdf?1646938785 (accessed 06/02/23)

Applicable General Plan Policies	Project Consistency Analysis
	Additionally, within the Project conservation easements, 88 percent, or 4,895 of the ashy-gray Indian paintbrush occurrences within the Project site will be protected through permanent conservation easements designated within both lettered Lots A and H. As such, through onsite conservation, the proposed Project would promote the conservation of natural resources consistent with Goal 10.

San Bernardino Countywide Plan

The Project site encompasses about 62.43 acres and is designated VLDR in the San Bernardino Countywide Plan (refer to **Figure 1-6**, Land Use Designations). Additionally, the Project is located within the BV/RS20M Zoning District, which provides sites for single-family residential uses, incidental agricultural and recreational uses, and similar and compatible uses. As proposed in TTM No. 16136, the proposed Project will be fully consistent with the Policy Plan Land Use Map (LU-1) and Zoning Map (LUZD Map FI09).

A review of all other Countywide Policy Plan Element Goals (Land Use Element, Housing Element, Infrastructure and Utilities Element, Transportation and Mobility Element, Natural Resources Element, Renewable Energy and Conservation Element, Cultural Resources Element, Hazards Element, Personal and Property Protection Element, Economic Development Element, and Health and Wellness Element) indicates that the proposed Project is consistent with all applicable Goals, often with mitigation, as demonstrated by the findings in this PRDEIR No. 3, in addition to the analysis that was deemed adequate by the Court in the 2020 FEIR. A detailed consistency analysis has been prepared to demonstrate Project consistency with the Countywide Plan Goals and Policies that have been adopted for the purpose of avoiding or mitigating an environmental effect in **Table 4.4-3**, below.

In the following discussion, the Land Use goals and policies outlined in the Countywide Plan are restated and addressed with respect to Project impacts.

**Table 4.4-3
SAN BERNARDINO COUNTYWIDE PLAN CONSISTENCY ANALYSIS**

County Goals and Policies	Consistency Analysis
Goal LU-1 Growth and development that builds thriving communities, contributes to our Complete County, and is fiscally sustainable.	
Policy LU-1.1 Growth We support growth and development that is fiscally sustainable for the County. We accommodate growth in the unincorporated county when it benefits existing communities, provides a regional housing option for rural lifestyles, or supports the regional economy.	Consistent. The Project consists of the development of TTM No. 16136 with a total of 50 residential lots, 8 lettered lots including conservation easements, and a marina with 55 boat slips within a 62.43-acre site. The proposed Project would contribute to growth that would provide housing options for the Mountain Region lifestyle. The provision of new housing options within the Mountain Region would benefit the existing community, particularly given that the proposed Project would contribute to the 8,832-unit housing stock deficit within unincorporated San Bernardino County, identified by the SCAG 6th Cycle RHNA Allocation. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy LU-1.1

County Goals and Policies	Consistency Analysis
Policy LU-1.2 Infill development We prefer new development to take place on existing vacant and underutilized lots where public services and infrastructure are available.	Consistent. The area surrounding the Project site in most directions contains housing similar to that which is proposed as part of the Moon Camp Project. The site is designated VLDR, which permits 0-2 dwelling units per acre maximum, and the zoning classification is BV/RS20M, which permits 20,000 SF minimum lots, which is consistent with the proposed Project density of 0.80 dwelling units per acre based upon 50 dwelling units on 62.43 acres. The proposed Project would install water and wastewater infrastructure to connect to existing utility systems. Additionally, the Project would include development of roadway facilities that would enable access to SR-38. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy LU-1.2.
Policy LU-1.5 Development impact fees We require payment of development impact fees to ensure that all new development pays its fair share of public infrastructure.	Consistent. The proposed Project would contribute development impact fees (DIF) commensurate with the County required fees for a Project of this size and type. Furthermore, the proposed Project would contribute fair share costs for roadway improvements pursuant to Mitigation Measure (MM) T-2, in addition to implementation of Project design features recommended to reduce traffic circulation impacts (MMs T-1 and T-2). Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy LU-1.3.
Goal LU-2 An arrangement of land uses that balances the lifestyle of existing residents, the needs of future generations, opportunities for commercial and industrial development, and the value of the natural environment.	
Policy LU-2.1 Compatibility with existing uses We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.	Consistent. As shown on Figure 1-2, the proposed Project is designated VLDR on the Countywide Plan. The surrounding uses include Big Bear Lake, open space, and low-density residential uses. Since the Moon Camp Project was conceived, the Project has reduce the number of units from 92 residential lots to 50 residential lots to better fit the character of this portion of the Mountain Community. As the Project has incorporated conservation easements and larger lot sizes, it would be more compatible with existing uses. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy LU-2.1.
Policy LU-2.2 Compatibility with planned uses We require that new residential development is located, scaled, buffered, and designed to minimize negative impacts both on and from adjacent areas designated for nonresidential land uses.	Consistent. As shown on Figure 1-2, the proposed Project is designated VLDR on the Countywide Plan. The surrounding uses include Big Bear Lake, open space, and low-density residential uses. The nonresidential uses include open space (forest) to the north and northeast, in addition to Big Bear Lake to the south. The proposed Project would be scaled appropriate with the VLDR land use designation, and includes up to 9.2 acres of conservation within the total 62.43-acre Project site. Conservation would include trees that serve as perches for bald eagle, in addition to 4.84 acres of area that would preserve occupied ashy gray Indian paintbrush in perpetuity. Therefore, as the proposed Project includes preservation of internal open space areas, it would be consistent with the surrounding open space and Lake uses. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy LU-2.2.
Policy LU-2.3 Compatibility with natural environment	Consistent. Please refer to the discussion under Policy LU-2.2, above. The Project proposes 6.2 acres of Open

County Goals and Policies	Consistency Analysis
We require that new development is located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.	Space, Conservation, and Neighborhood Lake Access within the Project site. Within this 6.2 acres, 4.84 acres of occupied ashy-gray Indian paintbrush will be preserved in perpetuity as part of Project implementation. Additionally, the parts of Lots C (marina parking) and D (well site) have been included as part of the Project conservation easement due to the number of trees along the lake shore line that are suitable for Bald Eagle perching and foraging for fish and waterfowl over Big Bear Lake. Thus, the development of the Moon Camp Project would establish conservation easements on-site totaling between the 6.2 and 9.2-acres covering all of Lots A, B and H, and parts of Lots C and D. This includes no development along the shoreline of Big Bear Lake, as this will be part of the conservation easement. As such, the proposed Project has been designed to be compatible with the natural environment and ,therefore, the implementation of the Moon Camp Project would be consistent with Policy LU-2.3.
Policy LU-2.4 Land Use Map consistency We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity.	Consistent. As shown on Figure 1-2, the proposed Project is designated VLDR on the Countywide Plan. The proposed Project would be consistent with the underlying land use designation and with the surrounding land uses. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy LU-2.4.
Policy LU-2.6 Coordination with adjacent entities We require that new and amended development Projects notify and coordinate with adjacent local, state, and federal entities to maximize land use compatibility, inform future planning and implementation, and realize mutually beneficial outcomes.	Consistent. The proposed Project will require coordination with several adjacent entities to implement the proposed Project. This includes: • Big Bear Municipal Water District—A Dock System and License Agreement, Yacht Club Dock License, and/or a shore alteration permit can be obtained at their discretion. • California Department of Fish and Wildlife (CDFW)—1602 Streambed Alteration Agreement. • California Division of Forestry—Timber Harvest Plan approval. • California State Water Resources Control Board—General Stormwater Permit for Construction and Storm Water Pollution Prevention Plan. • Santa Ana Regional Water Quality Control Board (RWQCB)—Clean Water Act Section 401 Permit. • California Department of Transportation—Project Study Report (PSR) and Traffic Impact Study (TIS) for SR-38 Encroachment Permit. • City of Big Bear Lake, Department of Water and Power—water service permits and approvals. • South Coast Air Quality Management Agency—Authority to Construct/Operating Permits. • U.S. Army Corps of Engineers (USACE)- Clean Water Act Section 404 Permit. Based on coordination with the above entities, the implementation of the Moon Camp Project would be

County Goals and Policies	Consistency Analysis
	consistent with Policy LU-2.6.
Policy LU-2.8 Rural lifestyle in the Mountain/Desert regions We intend that new residential development in the unincorporated Mountain and Desert regions offer a lower intensity lifestyle that complements the suburban and urban densities in incorporated cities and towns to provide a range of lifestyle options. Master planned communities in unincorporated Mountain/Desert regions may provide a broader range of lifestyles and densities.	Consistent. The proposed Project would be consistent with VLDR designation in the San Bernardino Countywide Plan, which was recently adopted in 2020. Given that the proposed Project is consistent with the County's land use designation for very low-density residential use, the Moon Camp Project would be consistent and compatible with the rural lifestyle of the Mountain Region. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy LU-2.8.
Goal LU-4 Preservation and enhancement of unique community identities and their relationship with the natural environment	
Policy LU-4.1 Context-sensitive design in the Mountain/Desert regions We require new development to employ site and building design techniques and use building materials that reflect the natural mountain or desert environment and preserve scenic resources.	Consistent. The proposed Project includes design features to reduce aesthetic impacts and preserve scenic resources within the Project area. These include: • View envelopes for the existing and proposed residences are kept open to the greatest extent feasible; • View corridors are established; and, • Conservation easements preserve visual aesthetics of the site in its natural state and provide a buffer between existing residences in Fawnskin and the proposed Project. Additionally, MMs A-1a, A-1b, A-2a-e, A-3a, A-3b, and A-4a-f minimize short- and long-term aesthetic impacts, in addition to scenic highway impacts, and light and glare impacts to a level of less than significant. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy LU-4.1.
Policy LU-4.2 Fire-adapted communities We require new development in high or very high fire hazard severity zones to apply fire-resistant design techniques, including fuel modification areas, fire resistant landscaping, and fire-resistant building materials.	Consistent. The proposed Project is located in a very high fire hazard severity zone (FHSZ). The proposed structures would be constructed of new building materials, with the required setbacks from vegetation, subject to the most current building code requirements and County Fire requirements. Thus, as these requirements are more stringent, the structures would generally be more safe than the structures surrounding the Project site. The County's standard conditions of approval require the creation of defensible space around the new structures that would deter wildfire. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy LU-4.2.
Policy LU-4.4 Natural topography in the Mountain region We require new development in the Mountain region to retain natural topography and minimize grading unless it is necessary to reduce exposure to natural hazards.	Consistent. The proposed Project is located in the Scenic Resources overlay district of the County and ,therefore, is subject to development standards that would limit the alteration of the natural topography of the site. The Project will meet the following requirement for grading the site: The alteration of the natural topography of the site shall be minimized and shall avoid detrimental effects to the visual setting of the designated area and the existing natural drainage system. Alterations of the natural topography should be screened from view from either the scenic highway or the adjacent scenic or recreational resource by landscaping and planting, that harmonize with the natural landscape of the designated area and which are capable of surviving with a minimum of maintenance and supplemental water. Based on these

County Goals and Policies	Consistency Analysis
Policy LU-4.5 Community identity We require that new development be consistent with and reinforce the physical and historical character and identity of our unincorporated communities, as described in Table LU-3 and in the values section of Community Action Guides. In addition, we consider the aspirations section of Community Action Guides in our review of new development. Mountain Communities Community Character • A rural lifestyle characterized by low density neighborhoods oriented around commercial or recreational nodes, and the prevalence of the forest and mountain landscapes and natural resources. • Abundant views of open spaces, natural features, and dark skies. • Scenic, natural, and recreational features that serve as the foundation of the community's local economy and attract tourists. • Small businesses that serve local residents and visitors, compatible with the natural environment and surrounding uses.	findings, the implementation of the Moon Camp Project would be consistent with Policy LU-4.4. Consistent. The proposed Project would be consistent with the community identity of the Mountain Communities as described in Table LU-3. As discussed previously, the proposed Project would be consistent with the VLDR designation and, therefore, would be consistent with the rural lifestyle of the Fawnskin community. The proposed Project would implement MMs A-4a through A-4f, which are intended to reduce long term light and glare impacts from the proposed Project. This, when combined with the up to 9.2 acres of conservation easements established on site, would contribute to the open spaces, natural features, and dark skies ascribed to the Mountain Communities Community Character. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy LU-4.5.
Policy LU-4.7 Dark skies We minimize light pollution and glare to preserve views of the night sky, particularly in the Mountain and Desert regions where dark skies are fundamentally connected to community identities and local economies. We also promote the preservation of dark skies to assist the military in testing, training, and operations.	Consistent. See discussion under Policy LU-4.5. The proposed Project would implement MMs A-4a through A-4f, which are intended to reduce long term light and glare impacts from the proposed Project, including minimizing light pollution to preserve the night sky. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy LU-4.7.
Goal NR-1 Air quality that promotes health and wellness of residents in San Bernardino County through improvements in locally-generated emissions	
Policy NR-1.2 Indoor air quality We promote the improvement of indoor air quality through the California Building and Energy Codes and through the provision of public health programs and services.	Consistent. The proposed Project would be developed consistent with the current California Building Code and Energy Code, which would ensure improved indoor air quality when compared to older residences. Additionally, the proposed Project will incorporate the following design and planning features as practical: • Subdivision Layout & Orientation to Improve Natural Cooling and Passive Solar Attributes— summer temperatures in neighborhoods that have large expanses of pavement exposed to the sun can be several degrees warmer than neighborhoods with shaded pavement. Homes shall be oriented to take advantage of solar access to provide passive solar heat in the winter and minimize solar heat in the summer months. Planning strategies that consider solar access can address these concerns. • Structural Frame & Building Envelope: Reduce Pollution Entering the Home from the Garage by providing a Tightly Sealed Air Barrier between Garage and Living Area, Install Garage Exhaust Fan, or Build a Detached Garage – According to the U.S. EPA, an attached garage is the biggest contributor to poor indoor air quality in a home. Car exhaust contains many known carcinogens and can migrate into living spaces through doors and cracks in walls and ceilings adjacent to the

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	garage. Other pollutants commonly found in garages include benzene from lawn mowers and power tools, pesticides for gardens, toxic cleaning agents, and chemicals in paints and adhesives. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy NR-1.2.
Policy NR-1.6 Fugitive dust emissions We coordinate with air quality management districts on requirements for dust control plans, revegetation, and soil compaction to prevent fugitive dust emissions.	Consistent. The proposed Project would be developed consistent with the SCAQMD Rule 402, which regulates the emission of fugitive dust. Additionally, the proposed Project would implement MM AQ-1, which would stipulate dust control reduction measures that would be implemented during construction. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy NR-1.6.
Policy NR-1.7 Greenhouse gas reduction targets We strive to meet the 2040 and 2050 greenhouse gas emission reduction targets in accordance with state law.	Consistent. The proposed Project would generate GHG emissions from construction and operation at approximately 1,591.60 metric tons of carbon dioxide equivalents (MTCO₂e) per year. This would be below the SCAQMD significance threshold of 3,000 MTCO₂e per year for residential Projects. Thus, as a singular Project, the proposed Project would not hinder the County from meeting the 2040 and 2050 greenhouse gas emission reduction targets in accordance with state law. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy NR-1.7.
Policy NR-1.9 Building design and upgrades We use the CALGreen Code to meet energy efficiency standards for new buildings and encourage the upgrading of existing buildings to incorporate design elements, building materials, and fixtures that improve environmental sustainability and reduce emissions.	Consistent. The proposed Project would be required to be consistent with the CAL Green Code. The proposed Project would also implement a number of design features that would aid in meeting energy efficiency standards and reducing air quality and greenhouse gas emissions. These are outlined on pages 4.2-44 through 4.2-48 of RRDEIR No.1 (Appendix 3). Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy NR-1.9.
Goal NR-3 A system of well-planned and maintained parks, trails, and open space that provides recreation opportunities for residents, attracts visitors from across the region and around the country, and preserves the natural environment.	
Policy NR-3.1 Open space preservation We regulate land use and coordinate with public and nongovernmental agencies to preserve open space areas that protect natural resources, function as a buffer against natural hazards or between land uses, serve as a recreation or tourist destination, or are central to the identity of an unincorporated community.	Consistent. As previously stated, the proposed Project would consist of 6.2 acres of Open Space, Conservation, and Neighborhood Lake Access within the Project site. Within this 6.2 acres, 4.84 acres of occupied ashy-gray Indian paintbrush will be preserved in perpetuity as part of Project implementation. Additionally, the parts of Lots C (marina parking) and D (well site) have been included as part of the Project conservation easement due to the number of trees along the lake shore line that are suitable for Bald Eagle perching and foraging for fish and waterfowl over Big Bear Lake. Thus, the development of the Moon Camp Project would establish conservation easements on-site totaling between the 6.2 and 9.2-acres covering all of Lots A, B and H, and parts of Lots C and D. This would contribute to the preservation of open space and natural resources within the site and County at large. Additionally, the Project Applicant, RCK Properties, has purchased the 10-acre Dixie Lee Lane parcel, which parcel is estimated to contain very high densities of the two indicator species for pebble plain habitat—<i>Arenaria ursina</i> and <i>Eriogonum kennedyi austromontanum</i>—with an estimated population in the tens of thousands. As part

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	of the community benefits proposed by the Moon Camp Project, RCK Properties, shall duly record a Conservation Easement over the Dixie Lee Lane Parcel in the name of a CDFW-authorized entity. As such, the proposed Project would preserve open space areas and protect natural resources and, therefore, the implementation of the Moon Camp Project would be consistent with Policy NR-3.1.
Policy NR-3.2 Residential clustering We allow residential development to cluster housing units in order to reduce the consumption of undeveloped land, maximize the amount of open space, preserve natural resources, conform to natural topography/grade, and/or reduce exposure of structures to natural hazards.	Consistent. While the proposed Project would develop the site to conform with the VLDR designation, and thereby would only construct 50 residential lots within the 62.43-acre site, the residential lots have been clustered in a manner that would preserve open space and conserve natural resources through the development of up to 9.2 acres of conservation easements within the Project site, as discussed under Policy NR-3.1, above. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy NR-3.2.
Policy NR-3.5 Private conservation efforts We support nongovernmental organizations and private entities who purchase, own, maintain, and expand areas for conservation and preservation. We also support the voluntary transition of privately held lands within a larger boundary designated by the state or federal government for open space and resource conservation to public ownership.	Consistent. As discussed previously, the proposed Project would result in a private conservation effort of the Dixie Lee Lane Parcel in the name of a CDFW-authorized entity. Furthermore, onsite, the proposed Project would conserve 4.84 acres of occupied ashy-gray Indian paintbrush in perpetuity as part of Project implementation. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy NR-3.5.
Goal NR-4 Scenic resources that highlight the natural environment and reinforce the identity of local communities and the county	
Policy NR-4.1 Preservation of scenic resources We consider the location and scale of development to preserve regionally significant scenic vistas and natural features, including prominent hillsides, ridgelines, dominant landforms, and reservoirs.	Consistent. As discussed under LU-4.1, the proposed Project includes design features to reduce aesthetic impacts and preserve scenic resources including scenic vistas within the Project area. Additionally, MMs A-1a, A-1b, A-2a-e, A-3a, A-3b, and A-4a-f minimize short- and long-term aesthetic impacts, in addition to scenic highway impacts, and light and glare impacts to a level of less than significant. No significant impact to scenic vistas was identified. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy NR-4.1.
Policy NR-4.3 Off-site signage We prohibit new off-site signage and encourage the removal of existing off-site signage along or within view of County Scenic Routes and State Scenic Highways.	Consistent. The proposed Project would not include off-site signage. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy NR-4.3.
Goal NR-5 An interconnected landscape of open spaces and habitat areas that promotes biodiversity and healthy ecosystems, both for their intrinsic value and for the value placed on them by residents and visitors.	
Policy NR-5.1 Coordinated habitat planning We participate in landscape-scale habitat conservation planning and coordinate with existing or proposed habitat conservation and natural resource management plans for private and public lands to increase certainty for both the conservation of species, habitats, wildlife corridors, and other important biological resources and functions; and for land development and infrastructure permitting.	Consistent. As discussed previously, the proposed Project would result in a private conservation effort of the Dixie Lee Lane Parcel in the name of a CDFW-authorized entity. Furthermore, the development of the Moon Camp Project would establish conservation easements on-site totaling between the 6.2 and 9.2-acres covering all of Lots A, B and H, and parts of Lots C and D. This would contribute to conservation of the ashy gray Indian paintbrush, in addition to other important plant and wildlife species habitat, as discussed in detail under Subchapter 4.2, Biological Resources. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy NR-5.1.

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Policy NR-5.3 Multiple-resource benefits We prioritize conservation actions that demonstrate multiple resource preservation benefits, such as biology, climate change adaptation and resiliency, hydrology, cultural, scenic, and community character.	Consistent. As discussed previously, the proposed Project would result in conservation actions that would benefit biological resources and scenic resources, and could conform to the existing community character of the Fawnskin community. The proposed project would not result in significant air quality, greenhouse gas, or hydrology impacts. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy NR-5.3.
Policy NR-5.6 Mitigation banking We support the proactive assemblage of lands to protect biological resources and facilitate development through private or public mitigation banking. We require public and private conservation lands or mitigation banks to ensure that easement and fee title agreements provide funding methods sufficient to manage the land in perpetuity.	Consistent. As discussed previously, the Project Applicant, RCK Properties, has purchased the 10-acre Dixie Lee Lane parcel, which parcel is estimated to contain very high densities of the two indicator species for pebble plain habitat— <i>Arenaria ursina</i> and <i>Eriogonum kennedyi austromontanum</i> —with an estimated population in the tens of thousands. As part of the community benefits proposed by the Moon Camp Project, RCK Properties, shall duly record a Conservation Easement over the Dixie Lee Lane Parcel in the name of a CDFW-authorized entity. As the proposed project would ensure that easement and fee title agreements provide funding methods sufficient to manage the Dixie Lee Lane parcel in perpetuity, it would be consistent with Policy NR-5.6.
Policy NR-5.7 Development review, entitlement, and mitigation We comply with state and federal regulations regarding protected species of animals and vegetation through the development review, entitlement, and environmental clearance processes.	Consistent. The 2020 FEIR concluded the project would have a significant and unavoidable impact to the American Bald Eagle. This finding was based solely on the strict standard the County has for impacts to Bald Eagles. However, implementation of the proposed project will not result in the “take” of any American Bald Eagle. The American Bald Eagle is a fully-protected species and although a significant impact from Project implementation has been identified, there will be no impact under either the Federal or California Endangered Species Acts (FESA or CESA). As such, the project would comply with state and federal regulations regarding protected species. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy NR-5.7.
Policy NR-5.8 Invasive species We require the use of non-invasive plant species with new development and encourage the management of existing invasive plant species that degrade ecological function.	Consistent. The proposed project would not include the introduction of invasive species as part of the landscape plan for the project site. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy NR-5.8.
Goal NR-6 Mineral resource zones that allow extraction industries to continue supporting the regional and national economy while minimizing negative impacts on the public and natural environment	
Policy NR-6.1 Mineral resource areas We prioritize the conservation of land area with mineral resources by prohibiting or discouraging development of land that would substantially preclude the future development of mining facilities in areas classified as Mineral Resource Zone (MRZ) 2a, 2b, or 3a.	Consistent. The site is not within an area designated by the State for locally important mineral resources and it does not lie within the County of San Bernardino’s Mineral Resource Zone. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy NR-6.1.
Goal RE-1 The County will pursue energy efficiency tools and conservation practices that optimize the benefits of renewable energy	
Policy RE-1.1 Continue implementing the energy conservation and efficiency measures identified in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan.	Consistent. The proposed Project would be developed with many construction and design attributes that would facilitate increases in energy efficiencies and a corresponding decrease in GHG emissions. The following design attributes and elements of the Project have been

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	formulated based on the following fundamental objectives: • Conservation of natural resources; • Wise use of energy; • Improvement of indoor air quality; and, • Achievement of livable communities The proposed Project would not result in significant GHG emissions. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy RE-1.1.
Policy RE-1.2 Optimize energy efficiency in the built environment RE 1.2.1: Support low- to no-cost retrofits to improve energy efficiency of existing homes through grant and loan programs. RE 1.2.2: Encourage property owners to participate in a PACE program for access to energy efficiency retrofit financing. RE 1.2.3: Encourage utilities to expand free to low-cost audit and retrofit programs in the built environments. RE 1.2.4: Work with utilities (Southern California Edison (SCE), Southern California Gas Company (SCG), etc.) to identify retrofit opportunities with short payback periods, such as variable-speed pool pumps, building air sealing, and attic insulation, for County use in conducting focused energy efficiency outreach. RE 1.2.5: Collaborate with community partners to promote the benefits of energy efficiency to County residents, businesses, and industries. RE 1.2.6: Encourage new development to comply with the optional energy efficiency measures of the CALGreen Code. RE 1.2.7: Encourage passive solar design in subdivision and design review processes.	Consistent. Refer to the discussion under Policy RE-1.1. The proposed project would implement the required rooftop solar for residential projects by the California Energy Code and would implement the above discussed design attributes that would facilitate increases in energy efficiencies. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy RE-1.2.
Goal H-1 A broad range of housing types in sufficient quantity, location, and affordability levels that meet the lifestyle needs of current and future residents, including those with special needs.	
Policy H-1.1 Appropriate range of housing We encourage the production and location of a range of housing types, densities, and affordability levels in a manner that recognizes the unique characteristics, issues, and opportunities for each community.	Consistent. The proposed project would result in the development of 50 new single-family residences at a density of 0.80 units per acre, which would meet the lifestyle needs of current and future residents of the Fawnskin community. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy H-1.1.
Policy H-1.2 Concurrent infrastructure We support the integrated planning and provision of appropriate infrastructure (including water, sewer, and roadways) concurrent with and as a condition of residential development to create more livable communities.	Consistent. Refer to Chapter 1, Introduction, which describes the infrastructure that would be installed concurrent with Project development. Water Service for the Project site would be provided by the Big Bear Department of Water and Power (DWP). The water improvements will primarily be constructed within the rights-of-way of existing or proposed paved roads concurrent with project development. The Applicant would be responsible for all plumbing and sewer facilities located within the site, including manholes and connection to the County Service Area 53, Improvement Zone B (CSA 53B), which would be treated by Big Bear Area Regional Wastewater Authority's (BBARWA) wastewater

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	treatment plant. Additionally, the Project will include development of roadway facilities to service the Project and provide direct access to SR-38 for the residents. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy H-1.2.
Goal H-5 Equal housing opportunities for all persons regardless of race, age, religion, sex, marital status, disability status, ancestry, national origin, or color.	
Policy H-5.1 Housing discrimination We further fair housing opportunities by prohibiting discrimination in the housing market; providing education, support, and enforcement services to address discriminatory practices; and removing potential impediments to equal housing opportunity.	Consistent. By law, the proposed Development would be required to prohibit discrimination in the housing market as part of the sale of the future residential lots proposed by this Project. This is a requirement of the State's Fair Employment and Housing Act, but which the proposed project would comply. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy H-5.1.
Goal IU-1 Water supply and infrastructure are sufficient for the needs of residents and businesses and are resilient to drought	
Policy IU-1.1 Water supply We require that new development be connected to a public water system or a County-approved well to ensure a clean and resilient supply of potable water, even during cases of prolonged drought.	Consistent. Big Bear Lake Department of Water and Power (BBLDWP) would provide water service to the Project site. The Developer would be required to construct the on-site and off-site facilities as described in the DWP's Water Feasibility Study (Alda 2007), as amended by the 2011 update, as discussed in Chapter 1 of this PRDEIR No. 3, and in RRDEIR No. 1. This includes the use of 3 water wells that would be deeded to BBLDWP at the time the tract map is recorded. The Developer would install all common infrastructures, including fire hydrants, and would also install the water main lines within the Project site. The Water Feasibility Study determined adequate water supply is available to serve the needs of the proposed project with the improvements outlined in the in Chapter 1 of this PRDEIR No. 3. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy H-1.1.
Policy IU-1.9 Water conservation We encourage water conserving site design and the use of water conserving fixtures, and advocate for the adoption and implementation of water conservation strategies by water service agencies. For existing County-owned facilities, we incorporate design elements, building materials, fixtures, and landscaping that reduce water consumption, as funding is available.	Consistent. The proposed Project would be required to implement MM U-1a , which requires the creation of a conservation guidelines booklet that outlines water conservation measures to be implemented by future residents of the single-family residences proposed by the Project. Thus, as the proposed Project would not only promote, but require water conservation, the implementation of the Moon Camp Project would be consistent with Policy IU-1.9.
Goal IU-4 Adequate regional landfill capacity that provides for the safe disposal of solid waste, and efficient waste diversion and collection for unincorporated areas.	
Policy IU-4.3 Waste diversion We shall meet or exceed state waste diversion requirements, augment future landfill capacity, and reduce greenhouse gas emissions and use of natural resources through the reduction, reuse, or recycling of solid waste.	Consistent. As this project would be developed after 2022, future residents would be required to comply with SB 1383, which establishes methane reduction targets for California. California SB 1383 sets goals to reduce disposal of organic waste in landfills, including edible food. The project also must comply with the County's mandatory source reduction and recycling program, which mandates 75% of solid waste be diverted and recycled per the state's solid waste diversion requirements under AB 939 and AB 341. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy IU-4.3.

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Goal IU-5 Unincorporated area residents and businesses have access to reliable power and communication systems	
Policy IU-5.3 Underground facilities We encourage new and relocated power and communication facilities to be located underground when feasible, particularly in the Mountain and Desert regions.	Consistent. All utility improvements will be constructed to the satisfaction of the County Public Works Department. SWG, Bear Valley Electric and BBARWA, CSA 53B, CSA 53C and Big Bear Lake Department of Water and Power will maintain their respective utility lines within the public right-of-way, as appropriate. This includes undergrounding electrical lines within the Project site. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy IU-5.3.
Policy IU-5.6 Dig once approach We encourage infrastructure, telecommunication, and utility planning and Projects to coordinate so that improvements are made concurrently or in such a manner that minimizes disruption to rights-of-way and reduces costs.	Consistent. Please refer to the discussion under Policy IU-5.3, above. The proposed project would install utility improvements consistent with and to the satisfaction of the utility provider. The installation of utilities would occur commensurate with the dig once approach to minimize disruption of rights-of-way, as applicable. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy IU-5.6.
Goal CR-1 Tribal cultural resources that are preserved and celebrated out of respect for Native American beliefs and traditions	
Policy CR-1.3 Mitigation and avoidance We consult with local tribes to establish appropriate Project-specific mitigation measures and resource-specific treatment of potential cultural resources. We require Project applicants to design Projects to avoid known tribal cultural resources, whenever possible. If avoidance is not possible, we require appropriate mitigation to minimize Project impacts on tribal cultural resources.	Consistent. According to the McKenna et al. Cultural Resources Investigation prepared for the Project (Appendix O of the 2020 FEIR), the project area be considered clear of any known, significant cultural resources. However, given the relatively sensitivity for the project area to yield evidence of fossil specimens and/or prehistoric archaeological resources, archaeological/paleontological monitoring is recommended during any activities involving earthmoving. In this case, archaeological monitoring should be conducted in areas of younger Quaternary alluvium until the consulting archaeological determines monitoring is no longer needed. With respect to paleontological monitoring, such monitoring will only be needed if/when earthmoving involves impacts to the older Quaternary deposits. Some areas, depending on the relative depth of the older deposits, will not require paleontological monitoring. The extent of monitoring can be better defined when a specific grading plan is proposed. Thus, MMs 5.9-1, 5.9-2a through 2d, and 5.9-3 are required to minimize impacts related to cultural and tribal cultural resources, as well as paleontological resources. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy CR-1.3.
Policy CR-1.4 Resource monitoring We encourage active participation by local tribes as monitors in surveys, testing, excavation, and grading phases of development Projects with potential impacts on tribal resources.	Consistent. See discussion under Policy CR-1.3, above. MMs 5.9-1, 5.9-2a through 2d, and 5.9-3 are required to minimize impacts related to cultural and tribal cultural resources, as well as paleontological resources. These measures include a requirement for monitoring by a qualified archaeologist. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy CR-1.4.
Goal CR-2 Historic resources (buildings, structures, or archaeological resources) and paleontological resources that are protected and preserved for their cultural importance to local communities as well as their research and educational potential.	

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Policy CR-2.3 Paleontological and archaeological resources We strive to protect paleontological and archaeological resources from loss or destruction by requiring that new development include appropriate mitigation to preserve the quality and integrity of these resources. We require new development to avoid paleontological and archeological resources whenever possible. If avoidance is not possible, we require the salvage and preservation of paleontological and archeological resources.	Consistent. See discussion under Policy CR-1.3 and CR-1.4, above. The Paleontological Resources Survey Report concluded there is a moderate potential for the presence of vertebrate fossils within the project area, north of State Route 38, at depths greater than five feet. MMs 5.9-2a through 2d are required to minimize impacts related to paleontological resources. These measures include a requirement for monitoring by a qualified paleontologist. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy CR-2.3.
Goal TM-1 Unincorporated areas served by roads with capacity that is adequate for residents, businesses, tourists, and emergency services	
Policy TM-1.1 Roadway level of service (LOS) We require our roadways to be built to achieve the following minimum level of service standards during peak commute periods (typically 7:00-9:00 AM and 4:00-6:00 PM on a weekday): • LOS D in the Valley Region • LOS D in the Mountain Region • LOS C in the North and East Desert Regions	Consistent. The discussion under Transportation, Circulation, and Parking in RRDEIR No. 1 concluded the traffic analysis indicates that under present conditions, affected intersections will operate at less than acceptable rates with or without the Moon Camp Project. Traffic improvements are needed for existing conditions and projected conditions whether or not the Moon Camp Project is implemented. According to the traffic study, all study intersections are expected to operate at a LOS C or better during peak hours for the scenario analyzed with improvements installed. Thus, through the implementation of MMs T-1 and T-2, which would enforce the Project traffic design features intended to minimize traffic conflicts internal to the Project site, and would ensure that the Project would pay its fair share contribution towards off-site traffic improvements, the proposed project would not conflict with the County's Roadway LOS standards. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy TM-1.1.
Policy TM-1.6 Paved roads For any new development for which paved roads are required, we require the developer to construct the roads and we require the establishment of a special funding and financing mechanism to pay for roadway operation, maintenance, and set-aside reserves.	Consistent. The proposed Project would install internal roadways within the Project site, which would be paved. The Developer would be required to comply with this Policy as part of the payment of development impact fees dedicated to the County resulting from implementation of this Project. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy TM-1.6.
Policy TM-1.7 Fair share contributions We require new development to pay its fair share contribution toward off-site transportation improvements.	Consistent. As discussed under Policy TM-1.1, above, the proposed Project would be required to pay its fair share contribution towards off-site improvements through the implementation of MM T-2. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy TM-1.7.
Policy TM-1.8 Emergency access When considering new roadway improvement proposals for the CIP or RTP, we consider the provision of adequate emergency access routes along with capacity expansion in unincorporated areas. Among access route improvements, we prioritize those that contribute some funding through a local area funding and financing mechanism.	Consistent. Emergency access would occur through the two driveways and an additional fire gate would be provided on the east end of the Moon Camp Project site. Refer to Figure 1-1, which depicts the TTM of the proposed Project. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy TM-1.8.
Goal TM-2 Roads designed and built to standards in the unincorporated areas that reflect the rural, suburban, and urban context as well as the regional (valley, mountain, and desert) context	

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Policy TM-2.3 Concurrent improvements We require new development to mitigate Project transportation impacts no later than prior to occupancy of the development to ensure transportation improvements are delivered concurrent with future development.	Consistent. The proposed project would install roadways concurrent with site improvements, prior to occupancy. As discussed under Chapter 1, development of the roadway infrastructure will occur at one time at the initial phase of Moon Camp development. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy TM-2.3.
Policy TM-2.6 Access control We promote shared/central access points for direct access to roads in unincorporated areas to minimize vehicle conflict points and improve safety, especially access points for commercial uses on adjacent properties.	Consistent. The Project proposes two points of ingress and egress from SR-38 with Street "A" terminating on the east-end of the Project in the cul-de-sac. The Project roadway system will consist of standard two-lane roadways with two stop sign-controlled intersections on SR-38 and one intersection interior to the Project. These points of access are required to facilitate emergency access at the Project site. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy TM-2.6.
Goal TM-4 On- and off-street improvements that provide functional alternatives to private car usage and promote active transportation in mobility focus areas	
Policy TM-4.8 Local bicycle and pedestrian networks We support local bike and pedestrian facilities that serve unincorporated areas, connect to facilities in adjacent incorporated areas, and connect to regional trails. We prioritize bicycle and pedestrian network improvements that provide safe and continuous pedestrian and bicycle access to mobility focus areas, schools, parks, and major transit stops.	Consistent/No Conflict. The shoreline of Big Bear Lake would be accessible to local residents who may arrive on foot or bicycle for fishing, bird watching, or other such passive activities. The proposed Project would not conflict with existing or installation of planned bike lanes or sidewalks in the vicinity of the Project. Based on these findings, the implementation of the Moon Camp Project would be consistent and would have no conflict with Policy TM-4.8.
Policy TM-4.11 Parking areas We require publicly accessible parking areas to ensure that pedestrians and bicyclists can safely access the site and onsite businesses from the public right-of-way.	Consistent. Future homebuilders would be required to provide garage space for a minimum of two cars and provide two guest parking spaces in the driveway, per the County's Development Code. Additionally, parking for residences using the marina would be provided in the private/gated parking lot south of SR-38. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy TM-4.11.
Goal HZ-1 Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by natural environmental hazards and adaptation to potential changes in climate.	
Policy HZ-1.1 New subdivisions in environmental hazard areas We require all lots and parcels created through new subdivisions to have sufficient buildable area outside of the following environmental hazard areas: Flood: 100-year flood zone, dam/basin inundation area Geologic: Alquist Priolo earthquake fault zone; County-identified fault zone; rockfall/debris-flow hazard area, existing and County-identified landslide area	Consistent. According to the Flood Insurance Rate Map (FIRM) number 06071C7295 F, there is no existing flood hazard within the Project site. No dam inundation hazards exist at the Project site. The site is classified as flood Zone D. Additionally, the project area is not currently known to be located within an Alquist-Priolo Fault Rupture Hazard Zone, nor is it located within a rockfall/debris-flow hazard area or County identified landslide area. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy HZ-1.1.
Policy HZ-1.7 Underground utilities We require that underground utilities be designed to withstand seismic forces, accommodate ground settlement, and hardened to fire risk.	Consistent. As discussed in the 2006 FEIR, the proposed project would be required to implement MM 5.10-4 , which would enforce California Uniform Building Code (CBC) Requirements, in addition to County requirements. This would ensure that underground utilities would be designed to withstand seismic forces, accommodate ground settlement, and hardened to fire risk. Based on these findings, the implementation of the

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	Moon Camp Project would be consistent with Policy HZ-1.7.
Policy HZ-1.10 Energy independence We encourage new residential development to include rooftop solar energy systems and battery storage systems that can provide backup electrical service during temporary power outages.	Consistent. The proposed development would be required to comply with the 2022 California Energy Code, which requires that solar be installed as part of the proposed single-family residential development. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy HZ-1.10.
Policy HZ-1.13 Fire protection planning We require that all new development in County-designated Fire Safety Overlay and/or CAL FIRE-designated Very High Fire Hazard Severity Zones meet the requirements of the California Fire Code and the California Building Code as amended by the County Fire Protection District, including Title 14 of the California Code of Regulations fire safety requirements for any new development within State Responsibility Areas, as well as provide and maintain a Fire Protection Plan or Defensible Space/Fuel Modification Plan and other pre-planning measures in accordance with the County Code of Ordinances.	Consistent. The discussion under Public Services in RRDEIR No. 1 outlines that the proposed Project would be required to comply with the additional site design, building, and access standards to provide enhanced resistance to fire hazards as a result of being located within the County's Fire Hazard Overlay District (FS1). Additionally, the proposed project is located in a very high fire hazard severity zone (FHSZ) by CAL FIRE. Since the Proposed Alternative Project is located within a FS1/ very high FHSZ designated area, it is subject to compliance with various requirements relative to construction, building separations, project design, and erosion and sediment control. The fuel modification zone adjacent to the USFS boundary and areas within the site that would be required to maintain temporary fuel modification areas will be maintained by the prospective homeowners of these specific lots. Additionally, the proposed Project must comply with the CBC, including Title 14 fire safety requirements. Furthermore, MMs PS-1 through PS-4 would further require a Fuel Management Plan that would be prepared to the specifications of the San Bernardino County Fire Protection District and San Bernardino National Forest Service and would require the Homeowner's Association to be responsible for fuel modification in common areas. Based on these findings, the implementation of the Moon Camp Project would be not hinder the implementation of Policy HZ-1.13.
Policy HZ-1.14 Long-term fire hazard reduction and abatement We require proactive vegetation management/hazard abatement to reduce fire hazards on existing private properties, along roadsides of evacuation routes out of wildfire prone areas, and other private/public land where applicable, and we require new development to enter into a long-term maintenance agreement for vegetation management in defensible space, fuel modification, and roadside fuel reduction in the Fire Safety Overlay and/or Very High Fire Hazard Severity Zones.	Consistent. Please refer to the discussion under Policy HZ-1.14, above, which indicates that the Project would be subject to MMs PS-1 through PS-4. This would require and facilitate the implementation of a Fuel Management Plan that is subject to San Bernardino County Fire Protection District and San Bernardino National Forest Service approval. The implementation of this Plan would occur over the life of Project occupancy. Based on these findings, the implementation of the Moon Camp Project would be not hinder the implementation of Policy HZ-1.14.
Policy HZ-1.15 Evacuation route adequacy We coordinate with CAL FIRE, California's Office of Emergency Services, and other local fire districts to identify strategies that ensure the maintenance and reliability of evacuation routes potentially compromised by wildfire, including emergency evacuation and supply transportation routes.	Consistent. The Wildfire Evacuation Plan prepared for the Moon Camp Project is consistent with the County evacuation planning standards and can be integrated into a county or regional evacuation plan and other pre-plans when and if the area officials and stakeholders (CAL FIRE, San Bernardino County Fire Protection District, San Bernardino County Office of Emergency Services, Big Bear Fire Department, San Bernardino County Sheriff's Department, and others) complete one. This would ensure coordination for evacuation routes and planning at the Project level. Based on these findings, the

County Goals and Policies	Consistency Analysis
	implementation of the Moon Camp Project would be not hinder the implementation of Policy HZ-1.15.
Goal HZ-2 Human-Generated Hazards: People and the natural environment protected from exposure to hazardous materials, excessive noise, and other human-generated hazards.	
Policy HZ-2.8 Proximity to Noise Generating Uses: We limit or restrict new noise sensitive land uses in proximity to existing conforming noise generating uses and planned industrial areas.	Consistent/Not Applicable. The proposed Project is not located in an area that would be adjacent to noise generating uses, such as industrial sites. The proposed Project would introduce a new noise sensitive land use (i.e. residential use) to the project area, but no noise generated uses are located in the Project area. Based on these findings, the implementation of the Moon Camp Project would be consistent and would have no conflict with Policy HZ-2.8.
Policy HZ-2.9 Control Sound at the Source: We prioritize noise mitigation measures that control sound at the source before buffers, soundwalls, and other perimeter measures.	Consistent. The proposed project would implement MMs NOI-3 through NOI-4 during construction, which would minimize construction noise through muffling, shielding, and would ensure that construction staging areas are located as far from nearby residences as possible for the duration of construction. Operational noise was determined to be below significance thresholds and ,therefore, no mitigation or control of sound at the source is necessary to ensure a less than significant impact would occur. Based on these findings, the implementation of the Moon Camp Project would be consistent and would have no conflict with Policy HZ-2.9.
Goal HZ-3 For unincorporated environmental justice focus areas, equitable levels of protection from environmental and health hazards; expanded opportunities for physical activity and meaningful civic engagement; and access to healthy food, public facilities, safe and sanitary housing.	
Policy HZ-3.18 Application requirements In order for a Planning Project Application (excluding Minor Use Permits) to be deemed complete, we require applicants to indicate whether the Project is within, adjacent to, or nearby an unincorporated environmental justice focus area and, if so, to: document to the County's satisfaction how an applicant will address environmental justice concerns potentially created by the Project; and present a plan to conduct at least two public meetings for nearby residents, businesses, and property owners to obtain public input for applications involving a change in zoning or the Policy Plan. The County will require additional public outreach if the proposed Project changes substantively in use, scale, or intensity from the proposed Project presented at previous public outreach meeting(s).	Not Applicable. The proposed project is not located within the County's Table HZ-1: CalEnviroScreen Scores for Environmental Justice Focus Areas. As such, this policy is not applicable to the proposed Project. Based on these findings, the implementation of the Moon Camp Project would not hinder the implementation of Policy HW-3.8.
Goal PP-3 Reduced risk of death, injury, property damage, and economic loss due to fires and other natural disasters, accidents, and medical incidents through prompt and capable emergency response.	
Policy PP-3.6 Concurrent protection services We require that fire department facilities, equipment, and staffing required to serve new development are operating prior to, or in conjunction with new development.	Consistent. The analysis under Public Services in RRDEIR No. 1 determined that fire protection impacts of the Moon Camp Project would be less than significant through the payment of property taxes and development impact fees towards fire protection. The San Bernardino County Fire Department would utilize such funds to ensure adequate services are provided concurrent with the occupation of future residences. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy PP-3.6.

County Goals and Policies	Consistency Analysis
Policy PP-3.7 Fire safe design We require new development in the Fire Safety Overlay to comply with additional site design, building, and access standards to provide enhanced resistance to fire hazards.	Consistent. The discussion under Public Services in RRDEIR No. 1 outlines that the proposed Project would be required to comply with the additional site design, building, and access standards to provide enhanced resistance to fire hazards as a result of being located within the County's Fire Hazard Overlay District (FS1). Since the Moon Camp Project is located within a FS1 designated area, it is subject to compliance with various requirements relative to construction, building separations, project design, and erosion and sediment control. The requirements applicable to each fire safety area are found in the County's Development Code in Section 82.13.050 (General Development Standards), Section 82.13.060 (FS1, FS2, and FS3 Development Standards), and 82.13.070 (FS1 Additional Development Standards). The provisions for the FS1 District include fuel modification zones and apply to all phases of project development. The individual homeowners will be required to pay development impact fees, a portion of which are directed to fire protection services. Furthermore, MMs PS-1 through PS-4 would further ensure compliance with the Fire Safety Overlay requirements. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy PP-3.7.
Policy PP-3.8 Fire-adapted communities We inform and prepare our residents and businesses to collaboratively plan and take action to more safely coexist with the risk of wildfires.	Consistent. The Moon Camp Project, as a newer residential community with new residences would, conform to the ignition-resistant building codes codified in Chapter 7A of the California Building Code, and would be ignition-resistant, defensible and designed to require minimal firefighting resources for protection, which would enable sheltering in place as a contingency option when it is considered safer than evacuation. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy PP-3.8.
Policy PP-3.9 Street and premise signage We require adequate street signage and premise identification be provided and maintained to ensure emergency services can quickly and efficiently respond.	Consistent. The Moon Camp Project would have two public access points (Street A and Street B) on the north side of SR-38 that connect to the residences, and one emergency access point at the easterly terminus of Street A. Street signage will be installed in accordance with the County Development Code. Additionally, MM HAZ-1, would require fire access road maintenance, which would further ensure adherence to this policy. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy PP-3.9.
Goal PP-4 A reduced risk of and impact from injury, loss of life, property damage, and economic and social disruption resulting from emergencies, natural disasters, and potential changes in climate.	
Policy PP-4.4 Emergency shelters and routes We identify and publicize emergency shelters and sign and control evacuation routes for use during emergencies.	Consistent. The Moon Camp Project residents will be required to adhere to the evacuation plan, which requires adherence to the San Bernadino County Emergency Operations Plan and the Big Bear Valley Community Wildfire Protection Plan. This shall be enforced through MMs HAZ-2 and HAZ-3. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy PP-4.4.
Goal HW-3 Assets that contribute to a complete county and healthy neighborhoods and communities	

County Goals and Policies	Consistency Analysis
Policy HW-3.8 Attracting leisure and entertainment We advocate for the establishment and retention of leisure and entertainment businesses and venues, countywide, that contribute to the complete county concept.	Consistent. The proposed project would contribute to leisure activities through a new marina installed concurrent with the proposed residential development, allowing for 55 boat slips. Additionally, the shoreline would be accessible to local residents who may arrive on foot or bicycle for fishing, bird watching, or other such passive activities. As such, the proposed project would establish a new leisure venue that would promote outdoor recreation and, thereby, contribute to the complete County concept. Based on these findings, the implementation of the Moon Camp Project would be consistent with Policy HW-3.8.

San Bernardino County Development Code

The zoning classification of the Project site is BV/RS-20M (Bear Valley/Single Residential–20,000 SF Minimum). The RS (Residential) zoning district provides sites for single-family residential uses, incidental agricultural and recreational uses, and similar and compatible uses. The proposed Project would include the construction of single-family residential lots with sizes of over 20,000 square feet, complying with the zoning classification of the Project site. As required by the Development Code, the proposed Project's development plans would be reviewed by the County to ensure consistency with development standards. Thus, no zoning conflicts would occur from implementation of the proposed Project.

Conclusion

As shown above, the Project is consistent with the applicable San Bernardino Countywide Plan Goals and Policies, and the SCAG Connect SoCal Goals that have been adopted for the purpose of avoiding or mitigating an environmental effect. Furthermore, according to the Southern California Association of Governments (SCAG) 6th Cycle Final Regional Housing Needs Assessment (RHNA) Allocation Plan, the County's regional housing needs are as follows:

Table 4.4-4
REGIONAL HOUSING NEEDS: UNINCORPORATED COUNTY OF SAN BERNARDINO⁷

Total	Very Low Income	Low Income	Moderate Income	Above Moderate Income
8,832	2,179	1,360	1,523	3,770

The proposed project would contribute 50 units to the SCAG identified 8,832 dwelling unit deficit within the Unincorporated areas of the County at present, thus complying with the goals of the County's Housing Element. Therefore, the implementation of this project at this site is consistent with the County's plans and policies. Based on the preceding information, implementation of the Moon Camp Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, zone classification, or the County's Development Code) adopted for the purpose of avoiding or mitigating an environmental effect. No adverse impacts are anticipated under this issue and no mitigation is required.

⁷SCAG, 2021. 6th Cycle Final RHNA Allocation Plan (approved by HCD on 3/22/21 and modified on 7/1/21)
https://scag.ca.gov/sites/main/files/file-attachments/6th_cycle_final_rhna_allocation_plan_070121.pdf?1646938785
(accessed 06/12/23)

4.4.6 Avoidance, Minimization and Mitigation Measures

With proper regulatory actions taken at the federal, state potential adverse environmental impacts related to land use have been reduced or avoided. Additionally, mitigation measures related to land use, and ensuring land use consistency, have been identified to minimize biological resource impacts, transportation and circulation conflicts, air quality emissions, short and long term aesthetic impacts, cultural and tribal cultural resources, as well as paleontological resources, create a conservation guidelines booklet that outlines water conservation measures to be implemented by future residents, and require a Fuel Management Plan that would be prepared to the specifications of the San Bernardino County Fire Protection District and San Bernardino National Forest Service, and would require the Homeowner's Association to be responsible for fuel modification in common areas. These mitigation measures, in addition to the whole of the mitigation measures required to reduce Project-related impacts, have been incorporated into the other sections of this and the 2020 FEIR, as appropriate and demonstrate that the direct environmental impacts related to land use will be reduced to less than significant. No mitigation measures specific to Land Use and Planning are necessary to ensure land use consistency, or to ensure that the project does not result in physically dividing an established community.

4.4.7 Cumulative Impacts

According to the San Bernardino Countywide Plan PEIR, cumulative projects in San Bernardino County would have the potential to result in a cumulative impact if they would, when combined as a whole with cumulative development, conflict with existing land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental impact. Cumulative projects in the San Bernardino County region would utilize regional planning documents such as SCAG's RTP/SCS during planning, and the general plans of cities within which development is proposed to ensure consistency with the regional plans, to the extent that such plans are applicable. Cumulative projects in these jurisdictions would be required to comply with the applicable land use plan, or would otherwise require a general plan amendment and be subject to the approval of the applicable jurisdiction. As a result, and based on the determination in the San Bernardino Countywide Plan PEIR, it is anticipated that cumulative projects within the County would maintain land use consistency, and would not result in cumulatively considerable potential to physically divide and established community/established communities.

Development of the proposed project will result in change to the project site from a vacant site to a developed site consistent with the San Bernardino Countywide Plan. The San Bernardino Countywide Plan establishes the land use framework for the Project site, and Unincorporated Communities of San Bernardino County. Approval of the proposed project will cause an intensification of development greater than that which presently occurs within the project site, but not greater than that which has been identified for development of this site in the San Bernardino Countywide Plan. The proposed project would contribute to implementation of the San Bernardino Countywide Plan vision for the project site and overall area. Thus, it is not anticipated that the proposed project would contribute a cumulatively considerable land use impact in consideration of all past, present, and probable future projects. Furthermore, as no significant adverse impacts related to land use and planning issues have been identified, no cumulatively considerable and unavoidable impact is forecast to occur if the proposed project is implemented as proposed, particularly through the implementation of the mitigation measures identified throughout this PRDEIR No. 3, and in the 2020 FEIR that would contribute to ensuring land use consistency.

4.4.8 Unavoidable Adverse Impacts

As determined above, no significant and unavoidable impacts relating to land use and planning will occur as a result of implementing the proposed project.

CHAPTER 5 – PREPARATION RESOURCES

5.1 REPORT PREPARATION

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5.1.3 EIR Technical Consultants

The following technical studies were prepared specifically in support of the analysis in this PRDEIR No. 3:

- Jacobs, May 2023. *Review of Proposed Mitigation Measures and Recommended Additional Conservation Measures to Offset Impacts to Ash-Gray Paintbrush for the Moon Camp Residential Subdivision Project, San Bernardino County, California* (Appendix 9)
- Dudek, September 2023. *Wildfire Evacuation Plan, Moon Camp.* (Appendix 12)
- Chen Ryan Associates (CRA), September 2023. *Moon Camp Fire Evacuation Analysis – Technical Memorandum* (Appendix C of Appendix 12)

All other appendices to this PRDEIR No. 3 are either the former EIRs prepared for the Moon Camp Project, or are technical studies that were extracted from the Appendices of the former EIRs prepared for the Moon Camp Project.

5.2 BIBLIOGRAPHY

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Final Environmental Impact Report Moon Camp 50-lot Residential Subdivision, TT No. 16136 (Based on the Revised Site Plan) Big Bear Lake, San Bernardino County, California (2020 FEIR) prepared by FirstCarbon Solutions, dated July 10, 2020. (Appendix 1)

Final Environmental Impact Report Moon Camp Residential Subdivision TT No. 16136 (2006 FEIR) prepared by RBF Consulting, dated December 2005. (Appendix 2)

Revised and Recirculated Environmental Impact Report Moon Camp 50-Lot Residential Subdivision, TT No. 16136 (Based on the Revised Site Plan) Big Bear Lake, San Bernardino County, CA (2010 RRDEIR No. 1) prepared by Michael Brandman Associates, dated March 25, 2010 (Appendix 3)

Revised and Recirculated Draft Environmental Impact Report No. 2 Moon Camp 50-lot Residential Subdivision, TT No. 16136 (Based on the Revised Site Plan) Big Bear Lake, San Bernardino County, California (2011 RRDEIR No. 2) prepared by Michael Brandman Associates, dated November 9, 2011 (Appendix 4)

Previous Technical Studies Used in Support of this PRDEIR No. 3

Moon Camp Tentative Tract 16136 Focused Special Status Plant Species Survey, prepared by Dr. Timothy P. Kranz, dated August 29, 2010 (Appendix 5)

Moon Camp Tentative Tract 16136 Supplemental Focused Rare Plant Survey, prepared by Dr. Timothy P. Kranz, dated June 29, 2008 (Appendix 6)

Survey of Ashy-grey Indian Paintbrush Moon Camp Tentative Tract 16136, prepared by Dr. Timothy P. Kranz, dated June 27, 2016 (Appendix 7)

Technical Review of the Biological Database for the Moon Camp Project Site, prepared by ELMT Consulting, dated May 23, 2018 (Appendix 8)

Update/Confirmation of Jurisdictional Delineation for the Moon Camp Project Site, San Bernardino County, California, prepared by FirstCarbon Solutions, dated May 28, 2018 (Appendix 10)

Long-Term Management Plan for Bald Eagle and Rare Plant Habitat Moon Camp Residential Subdivision Project San Bernardino County, California, prepared by ELMT Consulting and Dr. Timothy P. Kranz, dated August 2019 (Appendix 11)

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