

Attention Matthew W. Slowik

Rea: Moon camp development project/RCK Properties, Inc. Draft EIR Biological section recirculation.

- What scientific basis is there for using 40% of normal rainfall as the time when they do another plant survey? Why shouldn't it be done with normal rainfall? | 15-1
- It is very unlikely that there is a place available that they can purchase for offsite mitigation for pebble plains habitat, so this is not a satisfactory mitigation. | 15-2

-- The impact on bald eagles has been determined to be significant and the DEIR states that "The proposed project contains some of the most utilized bald eagle roosting and perching habitat in the Big Bear Valley. Construction of the proposed project would diminish the habitat value of the project site for the species. When viewed in conjunction with other past, present, and reasonably foreseeable developments planned for the Fawnskin/Big Bear Lake area, the loss of bald eagle perch and roosting trees on the project site would significantly impact bald eagle habitat on the north shore of Big Bear Lake. Thus, cumulative impacts to the bald eagle are considered significant. Mitigation measures reflective of recommendations developed by scientific studies in the the Big Bear Valley, including Kimball Garrett's study on the effects of human activity on wintering bald eagles (1981), are provided as part of the proposed project. However, implementation of these mitigation measures would not reduce direct or cumulative impacts to bald eagle habitat to a level considered less than significant." (there are other quotes in the document, if you have a chance to look them up)

To approve this project the Supervisors would have to cite overriding considerations. -Since this project would take a general plan amendment for a change in the existing zoning, there can be no overriding considerations that justify this negative impact on the wintering bald eagle population in Big Bear.

-In fact, since the economy of the valley very much thrives on nature, recreation and the existence of the bald eagle here, there would most likely be economic harm to the entire valley if this project is approved.

15-3

Response to Commentor No. 15

Unknown

April 14, 2005

- 15-1 Please refer to Response to Comment No. 7-7.
- 15-2 Please refer to Response to Comment No. 7-9.
- 15-3 Comment is noted. Environmental considerations noted by the Commentor have been addressed in the Draft and Final EIR.

Georg R. Kast, P.E.
39152 Chocoma Dr.
Fawnskin, CA 92333

April 14, 2005

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

Attn: Matthew W. Slowik

Reference: Mooncamp Development Project/Rck Properties, Inc. Draft EIR Biological Section
Recirculation

Subj: Comments on revised Moon Camp DIER

Dear Sir or Madam:

I have significant concerns regarding the referenced filing. My fundamental concerns that the project violates common sense with regard to the continued development and expansion of the population base in an area where the available water cannot sustain it are still valid and in the forefront of my opposition of the project. Additional latest concerns include the elimination of native shoreline, urbanization of a rural setting and diminished public access to access and view of the lake.

16-1

With regards to the changes in the DEIR, I am concerned that the project will destroy a significant portion of the Bald Eagle Habitat at Big Bear Lake. Specifically,

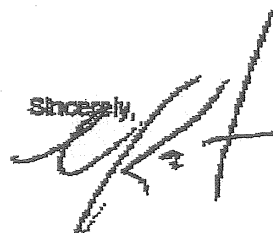
"The proposed project contains some of the most utilized bald eagle roosting and perching habitat in the Big Bear Valley. Construction of the proposed project would diminish the habitat value of the project site for the species. When viewed in conjunction with other past, present, and reasonably foreseeable developments planned for the Fawnskin/Big Bear Lake area, the loss of bald eagle perch and roosting trees on the project site would significantly impact bald eagle habitat on the north shore of Big Bear Lake. Thus, cumulative impacts to the bald eagle are considered significant. Mitigation measures reflective of recommendations developed by scientific studies in the the [sic] Big Bear Valley, including Kimball Garrett's study on the effects of human activity on wintering bald eagles (1981), are provided as part of the proposed project. However, implementation of these mitigation measures would not reduce direct or cumulative impacts to bald eagle habitat to a level considered less than significant."

16-2

The bald eagle is an integral component of the wildlife diversity that draws visitors to the valley. In fact, since the economy of the valley very much thrives on nature, recreation and the existence of the bald eagle here, there would most likely be economic harm to the entire valley if this project is approved.

Thank you for your attention and consideration of my input

Sincerely,



Response to Commentor No. 16

George Kast

April 14, 2005

- 16-1 Comment is noted. Environmental considerations noted by the Commentor have been addressed in the Draft and Final EIR.
- 16-2 Comment is noted. The Draft EIR section and biological technical report identify project-related impacts to bald eagles and their perch trees as significant and unavoidable impacts and significant and unavoidable cumulative impacts.

County of San Bernardino, Attn. Matt W. Slowik
Land Use Services Dept, Planning Division
385 N. Arrowhead Ave, First Floor
San Bernardino, CA 92415-0182

RECEIVED
APR 18 2005
LAND USE SERVICES DEPT.
ADVANCE PLANNING DIVISION

RE: Moon Camp Development Project/RCK Properties, Inc. Draft EIR
Biological Section Recirculation

FAXED: April 15, 2005 to ((909) 387-3223

ATTN: Matthew W. Slowik

I have been a property owner and full-time resident on Flicker Road since 1974. Since I made comment on the initial EIR circulation, I was notified about the Recirculated DEIR, and the opportunity for additional comments concerning the Moon Camp Project.

It seems there are flaws in the DEIR study that seems to suggest that off-site mitigation is possible for pebble plain habitat and other biological species. First, where is the mitigation site? Who will monitor it? Is it equal or better than the existing site?

17-1

Secondly, a few years back in Orange County, a citizen's group looked into off-site mitigation for some projects. They found that there was no monitoring, and no follow-up by the County to ensure that the mitigation actually took place. In Big Bear, Eagle Point and Castle Glen-the same developer as Moon Camp- were supposed to contribute to an eagle mitigation fund in Stanfield Marsh. When I went to the Big Bear Municipal Water District to find out who and how much had been contributed to that fund, I was told that there were no such records-so much for off site mitigation by any developer.

17-2

Third, and finally, under real estate law, no two pieces of real estate are considered the same. Each piece is deemed unique. The Moon Camp habitat is unique and can not effectively be duplicated anywhere else in the world.

17-3

I urge you to preserve that uniqueness.

Sincerely,


ROBERT S. DRAKE, 39722 Flicker Road, Fawnskin, CA 92333

FAXED

Response to Commentor No. 17

Robert Drake

April 15, 2005

- 17-1 Implementation of Mitigation Measure 5.8-1a requires that a pebble plains mitigation site is identified prior to any vegetation clearing, grading, or other site disturbance on the project site. Although a specific site has not been identified by the project applicant, the project would not be allowed to move forward until a mitigation site is identified and purchased. The County of San Bernardino and the California Department of Fish and Game shall be responsible for the enforcement of the mitigation requirements. The mitigation measures stated that off-site habitat shall contain the same species as those identified within resources impacted by the proposed project and shall be purchased at a ratio of 3:1 (i.e., three acres of habitat purchased for preservation for each acre impacted by development).
- 17-2 The County of San Bernardino is not proposing off-site mitigation for bald eagles.
- 17-3 Comment is noted.

COMMENT NO. 18

County of San Bernardino, Attn. Matt W. Slowik
Land Use Services Dept, Planning Division
385 N. Arrowhead Ave, First Floor
San Bernardino, CA 92415-0182

RECEIVED
APR 18 2005
LAND USE SERVICES DEPT.
ADVANCE PLANNING DIVISION

RE: Mooncamp Development Project/RCK Properties, Inc. Draft EIR
Biological Section Recirculation

FAXED: April 15, 2005 to ((909) 387-3223 (13:51))

ATTN: Matthew W. Slowik

I have been a property owner and full-time resident on Flicker Road since 1974. Since I made comment on the initial EIR circulation I was under the impression that I would be notified on any additional comments needed concerning the Moon Camp Project. To date I have not received any information from the county on the biological section as it was recirculated. It was through a neighbor that I was told of this deadline and I send my comments faxed and in a timely manner.

18-1

It seems there are flaws in the DEIR study that seems to suggest that off-site mitigation is possible for the bald eagle habitat and the pebble plains habitat. This was a problem in Castle Glen, Eagle Point, and Cluster Pines Projects After several phone calls to agencies I cannot find where the off-site mitigations are located nor can I find out where any monetary compensations have been sent and administered. These past project mitigations should be listed in your DEIR so that the same off-sites are not suggested over and over again to approve a project

18-2

The human activity and density of the project would have a significant impact on bald eagle habitat especially if the project allows for the realignment of our county scenic highway and homes are stacked on the shoreline. This is unacceptable since builders should be expected to build as per the zoning they purchased. I see no overriding considerations that justify changing the existing zoning to allow this negative impact on the wintering Bald Eagle and the biological species listed as well.

18-3

Respectively submitted,

Mary Lu Drake

Mary Lu Drake
39722 Flicker Road, Fawnskin, Ca.

Response to Commentor No. 18

Mary Lu Drake

April 15, 2005

- 18-1 Please refer to Comment Letter No. 17. The County of San Bernardino notified 39722 Flicker Road regarding the recirculation and review for the biological resources section of the EIR.
- 18-2 Please refer to Response to Comment Nos. 17-1 and 17-2.
- 18-3 Comment is noted. Environmental considerations noted by the Commentor have been addressed in the Draft and Final EIR.

COMMENT NO. 19

Sandy Steers
P.O. Box 423
Fawnskin, CA 92333
(909) 878-3091

RECEIVED
APR 18 2005
LAND USE SERVICES DEPT.
ADVANCE PLANNING DIVISION

15 April 2005

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

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

Attn: Matthew Slowik, Sr. Assoc. Planner

RE: "REVISED BIOLOGICAL RESOURCES SECTION OF THE DEIR FOR THE PROPOSED MOON CAMP DEVELOPMENT PROJECT/RCK PROPERTIES INC."

Thank you for the opportunity to comment on this revised Biological Resources section of the DEIR for the proposed Moon Camp Development Project.

Although changes have been made to this Biological Resources section, the overall section and the DEIR as a whole remain inadequate and incomplete. I concur with the details of those inadequacies as stated in the Friends of Fawnskin/Center for Biological Diversity letter.

19-1

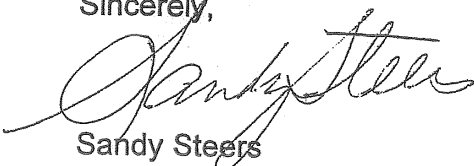
In addition, I would like to point out another level of inadequacies in the bald eagle mitigations offered. In this revised section, the purchase of off-site habitat to mitigate for a small portion of the plants has been suggested. However, no purchase of off-site habitat has been suggested for the bald eagle. The most likely reason for this omission of an often included mitigation measure is that there is no equivalent off-site habitat available. This fact alone points to the glaring understatement of the adverse impacts to the bald eagle should this proposed project be approved.

19-2

Considering that this mitigation measure, which should be and is often included to mitigate for loss of habitat, cannot even be suggested, shows clearly a primary reason that this proposed project should be entirely rejected. It is imperative to the biological resources and especially to the bald eagle that the 'no project' option be selected.

19-3

Sincerely,



Sandy Steers

Response to Commentor No. 19

Sandy Steers

April 15, 2005

- 19-1 Comment is noted.
- 19-2 Please refer to Response to Comment No. 16-2.
- 19-3 Comment is noted.

COMMENT NO. 20

ATTEN: MATT

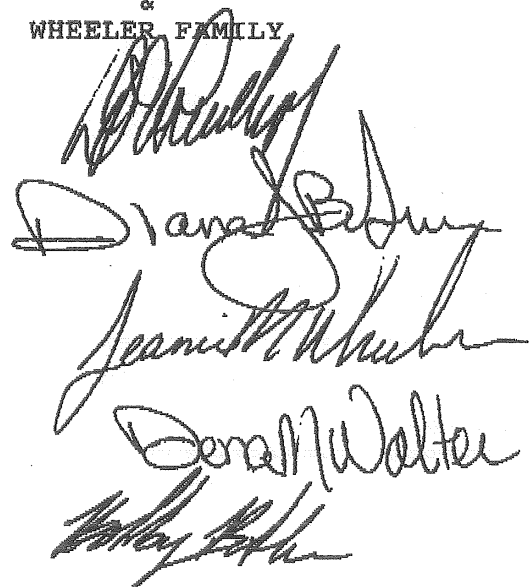
MOONCAMP DEVELOPMENT PROJECT/RCK PROPERTIES, INC. DRAFT EIR
BIOLOGICAL SECTION RECIRCULATION.

MY FAMILY AND I ARE VERY CONCERNED ABOUT THE BALD EAGLE ROOSTING AND PERCHING HABITAT IN THE BIG BEAR VALLEY. CONSTRUCTION OF THE PROPOSED PROJECT WOULD DIMINISH THE HABITAT VALUE OF THE PROJECT SITE FOR THE SPECIES. WHEN VIEWED IN CONJUNCTION WITH OTHER PAST, PRESENT, AND REASONABLELY FORESEEABLE DEVELOPMENTS PLANNED FOR THE FAWNSKIN/BIG BEAR LAKE AREA THE LOSS OF BALD EAGLE PERCH AND ROOSTING TREES ON THE PROJECT SITE WOULD SIGNIFICANTLY IMPACT BALD EAGLE HAVITAT ON THE NORTH SHORE OF BIG BEAR LAKE. THUS, CUMULATIVE IMPACTS TO THE BALD EAGLE ARE CONSIDERED SIGNIFICANT. PLEASE KNOW WHERE WE ARE COMING FROM ON THIS WE WANT TO PROTECT BIG BEAR. SO KNOW THAT MY FAMILY AND I ARE AGAINST THIS PROJECT.

20-1

THANK YOU,

DONALD WHEELER
&
WHEELER FAMILY

A collection of handwritten signatures in black ink. At the top is a signature that appears to be 'Donald Wheeler'. Below it is a large, stylized signature that looks like 'Diana Wheeler'. Underneath that is a signature that appears to be 'Jeanette Wheeler'. Below that is a signature that appears to be 'Dana Wheeler'. At the bottom is a signature that appears to be 'Kathy Wheeler'.

Response to Commentor No. 20

Donald Wheeler and Wheeler Family

April 15, 2005

- 20-1 Comment is noted. Environmental considerations noted by the Commentor have been addressed in the Draft and Final EIR.

VIA FACSIMILE

April 15, 2005

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

RE: Proposed Moon Camp Development

Dear Mr. Slowik,

As a full-time resident of Big Bear Lake, I am writing to voice my concerns concerning the proposed Moon Camp development.

My primary concern is on the negative impact on the bald eagle habitat in that area. In fact, the DEIR states that "The proposed project contains some of the most utilized bald eagle roosting and perching habitat in the Big Bear Valley. Construction of the proposed project would diminish the habitat value of the project site for the species. When viewed in conjunction with other past, present, and reasonably foreseeable developments planned for the Fawnskin/Big Bear Lake area, the loss of bald eagle perch and roosting trees on the project site would significantly impact bald eagle habitat on the north shore of Big Bear Lake. Thus, cumulative impacts to the bald eagle are considered significant. Mitigation measures reflective of recommendations developed by scientific studies in the the Big Bear Valley, including Kimball Garrett's study on the effects of human activity on wintering bald eagles (1981), are provided as part of the proposed project. However, implementation of these mitigation measures would not reduce direct or cumulative impacts to bald eagle habitat to a level considered less than significant." This sounds like a very serious consideration to me which should be weighted heavily by the Supervisors.

21-1

It is also my understanding that to approve this project the Supervisors would have to cite overriding considerations. Since this project would take a general plan amendment for a change in the existing zoning, there can be no overriding considerations that justify this negative impact on the wintering bald eagle population in Big Bear. In fact, since the economy of the valley very much thrives on nature, recreation and the existence of the bald eagle here, there would most likely be economic harm to the entire valley if this project is approved.

21-2

Thank you,



Lisa Patterson
PO Box 412
Big Bear Lake, CA 92315

Response to Commentor No. 21

Lisa Patterson

April 15, 2005

- 21-1 Comment is noted. Environmental considerations noted by the Commentor have been addressed in the Draft and Final EIR.
- 21-2 Comment is noted.

COMMENT NO. 22

April 15, 2005

County of San Bernardino
Land Use Services Department, Planning Division
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, Ca. 92415
Attn: Matthew Slowik

Re - Moon Camp Development, RCK Properties, Inc, Draft EIR Biological Section

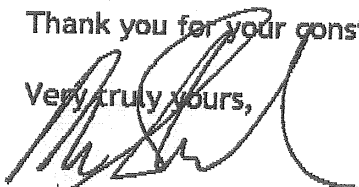
Dear Mr. Slowik,

I write to comment on the draft EIR, Biologic Section, for the Moon Camp proposed development. I have a number of concerns that I believe are not sufficiently addressed or dealt with in the draft EIR. These include the following:

- the impact on the bald eagles is not capable of remediation or planning. | 22-1
- the project site is one of the largest and most often used sites for the eagles during their wintering habitat in the Big Bear Valley | 22-2
- since the draft EIR has already concluded that construction would diminish the habitat value, there is simply no proper action which can or should be taken that could accommodate the presence of eagles and the construction of approximately 90 homes | 22-3
- some may argue for the purchase of 'replacement habitat' somewhere else to compensate for the loss of habitat due to the construction project. The problem with this approach is that there is no comparable habitat available around the lake that would serve this purpose. Thus, any consideration of the project must exclude the notion that other land may be set aside as habitat. It simply doesn't exist. | 22-4
- the same concern exists for the pebble plains habitat. There is no comparable site available to compensate for the destruction of endangered species which the proposed project will cause. | 22-5

Thank you for your consideration of these concerns.

Very truly yours,



Roman Silberfeld

Response to Commentor No. 22

Roman Silberfeld

April 15, 2005

- 22-1 Comment is noted.
- 22-2 The Draft EIR section and biological technical report identify project-related impacts to bald eagles and their perch trees as significant and unavoidable impacts and significant and unavoidable cumulative impacts.
- 22-3 Comment is noted.
- 22-4 Refer also to Response to Comment No. 7-7. Implementation of Mitigation Measure 5.8-1a requires that a pebble plains mitigation site is identified prior to any vegetation clearing, grading, or other site disturbance on the project site. Although a specific site has not been identified by the project applicant, the project would not be allowed to move forward until a mitigation site is identified and purchased.
- 22-5 Please refer to Response to Comment No. 7-9.

Nancy & Bill Hazewinkel
880 Canyon Rd. PO Box 378
Fawnskin, CA 92333

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

LAND USE SERVICES DIVISION
ADVANCE PLANNING DIVISION

RE: MOONCAMP DEVELOPMENT PROJECT/RCK PROPERTIES, INC. DRAFT EIR
BIOLOGICAL SECTION RECIRCULATION

April 15, 2005

Dear Mr. Slowik,

We are responding to the Draft EIR for the proposed Mooncamp project in Fawnskin. We have several concerns which are described below:

- o What scientific basis is there for using 40% of normal rainfall as the time when they do another plant survey? Why shouldn't it be done with normal rainfall? 23-1
- o It is very unlikely that there is a place available that they can purchase for offsite mitigation for pebble plains habitat, so this is not a satisfactory mitigation. 23-2
- o The impact on bald eagles has been determined to be significant and the DEIR states that "The proposed project contains some of the most utilized bald eagle roosting and perching habitat in the Big Bear Valley. Construction of the proposed project would diminish the habitat value of the project site for the species. When viewed in conjunction with other past, present, and reasonably foreseeable developments planned for the Fawnskin/Big Bear Lake area, the loss of bald eagle perch and roosting trees on the project site would significantly impact bald eagle habitat on the north shore of Big Bear Lake. Thus, cumulative impacts to the bald eagle are considered significant. Mitigation measures reflective of recommendations developed by scientific studies in the Big Bear Valley, including Kimball Garrett's study on the effects of human activity on wintering bald eagles (1981), are provided as part of the proposed project. However, implementation of these mitigation measures would not reduce direct or cumulative impacts to bald eagle habitat to a level considered less than significant." 23-3
- o Since this project would take a general plan amendment for a change in the existing zoning, there can be no overriding considerations that justify this negative impact on the wintering bald eagle population in Big Bear.
- o In fact, since the economy of the valley very much thrives on nature, recreation and the existence of the bald eagle here, there would most likely be economic harm to the entire valley if this project is approved.

We have many concerns for our community, and do not want to see our beautiful forests reduced any further. Fawnskin should not become another Big Bear Lake.

Residents and visitors come here *because* it has been somewhat protected so far, please do not allow developers to overdevelop this side of the lake. For instance, moving North Shore Drive to provide lakefront property for the sole purpose of making more money is unconscionable. One of our concerns is that the County Supervisors are more interested in the income that such a project would generate, than in preserving the natural beauty, and future environment of our area, and our planet. 23-4

Very truly yours,

Nancy Hazewinkel & *Bill* 14-343 *C. B. L.*

Response to Commentor No. 23

Nancy and Bill Hazewinkel

April 15, 2005

- 23-1 Please refer to Response to Comment No. 7-7.
- 23-2 Please refer to Response to Comment No. 7-9.
- 23-3 Please refer to Response to Comment No. 13-3.
- 23-4 Comment is noted.

COMMENT NO. 24

Daniel A. Levenick
334 Pine Kone Ln.
Fawnskin, CA
and 866 South Grand Avenue
Pasadena, CA

RECEIVED
APR 18 2005
LAND USE SERVICES DEPT.
ADVANCE PLANNING DIVISION

April 15, 2005

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

Reference to: MOONCAMP DEVELOPMENT PROJECT/RCK PROPERTIES, INC. DRAFT EIR
BIOLOGICAL SECTION RECIRCULATION.

Mr. Slowik,

I am a part time resident of Fawnskin, CA. the town of this project site. I have read the revised draft EIR and have the following comments, in rough order of the progress of the report.

I have a BS degree in biological sciences from UCSB; I have done graduate work at the University of Idaho in the College of Forestry and wildlife. I specifically studied Fisheries and fishery management. To my reading of this DEIR, there are substantial detrimental effects that this project brings to the site. This site was originally set aside at low density in mitigation for overdevelopment elsewhere. The proposed mitigation here is to simply move the problems with destroyed habitat further down the road. It is not possible to mitigate roosting and perching habitat for the Bald Eagle.

24-1

I urge you to require further study of vegetation habitats in normal rain years. That should be simple this year. The plant diversity and presence will greatly improve over the year 2002, and will be a truer picture of the diversity available.

24-2

The description of habitats include Jeffery pine forest only, declines to admit that wetlands exist between forest and lake shore. Most unusual as there are ducks breeding, brood ponds, seasonal ponds and roosting areas in the area concerned, but no wetlands. How does that happen? Ducks need wetlands to breed. Their description ignores the overall weather pattern of abundance and drought that is common in this locale. Where is the 0.15 ac CDFG jurisdictional streambed?

24-3

Wildlife movement:

Presently SR 38 is a 2 lane slow traffic hwy, which allows for many small mammals and reptiles to migrate easily. The whole road might be considered a wildlife corridor or

24-4

crossing, as it is narrow and is infrequently traveled. The strict definition listed in the DEIR essentially delineates the entire lake from the entire forest with very few travel routes, wildlife corridors or wildlife crossings as there are no culverts, green belts, forests that stretch directly from the mountain tops to the lake front uninterrupted at any point of the lake. Therefore to suggest that there are no corridors or crossings is to simply admit that there is a road around the entire lake. A living organism cannot traverse the slope from the mountain peak to the lake level without crossing at least one road anywhere. Highway 18 provides the least obstacle to wildlife. Currently the path of least resistance to wildlife is the shortest path between the forest and the water, that path is not to the East or the West, it is directly with the fall line from hilltop to lake level, right through the project in question. Contrary to the reports' statement, a larger hwy with more lanes, more traffic and a higher speed limit will reduce efficiency of travel of migrant native species to and from water or habitat due to a larger distance to travel over a paved surface without cover.

24-4

Endangered species:

Of rare, threatened, or endangered plant species listed by California native plant society the site has 21 species present or likely to be present. Of plants on US Fish and Wildlife Service and California Dept of Fish and Game listing of endangered, threatened or likely to be listed as threatened or endangered this site has 14 species preset.

Protected, rare, endangered, or threatened animal species that include invertebrates, amphibians, reptiles, birds and mammals as defined by the USFWS and California Dept Fish and Game are also present on the site. Protected, rare, threatened or endangered present species number 6, Species of Concern or special concern number 35.

24-5

These counts represent significant numbers of species affected on this site.

In the report, most of these special class, rare or endangered species are simply dismissed as not significant. That is outrageous! They are rare or endangered for a reason.

Special Status vegetation types:

Pebble plain as described on the site has already been altered due to unauthorized use. This abuse of the plain has degraded habitat for rare, threatened or endangered species as noted in report. Unauthorized use represents neglect on the part of the landholder, and should be curtailed immediately before sever damage occurs.

24-6

Montane meadow is currently unmapped in this report. It is however known to support endemic species and is recognized as a rare ecological community of concern to the San Bernardino National Forest. The montane meadow acreage needs to be measured, the flora and fauna identified.

24-7

Special status plants occurring on the site were evaluated during a low rain year. Admitted expectations were that more rain will bring forth more diverse growth. Surveys during a normal rain year are required to determine presence and extent of many of the special status plants.

24-8

Special status wildlife: Contained in table 5.8-3 is listing of special status animals. Many of which spend a part of their life cycle on the project site. Each part of the life cycle is necessary to the completion of the whole life cycle. Therefore, to remove the habitat and environment necessary for part of the life cycle endangers the likelihood of completing that life cycle successfully.

24-9

To find that there is little or no impact on the local species, because there is other habitat available is to shirk responsibility. There is limited habitat for the Bald Eagle in southern California. Big Bear Lake area has the largest wintering population of Bald Eagles in Southern California, some of that population utilizes the project site, when the site is removed from use, the Eagles' range is reduced. That reduction cannot be tolerated.

24-10

The continual finding that there is significant local impact, but overall impact is slight due to the availability of other sites is simply a carefully worded way to say 'it's OK for me but not for you.' The fact is that site was set aside as low density building site RL-40 as mitigation for high density building on the South Shore. It was set at low density exactly to mitigate habitat destruction elsewhere. When that site is destroyed, where is the mitigation for it?

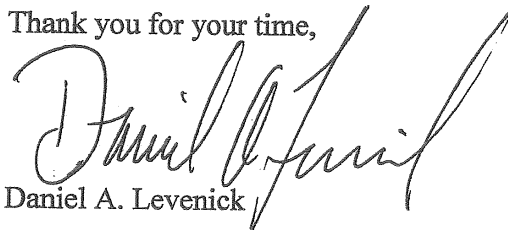
By survey and admissions in the survey, there are shortcomings in this summation. Namely, due to weather conditions surveys of montane meadows were not done, the true extent of plant life was not fully explored. Now, in this current high rain year, there is opportunity to fully address the diversity of plant life and meadow extent. That assessment is necessary for a true evaluation of the site.

24-11

This report is nothing more than a gloss over of admitted severe habitat destruction by using the phrase 'not significant overall' on each species individually. Enough individually insignificant items become significant when taken as a whole.

24-12

Thank you for your time,



Daniel A. Levenick

Response to Commentor No. 24

Daniel Levenick

April 15, 2005

- 24-1 Comment is noted.
- 24-2 Please refer to Response to Comment No. 5-2.
- 24-3 Implementation of Mitigation Measure 5.3-8a would reduce impacts to jurisdictional areas on the project site. The jurisdictional streambed locations have been identified in the Draft EIR and recirculated Biological Resources Section. Please refer to Page 5.8-7 of the recirculated Biological Resources section for additional information.
- 24-4 Please refer to Response to Comment No. 7-19.
- 24-5 Impacts to special status plants would be mitigated to a level considered less than significant by implementation of Mitigation Measure 5.8-1a.
- Impacts to potential habitat for special status species not listed as Threatened or Endangered are considered less than significant due to the limited amount of habitat loss associated with the proposed project relative to the availability of habitat for these species in the region.
- Cooper's hawk, long-eared owl, white-tailed kite, California spotted owl, hepatic tanager, and purple martin have potential to nest on the project site. If an active bird nest (common or special status species) were found on the project site, the loss of the nest would be considered a violation of the California Fish and Game Code Sections 3503, 3503.5, and 3513. Implementation of Mitigation Measure 5.8-1e would reduce impacts to a less than significant level.
- 24-6 Comment is noted. Environmental considerations noted by the Commentor have been addressed in the Draft and Final EIR.
- 24-7 Please refer to Response to Comment No. 7-10.
- 24-8 Please refer to Response to Comment No. 5-1.
- 24-9 Comment is noted. Environmental considerations noted by the Commentor have been addressed in the Draft and Final EIR.
- 24-10 Comment is noted. Environmental considerations noted by the Commentor have been addressed in the Draft and Final EIR.
- 24-11 Please refer to Responses to Comment Nos. 5-2 and 7-10.
- 24-12 Comment is noted.

April 15, 2005

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

Attn. Matthew W. Slowik

RE: MOONCAMP DEVELOPMENT PROJECT/RCK PROPERTIES, INC. DRAFT
EIR BIOLOGICAL SECTION RECIRCULATION

Dear Sir,

Thank you for allowing us to review the new biological section. Neither my wife nor I are biologists but we know what we like. We love seeing the bald eagles in the winter. We can see them from our deck flying over the lake, perched in the trees on the Mooncamp property or standing on the ice looking for food.

In the report it's stated that even with saving the perch trees there will be a significant effect on the bald eagles. We feel the bald eagles are very important to our community and every effort possible should be made to protect their environment. We don't think building 92 homes on property zoned RL-40 should be pursued with the fragile state of the bald eagle. The number of bald eagles coming into our valley has been decreasing in the recent years and we don't need to do anything to add to that number.

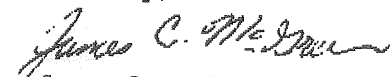
25-1

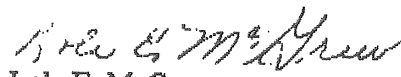
In the report it's stated they will do another plant study when they have a year with at least 40% of normal rainfall. The average rainfall in the city of Big Bear Lake is about 22.75 inches per year. We assume Fawnskin will have the same amount of rainfall. By this criteria the new study will be made on 9.10 inches of rain. We don't think this is acceptable. The study should be made with at least 2/3rds of normal rainfall.

25-2

We hope you take our concerns into consideration and deny this zone change.

Sincerely,


James C. McGrew


Lola E. McGrew

P. O. Box 493
Fawnskin CA, 92333-0493

Response to Commentor No. 25

James and Lola McGrew

April 15, 2005

- 25-1 Comment is noted. Environmental considerations noted by the Commentor have been addressed in the Draft and Final EIR.
- 25-2 Please refer to Response to Comment No. 7-7.

April 15, 2005

VIA FACSIMILE - (909) 387-3223

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

Re: Moon Camp Development Project/RCK Properties, Inc. --
Draft EIR Biological Section as Re-circulated

Dear Mr. Slowik:

After review of the draft EIR biological section which was re-circulated, we have the following comments and concerns.

1. Use of dated information

I note that the "focused surveys" stated as having been made were all conducted during 2002. Since that time, several additional years of extreme drought conditions and a major fire in an adjacent area may have affected the subject site. In particular, the tree surveys are described as having been prepared in 2001. Given the impact of drought and the bark beetle since that time, the County should require that this report be based on a more recent tree survey. It may be that removal of and damage to trees which was appropriate or acceptable based on the 2001 survey is no longer appropriate or acceptable based on current conditions. The County should take note that there have been dramatic impacts on the San Bernardino National Forest areas since 2001 and require more recent

26-1

information. Furthermore, bark beetle devastation to the forest areas on the Western side of Grout Bay may have made the project site a more important source of shelter, foraging area and other uses by wildlife. For that reason, the wildlife surveys should also be revised and up-dated. The draft says, based in part on a 2001 aerial survey, that "although a large number of dead trees were observed...only one tree was observed to have been recently killed by bark beetles." This statement is most likely inaccurate in 2005, and a supposedly re-done biological section should address and correct the inaccuracy.

26-1

2. Pebble Plain

On page 5.8-4, the draft biological resources section suggests that activities are being taken pursuant to a "pebble plain habitat management guide and action plan." The report does not indicate whether the forest service is taking these actions on the subject property, whether the developer and project proponent has agreed to take such actions or whether, in fact, any actions are occurring on the subject property. This confusing and misleading portion of the report should be clarified. The County is unable to properly evaluate the potential loss of pebble plain habitat and the endangered species described in this section without knowing whether the mitigation and correction efforts alluded to are happening or not.

26-2

3. Mcadow

On page 5.8-7, the draft report states the "extent of the mcadows could not be determined or mapped in 2002 due to dry conditions." Before approving the report, the

26-3

County should require that this area be re-surveyed given the recent, although perhaps temporary, abatement of drought conditions.

26-3

4. Wetlands

The draft report states on page 5.8-8 that no wetlands were identified. We understand the United States Army Corps. of Engineers and the Environmental Protection Agency do not necessarily accept this position. This portion of the report should be re-evaluated given existing lake levels because the conclusions made were based on 2002 data.

26-4

5. Special Status Plants

The discussion beginning on page 5.8-25 and continuing for several pages, contains numerous statements about whether certain things are potentially likely to occur and whether certain special concerned species were observed in 2002. As this occurred during a significant drought which has now at least temporarily been abated, this section should be updated to reflect current conditions. The County should request that this information be taken immediately since much of this discussion indicates that the species in question bloom beginning in April and continue through early Summer. The opportunity to rectify this deficiency in the report will be lost if quick action is not ordered.

26-5

6. Animal Species

The information about bird habitat seems to be somewhat boilerplate and in several respects inaccurate. For example, the report concludes on the basis of an analysis of the

26-6

site, that it has a low potential for foraging on behalf of peregrine falcons. This is inconsistent with known bird-watching groups and personal observation, which indicate that the peregrine falcon regularly uses this site in the summer. This inconsistency should be reconsidered.

26-6

Although the general language in the introduction to the report describes the wild turkey, the report itself does not mention any specific observations about wild turkeys. It is known that this site is used by wild turkeys, and that from their roosting and nesting areas on higher elevations, they use this site for access to the lake. The impact of development of this site on the wild turkey, and on the forest service and wildlife service efforts to reintroduce the wild turkey to the area should be addressed and the failure to do so is a deficiency in the report.

26-7

7. Mammals

The discussion of mammals beginning on page 5.8-39 is incomplete. The general language in the introduction to this section of the report mentions mule deer and other species which are not discussed in this section. Additionally, nowhere in the report are coyotes and mountain lions mentioned although both are known to inhabit the area. Failure to discuss the impact on these animals, both of which have been observed on or near the project site, is a deficiency which ought to be corrected.

26-8

8. Vegetation and Wildlife Impact Tables

The discussion beginning page 5.8-46 on vegetation types impacted should be revised and the table updated following completion of the additional survey measures described above. Since this table was prepared from 2002 data during a drought it is more than likely out of date. Also, the absence of a similar table for wildlife and animal resources is noted. Such a table should be included so that the County may adequately consider the impact on animal species.

26-9

9. Impact on meadows

The Montane Meadows paragraph on page 5.8-47 should be revised after additional work is done now that the drought conditions which the report claims limited the ability to monitor have been at least temporarily mitigated. After this is done, the statement that impacts on these species "would be considered significant" should be considered for strengthening. Also, the proposed mitigation referred to, mitigation 5.1a, (discussed at page 5.8-62) must be improved. The statement states that the project applicant shall pay compensation for the loss of special status resources by arranging for the purchase and maintenance of off-site habitat. The report does not propose or make clear that this habitat would be located in or near the adjacent site or, indeed, that such habitat is available anywhere within the Bear Valley. Because of the high impact of wildlife status on local opportunities including fishing, hiking, bicycling and similar activities, it is important that impacted habitat be replaced at or near the site, or at least within the Bear Valley. Failure to do so could have an adverse economic impact on residents of the Valley by deterring or failing to attract visitors, including the many visitors who come to observe

26-10

nature. If the report is approved, it should be a report which includes arrangements to fund these activities, identify the replacement habitat prior to the commencement of any activities, and place the funds in an escrow or similar account designed to assure first, that the funding is actually paid and second that it is administered by appropriate conservation or wildlife officials. The numerous references to mitigation measure 5.8-1a require, at a minimum, that this mitigation measure be revised to include mitigation within the Bear Valley and appropriate funding in a separate account.

10. Wildlife

The discussion beginning on page 5.8-49 is inadequate because, due to some of the factors mentioned above, it fails to address or consider certain significant species. In addition, the report itself notes that this is based on surveys during an extreme drought. Even with these inadequacies, impact on several species including the Bald Eagle is stated to be significant and not capable of mitigation. This conclusion should be stated in greater detail and evaluated in light of the fact that much of the habitat formerly used by Bald Eagles in the Bear Valley has already been lost to development, including that at the Eagle Point Project, where mitigation measures proved unsuccessful. Additionally, a discussion of a number of species on page 5.8-50, including the peregrine falcon, should be revised to reflect the fact that these species are known to have used the area and to provide greater emphasis on the fact that approval of this project would contribute to the cumulative loss of foraging habitat. Although the report suggests that adjacent areas of foraging habitat for these species would be available in the San Bernardino National

26-10

26-11

Forest, the impact on recreational uses of the Bear Valley, especially the lakefront areas, due to loss of habitat accessible by visitors, should be explored in greater detail. In this regard, proposed mitigation measure 5.8-1d is inadequate because it would only apply prior to the onset of "construction activities" and the adverse impacts would already have occurred from grading and clearing activities. This so-called mitigation can also be eviscerated by constructing in the Fall or Winter time periods, because the mitigation depends on the discovery of "active nests" and it is extremely unlikely that "active nests" would be found after the spring nesting. Therefore, this mitigation proposal should be strengthened and identification of appropriate habitat near areas which are accessible to visitors, a major source of revenue to the Bear Valley, must be explored.

26-11

11. Mammals

The discussion on page 5.8-51 is inadequate because it does not cover many of the mammal species identified, including the mule deer, and the non-identified coyotes and mountain lions.

26-12

12. Discussion of Impacts

The discussion on page 5.8-52 is conclusory and not supported by other portions of the report. Mentioning that impact on the Jeffrey Pine Forest is insignificant because the pine is found elsewhere in the San Bernardino Mountains does not address the fact that loss of forest habitat directly impacts the Bear Valley. Loss of this habitat on the north shore of the lake reduces the appeal of the lake for recreational use by impacting use to boaters and

26-13

fishermen and tourists occupying the commercial areas of the south shore of the lake. In this regard, the discussion of lakeshore line should be revised to de-emphasize the fact that Big Bear Lake is man-made. Although it is correct that the Bear Valley Dam created this lake, that was almost a century ago with respect to the initial dam and over 80 years ago with respect to the revised dam. Therefore, the impact on lake shoreline should be evaluated without disparaging remarks about man-made reservoirs. The discussion of Pebble Plain habitat should be revised to point out whether or not it is feasible to acquire, develop, construct or preserve additional pebble plain habitat in an adjacent area. While there may be Pebble Plain habitat in other parts of southern California, the impacted species will not be able to migrate to these areas. The preservation of Pebble Plain habitat in the Bear Valley is important.

26-13

13. Suggested Mitigation Of Noise Impact And Impact On Eagles

The discussion on page 5.8-56 about the infeasibility of mitigating impact from noise on Bald Eagle populations because impact requirements on lesser-endangered species such as plants and animals, is disingenuous. If the project proponent wishes to take a parcel zoned for very limited development, and previously designated as a rural area in the County's general plan, and transform it into a densely populated urban-type environment, the project proponent should bear the burden of avoiding or mitigating all significant impacts. The project proponent's draft of the report suggests that this might require confining construction to a very few short months of the year, essentially late summer and early autumn. The project proponent is required to factor this type of restriction

26-14

into its assessment of the desirability of the project. Since it would be necessary to conduct such limitations to avoid the impact on wintering Bald Eagle populations and on summer plant species, the project proponent is essentially demonstrating the infeasibility of the project itself without disastrous impact on plant and wildlife communities.

26-14

14. Impact of Night Lighting

The report states on page 5.8-56 and following that impact from night lighting at the project during construction and after occupancy would be a problem. The proposed mitigation measures are inadequate unless density of the proposed project is significantly reduced and more strict limits on night lighting are proposed. Moreover, in this regard the night lighting restrictions should also be evaluated in terms of their impact on neighboring homes. Significant lighting in this project is likely to cause glare for residents above and adjacent to the project and to impair activities such as star gazing, night walking and wildlife observation. These impacts should mean that significantly stronger mitigation measures should be imposed before this report can be approved.

26-15

15. Non-native Species Introduction

The discussion on page 5.8-57 ignores the likely impact of residential development on the introduction of non-native species introduction. The proposed mitigation 5.8-2d must be improved to state that landscaping shall not be allowed to use any non-native plants. In addition, it should be revised to state that "lawns" and similar plantings will not be allowed, as both inconsistent with the nature of the area and with the current

26-16

past and likely long-term water shortages in the area. In a dry woodland/pebble plain habitat, the watering and introduction of grasses associated with residential development must be strictly prohibited to avoid irretrievably damaging the nature of the area. In addition, this mitigation measure should include reducing the number of residences so that the density of construction will not significantly impact the nature habitat. Finally, mitigation measures should include requiring the project proponents to remove the proposed barrier walls. The project is slated to be a gated community, which frustrates the impact of all proposed mitigation efforts by proposing insurmountable barriers to migration of plant and animal species.

26-16

16. Wetlands

As noted above, in comment (4) the wetland determination statements in the report on page 5.8-58 and following are inconclusive, vague and non-supported. The work behind these statements should be re-evaluated in light of current conditions and in concurrence or non-concurrence should be obtained from the agencies mentioned because past development activities in the area have indicated that County officials permit dredging and similar activities without a section 404 permit. Comments from the Army Corps of Engineers, the California Department of Fish and Game, and the Regional Water Quality Control Board should be obtained and included in this report before it is submitted for approval.

26-17

17. Wildlife Movement

Beginning on page 5.8-59, the draft states the wildlife movement would not impact wildlife corridors. The proposed project is a walled and gated community, therefore this statement is incorrect and should be revisited.

26-18

18. Regional and Local Policies and Plans

This statement simply summarizes certain existing policies. It proposes technical compliance with the requirement not to remove Bald Eagle perch trees without discussing the fact that such perch trees, when located in developed areas, no longer become perch trees. While the perch tree in question may not technically have been "removed" experience with the Eagle Point area suggests that the perch tree is nevertheless lost and therefore the policy behind the County requirements has been evaded. Further, the reliance on inadequate mitigation measures makes this report misleading and defective with respect to impacts Jeffery Pine Forest, Pebble Plain habitat and other native vegetation and wildlife.

26-19

County of San Bernardino
April 15, 2005
Page 12

19. Mitigation Measures

The measures proposed are inadequate and based on out-dated information. For example, the report states that a re-survey needs to be done after a 40% precipitation year. This means it can be done now and it should be. The suggested measure for eagle perch trees should be revised to require a "no-build" zone around at least all identified perch trees, which zone should, based on suggested zones in other measures, be at least 300 feet in diameter. The proponent should be prohibited from building paths for hiking in this zone, and required to fence it with appropriate materials that will allow wildlife to pass, but block hiking and recreational use. Likewise, restrictions on night lighting should be expanded to establish light-free zone for wildlife, which ideally should include the areas around perch trees.

26-20

For these and other reasons, the draft section of the report is an inadequate basis for an administrative decision and should be further revised.

26-21

Sincerely,


Peter J. Tennyson

Mary E. Tennyson

19 Monaco, Newport Beach, CA 92660

Response to Commentor No. 26

Peter and Mary Tennyson

April 15, 2005

- 26-1 Comment is noted.
- 26-2 The Pebble Plain Habitat Management Guide and Action Plan was developed in 1990 by the San Bernardino National Forest and the California Nature Conservancy to preserve pebble plain habitat on public lands. The plan was discussed in the Draft EIR section for informational purposes regarding current efforts to preserve this habitat and does not have any particular enforcement requirements for the project site.
- 26-3 Please refer to Responses to Comment Nos. 7-7 and 7-10.
- 26-4 Please refer to Response to Comment 3-1 (Leslie MacNair, California Department of Fish and Game) from the Draft EIR public review period, which occurred from March 30, 2004 to May 13, 2004.
- 26-5 Please refer to Responses to Comment Nos. 5-2 and 7-7.
- 26-6 Comment noted. The Draft EIR section assumed presence for all species with low, moderate, or high potential to occur on the site. The impact to foraging habitat for this species is considered less than significant due to the limited amount of habitat loss associated with the proposed project relative to the availability of habitat for this species in the region.
- 26-7 The wild turkey is not considered a special status species and, as such, would not receive additional attention in the Draft EIR section. A general impacts discussion is provided on page 5.8-54.
- 26-8 Mule deer, mountain lion, and coyote are not considered special status species and, as such, are not discussed under the special status species discussion of the Draft EIR section.
- 26-9 The Draft EIR section states that surveys for special status plants were inconclusive because they were conducted during an exceptionally dry year, necessitating an additional survey as required by Mitigation Measure 5.8-1a. Vegetation type acreages would be recalculated following focused plant surveys in accordance with Mitigation Measure 5.8-1a. Please see Table 5.8.3 for a table listing special status wildlife species potentially occurring within the project region.
- 26-10 Please refer to Responses to Comment Nos. 7-7, 7-10, and 7-23.
- 26-11 Please refer to Responses to Comment Nos. 6-2, 7-23, and 26-6. Mitigation Measure 5.8-1d is designed to avoid direct impacts to nesting activity on the site.
- 26-12 Please refer to Response to Comment No. 26-8.

- 26-13 Please refer to Response to Comment No. 7-9. Pebble plain habitat is restricted to the San Bernardino Mountains and does not occur in other parts of southern California.
- 26-14 Comment is noted. Environmental considerations noted by the Commentor have been addressed in the Draft and Final EIR.
- 26-15 Comment is noted. Lighting and glare affects have been evaluated in Section 5.2 of the Draft and Final EIR.
- 26-16 Comment is noted. Mitigation Measure 5.8-2d of the Draft EIR has been updated for the Final EIR as follows:

5.8-2d ~~Prior to the issuance of individual building permits, landscaping designs~~ recordation of the final map, a landscaping plan for the entire tract shall be prepared (inclusive of a plant palette) with native trees and plant species, and, shall be submitted to the County of San Bernardino for review and approval by a qualified biologist. The review shall determine that no non-native or invasive plant species are to be used in the proposed landscaping. The biologist should suggest appropriate native plant substitutes. A note shall be placed on the Composite Development Plan indicating that all proposed landscaping (including landscaping on individual lots) shall conform with the overall approved tract map landscaping plan. A requirement shall be included stating that residents shall include a restriction of the use of tree and plant species to only native trees/plants approved per the overall tract map landscaping plan, the Homeowner Association CC&Rs shall also restrict (individual lot owners) to use only native tree and plant species approved per the overall tract map landscaping plan.

- 26-17 Please refer to Response to Comment No. 26-4. The proposed project does not include perimeter walls or fences. Once the individual lots are created, the individual property owners could potentially install perimeter walls/fences.
- 26-18 The project site is considered to be a travel route between open space areas to the north of the project site and the Big Bear Lake. It is not considered a "Wildlife Corridor". Therefore, the proposed project would not impact wildlife corridors.
- 26-19 Please refer to Responses to Comment Nos. 6-2, 7-7, 7-9 and 7-10.
- 26-20 Comment is noted. Please refer to Responses to Comment Nos. 5-2 and 5-5.
- 26-21 Comment is noted.

Bradley L. and Cathy Winch

PO Box 370

Fawnskin, CA 92333-0370

RECEIVED
APR 19 2005

LAND USE SERVICES DEPT.
ADVANCE PLANNING DIVISION

Faxed to (909-387-3223) this 15th day of April at ^{4:45}~~3:30~~ PM.

Printed letter sent by US Mail.

April 15, 2005

County of San Bernardino

Land Use Services Department, Planning Division

385 North Arrowhead Avenue 1st Floor

San Bernardino, California 92415-0182

Attn: Matthew Slowik, Sr. Assoc. Planner

RE: "REVISED BIOLOGICAL RESOURCES SECTION OF
THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR
THE MOON CAMP DEVELOPMENT PROJECT/RCK
PROPERTIES INC.: GENERAL PLAN
AMENDMENT/OFFICIAL LAND USE DISTRICT CHANGE

**FROM BV/RL-40 TO BV/RS-7200 AND AMENDMENT TO
COUNTY CIRCULATION ELEMENT FOR REALIGNMENT
OF NORTH SHORE DRIVE; TENTATIVE TRACT MAP
#16136, AND CONDITIONAL USE PERMIT FOR A BOAT
DOCK.”**

I. INTRODUCTION and SUMMARY

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

My wife and I are residents of Fawnskin, California, and would be directly and adversely affected by the negative impacts to the biological resources of this area that would

27-1

result from the development of the proposed Moon Camp project. We chose to come to Fawnskin to live permanently just over one year ago -- after being part-timers for over 2 years -- because we wanted to continue to be surrounded by nature, as it currently exists here, and because of the current character of the town. We value those aspects of Fawnskin because one of us (Bradley) had those same surroundings where he grew up in a small town in Iowa. We feel that it is imperative to our rights and those of friends that we invite to visit us that the basic essence of this character be preserved.

27-1

My wife and I have studied the original EIR and the current DEIR and still are strongly opposed to this proposed Moon Camp development project because, even with the mitigations proposed in this revised biological resources section, this project would have extensive adverse effects on us, on the entire community of Fawnskin and on the Big Bear Valley environment as a whole.

This project goes against a large number of the goals set for the mountain areas in the County's own General Plan. T

Although an amendment to the General Plan to change the zoning is requested, there is no amendment currently proposed to change the general goals in the area of biological and natural resources. In order to maintain those goals and support the existing biological resources at this site and throughout the Big Bear Valley, we support the RL-40 designation of this property as it is currently zoned in the County's General Plan and strongly advocate that this designation be kept. From visitor information we have seen that was collected by the Discovery Center, we believe that much of the economic viability of this entire Valley depends on the maintenance of the native habitats and natural surroundings currently in existence. The adverse impacts to those habitats, and especially to the bald eagle, that would result from the development of this proposed project would, in our opinion, negatively affect the economic well-being of the entire Big Bear Valley.

27-1

In reviewing this revised Biological Section of the DEIR, my wife and I have found it to still be incomplete, inaccurate, and defective. The DEIR fails to adequately evaluate the severe adverse effects of the proposed project and grossly

downplays and understates the significant and unavoidable impacts that would be caused should it be approved. Our objections to this proposed project and the inadequacies of this revised Biological Resources section of the DEIR are set forth below. Please include this letter in its entirety as part of our formal CEQA comments to be included in the Environmental Impact Report.

In summary, we continue to object to this development project, as proposed, for the following reasons:

II. Biological Resources

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

- The Standard Conditions of Approval (SCA-1) does not specify that the replanting of trees must be native trees. Nor does it specify that the trees proposed to be planted be the same type of trees that are being removed. The

27-1

27-2

biological resources section does not evaluate the impact on the wildlife as a whole, or on the individual species of the area, for a change in the species of trees that exists on the site.

27-2

- Nothing has been mentioned or taken into account in this revised biological resources section that the bark beetle infestation has long passed its peak and that the removal of the dead trees and logs on the site to reduce the bark beetles could have adverse impacts on the other species in this area. The counterbalance of these has not been evaluated to make recommendations for finding a middle-ground for the long-term health of the area in all conditions.

27-3

- The percentage used to define the pebble plains habitat of this site as a portion of the total in existence has been grossly underestimated. According to the biological resources section itself, the special-status plants associated with the pebble plains habitat "were found to be widespread throughout an approximately 11.8 acre area of open Jeffrey pine forest with an herbaceous layer of Wright's matting buckwheat in the western half of the

27-4

Project site.” There is no scientific evaluation or justification given for not including at a minimum the 11.8 acres or more accurately the “western half of the Project site” in the calculations for the size of the actual pebble plains habitat.

27-4

- Once again, since the entire “open Jeffery pine forest” as characterized in the document meets the habitat definition of pebble plains and supports special status species across 17.38 acres, the impact is not just 0.69 acres as considered in the analysis, but the entire 17.38 acres.

27-5

- Many of the pebble plains habitat areas in other parts of the Valley have been very recently and very extensively damaged and thus potentially reduced in size. No evaluation has been done on the actual size of the entire pebble plains habitat, and therefore on the actual percentage represented by this proposed development site, especially taking into account the large increase in off-road vehicle usage and resulting destruction of the existing habitat.

27-6

- No scientific justification is given to define neither 40% rainfall as being a sufficient basis for obtaining an accurate survey of the extent of the pebble plains habitat nor any justification given for surveys being valid with anything less than full and normal rainfall.

27-7

- No scientific justification is given to define neither 40% rainfall as being a sufficient basis for obtaining an accurate survey of the extent of the montane meadow habitat nor any justification given for surveys being valid with anything less than full and normal rainfall.

27-8

- Since it would be difficult if not impossible to find a willing seller of sufficient acreage of pebble plains and associated rare plant habitat to in any way mitigate the loss of the actual size of these habitats at the proposed project site, this mitigation measure (paragraph 2 of 5.8-1a) is impractical and inadequate.

27-9

- No mitigation measures have been defined to make up for the loss of montane meadow habitat with the development of this proposed project.

27-10

- No evaluations have been done to define how much of the total montane meadow habitat in the Valley would be lost with the development of this proposed project. **27-11**
- The special status plant species listed on page 5.8-48 of the revised biological resources section that are likely to exist at the site but that were not detectable during the surveys have not been adequately evaluated nor their potential loss accounted for in this DEIR. Since their numbers have not been determined, no determination as to the full impact to their total populations could have been determined, nor are there any requirements set for making up for their loss once their actual numbers and extent of range have been determined. **27-12**
- Given all of the above points, the mitigation measures defined in 5.8-1a are grossly inadequate and would not serve to reduce impacts to a less than significant level. **27-13**
- Since the extent of the pebble plains habitat has been inadequately evaluated and grossly underestimated, the **27-14**

evaluation of the potential impact to the special-status Andrews' marble butterfly is inadequate and could underestimate the significance of the impacts on this species.

27-14

- The analysis fails to evaluate the loss of a significant portion of the shoreline habitat for all the species that could be impacted, including not only shore-feeding species, but all species that use this portion of the shoreline for access to the lake.

27-15

- The mitigations proposed to protect the bald eagle habitat as proposed continue to be impractical and ineffective. Similar mitigations in other parts of the Valley have often not been enforced or regulated so that they, in the end, proved to be neither practical nor effective.

27-16

- This revised section fails to evaluate the adequacy of the special-status wildlife mitigations on the basis that similar bald eagle mitigations have been done in prior developments in the Big Bear Valley and when the mitigations were implemented, the bald eagle numbers have been significantly reduced over the past two decades, thus rendering the mitigations totally inadequate. **27-17**
- Once again, the potential removal of additional trees to support Section 5.3-1c mitigation for a 100-foot fuel modification is not analyzed anywhere in the Biological Resources section. **27-18**
- The DEIR still fails to include in the biological resources analysis the impact to wildlife based on increases in road-kill from the increased traffic nor from the proposed highway realignment. **27-19**
- The evaluation of impacts to bald eagles fails to take into account that the eagles now can see the shoreline from the trees identified as bald eagle perches. There is neither **27-20**