

May 15, 2004

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

Subject: Draft EIR for the Moon Camp Development Project/RCK Properties, Inc.: General Plan Amendment/Official Lane 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.

Thank you for the opportunity to review this document and give my thoughts on the problems that I see would be a result of this development. I oppose the Moon Camp project as presently designed because the DEIR fails to adequately evaluate the true impact this proposed project would cause to the critical issues of water and biological resources.

Water:

- | | | |
|----|--|------|
| 1. | The DEIR in Section 5.3-6 states that this project is exempt from SB221 (which states adequacy of water supplies for the proposed project must be determined). It also says that SB221 applies to any subdivision that increases connections by 10% or more, if the water service has few than 5,000 connections. The Fawnskin water service is completely separate from the system that serves the rest of the Valley. Since there are currently 673 connections in Fawnskin, 92 additional connections is a 14% increase, so this law applies. | 45-1 |
| 2. | The DEIR in Section 5.3-6 bases potential water supply on two wells on the property drilled in 1987. It does not evaluate the well production based on extensive drought conditions much different from when the productions were measured in 1987. | 45-2 |
| 3. | Mitigation number 5.3-6 a, states that water supply has to be proven prior to building permits. Given the current drought conditions, the rate increases and water restrictions already in place, the water supply must be proven prior to changing the zoning to allow more than 1 house per 40 acres. | 45-3 |
| 4. | Mitigation number 5.3-6d states that all the current water restrictions for outdoor watering will continue, such as limited hours every other day, no run-off, etc. These restrictions already do not work effectively for the existing house, and pretending this mitigation would have any effect is completely misleading. | 45-4 |

5. Section 5.3-6 states that the groundwater basin is already in overdraft conditions, but the overall analysis grossly understates the problem and current water shortages. | 45-5

Biological

1. Loss of trees was not considered as part of the biological resources evaluation (section 5.8). | 45-6
2. While a mitigation for eagles states that all trees over 20 inches in diameter will be protected, it does that only on the individual lots and does not hold the developer to that standard for cutting roads and other structural changes required for the proposed project. Therefore, the analysis is misleading in pretending that this mitigation will actually protect the eagle perch trees. | 45-7
3. The analysis does not include ospreys, common visitors to the site. | 45-8

Thank you for your attention to these items. I respectfully request that the Moon Camp project not be approved in its current form.

Sincerely,



Beverly Ornelas
Fawnskin Property Owner
1076 Fawnskin Drive
Fawnskin, CA 92333

Response to Commentor No. 45

Beverly Ornelas

May 15, 2004

- 45-1 Commentor refers to the applicability of SB 221. Please refer to Response to Comment No. 13-42, which addresses this concern.
- 45-2 Commentor refers the historical well data utilized in the analysis of groundwater. Please refer to Response to Comment Nos. 1-3, 1-4, 1-5 and 13-98, which address this concern.
- 45-3 The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 45-4 Commentor refers to existing and proposed water conservation measures in place and their effectiveness. Please refer to Response to Comment No. 13-47, which addresses this concern. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 45-5 Commentor refers to water supply and the affects to groundwater supply. Please refer to Response to Comment No. 1-5, which addresses this concern.
- 45-6 Commentor refers to the loss of trees and the affects to biological resources. Please refer to Response to Comment No. 13-86, which addresses this concern.
- 45-7 Commentor refers to impacts to bald eagles. Please refer to Response to Comment Nos. 3-7, 13-86, 13-88, 13-95 and 41-14, which address this concern.
- 45-8 Commentor refers to impacts to osprey. Please refer to Response to Comment No. 13-87, which addresses this concern.

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

May 16, 2004

HAND DELIVERED

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: "DRAFT EIR 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."

Dear Mr. Slowik,

Thank you for this opportunity to comment on 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). As a resident and homeowner in Fawnskin, California, I am strongly opposed to this proposed project. This Moon Camp project, as proposed, is completely contrary to the County's obligation to safeguard the public interests. Changing the zoning to allow for more dense housing in the midst of an emergency crisis in the mountains, and thereby increasing the public safety risks and public health risks, would be irresponsible on the part of the County.

46-1

This DEIR omits much essential information and analyses and downplays the extent and the significance of the impacts that would be caused by the development of this proposed project. Most importantly, it completely ignores how extensively the proposed zoning change goes against the County's General Plan ordinances, it downplays and misstates the importance of the current water shortage in the mountains and the lack of a proven water supply for this proposed project, and it fails to mention the key issue of fire evacuations from the

46-2

mountains in a time when the mountain communities have been declared by both the State and the County to be in a State of Emergency. 46-2

- There is nothing in the DEIR, not even in the Fire Protection analysis, Section 5.3, that discusses or analyzes the effect this proposed project would have on the already controversial and questionable ability to safely evacuate all residents and visitors from the mountains. With two days notice and a fire still a few miles from the Big Bear Valley, it took over 6 hours to get off the mountain during the October evacuations. The DEIR must include an evaluation of the impact on evacuations for similar circumstances, as well as for the possibility of a fire starting near Fawnskin. 46-3
- The DEIR states in Section 5.1-2 that according to the General Plan, a Land Use District Change requires that four statement be true – basically, that it is in the public interest and to the community benefit, that it does not conflict with any County codes, that it does not have an adverse effect on surrounding properties and that it provides a logical extension of the surrounding properties. As described in detail in the response letter to the County from the Friends of Fawnskin, **this zoning change does not meet even one of those requirements!** And yet, this DEIR concludes that the impact of this zoning change would be less than significant. 46-4
- The DEIR, in Section 5.3-6, seriously downplays the importance of the current water crisis in the Big Bear Valley and fails to mention that the area is currently on Stage 2 water restriction, with Stage 3 a possibility by the end of summer. The DEIR does not fully address nor adequately analyze the impacts this proposed project would have on this issue that is critical to the health and well-being of the entire Valley population. (again, reference the response letter from Friends of Fawnskin.) 46-5

In summary, this DEIR is incomplete and inaccurate and must be rejected. The many significant impacts are downplayed, sugar-coated or completely ignored. This proposed project, as presented, is totally contrary to the guidelines set forth in the County's General Plan and totally contrary to the best interest of the community. It threatens to further endanger the public safety and public health and warrants a denial. I strongly urge the County to select the No Project Alternative.

Sincerely,



Sandy Steers
Fawnskin resident and homeowner

Response to Commentor No. 46

Sandy Steers

May 16, 2004

- 46-1 The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 46-2 The Draft EIR includes a comprehensive analysis for each subject area and fully complies with the requirements of CEQA, including Sections 15120 to 15132 of the CEQA Guidelines, which outline the "Contents of and Environmental Impact Report." The Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment Nos. 13-9 to 13-20, which address this concern. Also, the Commentor refers to the Project's potential to impact evacuation plans. Please refer to Response to Comment No. 13-32, which addresses this concern. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 46-3 Commentor refers to traffic impacts and affects to evacuation plans. Please refer to Response to Comment No. 13-32, which addresses this concern.
- 46-4 The Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment Nos. 13-9 to 13-16, and 13-20, which address this concern.
- 46-5 Commentor refers to water supply and the impacts to groundwater. Please refer to Response to Comment Nos. 1-3, 1-4, 1-5 and 13-47, which address this concern.

R. Lee Whitney
Marilyn Whitney
P.O. Box 37
Fawnskin, CA 92333
(909) 866-3818

May 16, 2004

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: DRAFT EIR FOR THE MOON CAMP DEVELOPMENT PROJECT/RCK PROPERTIES INC.:
GENERAL PLAN AMENDMENT/OFFICAL LAND USE DISTRICT CHANGE FROM BV/RL-40 TO
BV/RS-7200 AND AMENDMENT TO COUNTRY CIRCULATION ELEMENT FOR REALIGNMENT
OF NORTH SHORE DRIVE; TENTATIVE TRACT MAP #16136, AND CONDITIONAL USE PERMIT
FOR A BOAT DOCK.

Dear Mr. Slowik:

We appreciate the opportunity to review this document. We oppose this Moon Camp project as presently proposed because the DEIR fails to adequately address the total impact of the zoning change.

Section 5.1-2 of the DEIR states that the proposed project "conflicts with the land use plan, policies and regulations of the San Bernardino County Development Code." Their highly subjective analysis concludes that the proposed project would have an insignificant impact on the General Plan Land Use policies. We strongly disagree with these assumptions.

47-1

In section 5.1-2, San Bernardino County Development Code, the DEIR states that according to the General Plan, a Land Use District Change requires that each of the following statements be true:

1. The proposed land use District change is in the public interest, there will be a community benefit, and other existing and permitted uses will not be comprised.
2. The proposed land use District change is consistent ...
3. The proposed land use District change does not conflict
4. The proposed land use District change will not have a substantial adverse effect on the surrounding property.

Item #1 is not true because the proposed project is not in the public interest of the residents of Fawnskin, and would not be a benefit to the existing community. The existing infrastructure cannot support the current population. Changing demographics, without any zone changes, will increase full-time occupancy rates because of the substantial increase in retirees in the next twenty years.

47-2

- Roads – All of the DEIR analyses are based on "average" traffic volumes. We have experienced peak volumes (evacuation for fire in October 2003) and the roads were jammed. It took seven hours to evacuate in "bumper-to-bumper" traffic conditions on a weekday. On summer weekends, Stanfield Cutoff has extremely long lines waiting to turn onto Big Bear Blvd. Adding additional housing units will only increase this problem.

47-3

- Water – We are currently experiencing a drought condition that has been going on for five to six years. Experts question whether the past 100 wet years might have been an anomaly, and that the coming years might continue to be much drier. If this dry condition continues, we believe that it is reckless to change zoning to provide for any additional residential units. The DEIR in Section 5.3-6 states, "Based upon the inability for providers to confirm services, coupled with potentially significant overdraft conditions cited in Section 5.11 of the EIR, impacts are concluded to be significant

47-4

and adverse." Given the current drought conditions, the rate increases, water restrictions for outdoor watering for existing houses, we believe that zoning must not be changed to allow more than 1 house per 40 acres.

47-4

Item #4 is not true because the proposed project will have a substantial adverse effect on surrounding property.

47-5

- Fire Protection – Section 5.3-1 of the DEIR based their analysis on Fire Risk level 2. All mountain areas in the County have been declared Fire Risk level 1. A new analysis is needed to address this situation.
- Aesthetics of the existing Scenic Byway - State Route 38 that runs through the proposed project is designated as a "Scenic Highway" by the County and as a "Scenic Byway" by the United States Federal Government. We, as residents of Fawnskin, are particularly appreciative of the natural beauty of that Highway. The proposed project would completely alter the natural setting/character and forever change scenic nature of the area. Simulated views shown in the DEIR (Section 5.4) are over-simplified in that they do not show potential effects of the new homeowner's probable tree plantings. From our experience, new trees will become a larger problem in changing/destroying lake views. Homeowners typically plant trees that will grow fast, like Poplars, Maples, and Flowering Crabapples (none native to the San Bernardino Mountains) that quickly grow and block views. Therefore the simulated highway views are likely to become nonexistent. (These trees will also contribute to the water shortage problem.)

47-6

Thank you for your consideration in this matter. We have been residents of Fawnskin for almost twenty-five years and believe that the proposed project would adversely affect our community.

Sincerely,

Lee Whitney *Marilyn Whitney*
 Lee Whitney
 Marilyn Whitney

Response to Commentor No. 47

Lee and Marilyn Whitney

May 16, 2004

- 47-1 The Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment Nos. 13-9 to 13-16, which address this concern.
- 47-2 The Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment No. 13-9, which addresses this concern.
- 47-3 Section 5.5, *Traffic and Circulation*, presents data regarding average and peak month traffic volumes on the Existing Conditions section. However, the traffic analysis and identified impacts were analyzed for peak month traffic volumes, not average month traffic volumes. Also, refer to Response to Comment No. 13-32.
- 47-4 The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 47-5 The Commentor refers to the Project's consistency with the County's General Plan due to the current Fire Risk Level designation. Please refer to Response to Comment No. 13-27, which addresses this concern.
- 47-6 Commentor refers to the visual simulations not being reflective of build-out of the project area. Please refer to Response to Comment Nos. 13-54 and 13-55, which address this concern. The County will consider the Commentor's opinion and comments during their deliberation on the project.

May 17, 2004

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

RE: DRAFT EIR 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.

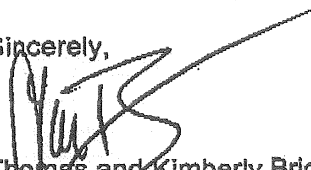
Dear Mr. Slowik,

We are writing to request that the County extend the May 17, 2004 deadline for the public responses to the DEIR for the Moon Camp Development Project. We feel that six weeks is an unreasonably short amount of time to evaluate a document, which took RBF consulting two years to complete. The DEIR is a huge, complex document, which refers to other reports, and documents that are not included. We find that we require more time to review the existing information and locate and research the referred documents.

48-1

We appreciate your consideration in this request. We may be reached at 909-866-2839. We look forward to your response.

Sincerely,



Thomas and Kimberly Brickley
39745 Flicker Road
P.O. Box 88
Fawnskin, CA 92333

Response to Commentor No. 48

Thomas and Kimberly Brickley

May 17, 2004

- 48-1 Commentor refers to extending the deadline for providing comments on the Draft EIR. Please refer to Response to Comment No. 9-1, which addresses this concern.

Memorandum to Matthew Slowik

From Roman Silberfeld

Re - Draft EIR for Moon Camp Development Project

May 17, 2004

Although I wrote to you last week and requested an extension of time within which to respond to the draft EIR, I have not heard from you and therefore I submit this brief memorandum as my comments in opposition to the draft EIR. I hope that you will nevertheless grant my request for a 90 day extension of time within which to provide more fullsome comments on the draft EIR.

49-1

The draft EIR is defective in that it fails to adequately take into account, measure and evaluate the following:

> the cumulative impact of this project, if approved, on the entire valley and other projects, some of which have been approved and others of which are in various stages of development;

49-2

> the recreational impacts are simply wrong in that public access to the public lake would be extremely limited by the project in that access to the lake shore would be completely different than that stated in the draft EIR;

49-3

> fire protection would be compromised and existing precious resources would be stretched beyond the breaking point;

49-4

> police protection would likewise be negatively impacted as there is already an insufficient police presence on the north shore;

49-5

> we are in the 6th year of a drought and severe water use restrictions are currently in force and these restrictions may be expanded;

49-6

> traffic congestion and hazardous roadways are likely created by the impacts of new vehicles in large numbers and the change in the configuration of the roadway;

49-7

> air quality, light, noise and congestion are a certainty if the population of the area is substantially increased as proposed;

49-8

> *biological and protected species impacts have not received adequate study.* | 49-9

Please grant the request for additional time requested last week.

Please also continue to provide me with notice of any action on this project.

My mailing address, fax and phone are:

*Roman Silberfeld
2049 Century Park East, Suite 3700
Los Angeles, Ca. 90067*

Phone - 310 552 0130

Fax - 310 229 5865



Response to Commentor No. 49

Roman Silberfeld

May 17, 2004

- 49-1 Commentor refers to extending the deadline for providing comments on the Draft EIR. Please refer to Response to Comment No. 9-1, which addresses this concern.
- 49-2 Commentor refers to cumulative impacts associated with other foreseeable projects. Please refer to Response to Comment No. 13-2, which addresses this concern.
- 49-3 Commentor refers to decreased public access to the lakeshore. Please refer to Response to Comment No. 13-26, which addresses this concern. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 49-4 The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 49-5 Commentor refers to current police protection services and the Project's impact to police services. Please refer to Response to Comment Nos. 13-38 to 13-40, which address this concern.
- 49-6 Commentor refers to the expansion of existing and proposed water conservation measures. Please refer to Response to Comment No. 13-47, which addresses this concern. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 49-7 Commentor refers to increased traffic and safety hazards associated with the proposed highway realignment. Please refer to Response to Comment No. 13-65, which addresses the safety hazards. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 49-8 The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 49-9 The County will consider the Commentor's opinion and comments during their deliberation on the project.

965 Deer Trail
Fawnskin, California 92333.

May 17, 2004

VIA FACSIMILE (909) 387-3223

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: "DRAFT EIR 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

We thank the San Bernardino County Land Use Services Department Planning Division for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the proposed Moon Camp residential development project. We understand the project includes a proposed General Plan amendment, land use district change, circulation amendment, tentative tract map and conditional use permit for a boat dock. We own property which would be directly affected by the development of the proposed Moon Camp project. Residents and visitors who have chosen to come to Fawnskin have done so primarily because of the current character of the town. We feel that it is imperative to the rights of these individuals and to the well-being of the entire Big Bear Valley that the basic essence of this character be preserved.

County of San Bernardino
Land Use Services Department, Planning Division
Attn: Matthew Slowik, Senior Association Planner
May 15, 2004
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This project, as proposed, would have extensive adverse effects on surrounding properties, on the entire community of Fawnskin and on the Big Bear Valley as a whole. Many of these significant impacts and multiple harmful effects that would occur should this proposed project be approved are not even proposed for avoidance or mitigation.

We find the DEIR to be incomplete, inaccurate, and defective. The DEIR fails to evaluate adequately 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. The misstatements and omissions are so pervasive as to suggest they are deliberate, requiring rejection of the DEIR. Please include this letter in its entirety as part of your formal record of comments to be included in the Environmental Impact Report.

II. GENERAL PROCEDURAL COMMENTS

The DEIR "Cumulative Analysis" in all areas fails to adequately assess the cumulative effect of both the subject project and other proposed projects. It uses Valley-wide data which distorts the impact of the project, but then conveniently omits consideration of two large projects—the Castle Glen development in Big Bear Lake and the tripling in size of the Big Bear Discovery Center to accommodate increased tourist traffic—that add to the already significant cumulative impacts of this proposed project on Fawnskin, the North Shore and the Big Bear Valley. In addition, two other parcels (one 30 acres and one 7.5 acres) very near the Moon Camp property are in various stages of proposed development. The cumulative impact of all the

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Land Use Services Department, Planning Division
Attn: Matthew Slowik, Senior Association Planner
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combined projects is either ignored or underestimated and downplayed throughout every section of the document. 50-1

The DEIR does not point out that the project is likely to comprise second homes. This exacerbates traffic, noise and lake congestion issues because it concentrates use in summer, especially on weekends and holidays. It also renders proposed mitigation measures such as homeowner association procedures less effective. Homeowner associations comprised of part-time residents are less likely to be able to enforce rules about runoff, water use, outdoor fires, lighting, trash, etc. And vacation home renters are not likely even to know of such measures. This renders many proposed "mitigation" measures illusory and ineffective. Practical, realizable mitigation should occur, or else the DEIR should concede the adverse impacts are unavoidable. 50-2

The DEIR fails to address the current 6-year drought. There is still no defined water supply for the site and as such, according to current state law, this proposed project absolutely cannot be approved. The DEIR uses data almost 20 years old, which has not been brought current. 50-3

The DEIR in all sections fails to state how each mitigation item will be implemented and who will mitigate the impact. 50-4

The DEIR analysis failed to consider input from:

- California Department of Transportation (necessary to give input to the rerouting of the scenic highway) 50-5

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- the United States Forest Service (the proposed development is adjacent on the north and east to the USFS which has needs to address eagle and biological concerns)
- the California Department of Fish and Game (input necessary for shoreline fish habitat).
- the Army Corps of Engineers (input necessary for dredging to deepen a site for boat docks).
- and the Big Bear Lake Municipal Water District (input necessary for dredging and the marina).

50-5

Consideration of air quality impact has been minimal.

The DEIR fails to consider the "No Project/No Development" and the "No Project/Existing Designation" Alternatives as viable alternatives in Section 7.5 and fails to state specifically which is the "Environmentally Superior" option.

50-6

III. LAND USE AND RELEVANT PLANNING

The DEIR concedes the Project violates development codes and rules (see pages 2-2 and 2-3). Perhaps using this as a basis, in Section 5.1.1 of the DEIR fails to reference or consult the study mandated in General Plan Ordinance OR-3-d. "Prepare a report outlining the economic effects of open space, focusing on potential tourism revenues, the effect of open space on adjacent property values and the relative costs of providing open space management or urban services for a site." Since this property is now open space and since the current zoning serves to leave it in primarily an open space state, this study must be included.

50-7

According to the General Plan, a Land Use District Change requires that: "The proposed land use District change is in the public interest, there will be a community benefit, and other

50-8

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Land Use Services Department, Planning Division
Attn: Matthew Slowik, Senior Association Planner
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existing and permitted use will not be compromised." The existing use of a large portion of open space, consistent with the current zoning would be compromised with the proposed zoning change. The proposed change would also obstruct public lake views from the highway in one of the few places remaining where the public can view the lake from the highway.

50-8

This proposed zoning change conflicts with the County's General Plan Code C-56 "Restrict development along scenic corridors." This proposed change would serve to increase rather than restrict development along a designated scenic highway. In fact it would destroy a scenic corridor and replace it with a project wall. This proposed zoning change conflicts with the County's General Plan Code C-55 "Preserve and protect outstanding scenic resources of San Bernardino County for their continued future enjoyment." This proposed change would serve to degrade, not protect the outstanding scenic resources of this area.

The County's General Plan Code OR-59 states that "Because public health and safety can be protected through the use of open space, the County may maintain open space where flood, fire, geologic, seismic hazards, noise or other conditions endanger public health and safety." This proposed change poses a substantial risk to the protection of the public's health and safety and points out the county's duty not to increase fire risk.

50-9

This proposed zoning change conflicts with the County's General Plan Code in Section III C, Mountain Region, "The physical/natural constraints of the region and the lack of adequate water supply and infrastructure facilities needed to support higher density development preclude higher intensity uses." (emphasis added). Since the General Plan saw fit to zone this property

50-10

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RL-40 to preclude higher density uses, this proposed change is in direct conflict. The DEIR does not explain or justify ignoring the "physical/natural constraint's and the lack of an adequate water supply and infrastructure."

50-10

The proposed project does not satisfy any of the requirements stated in the General Plan for allowing a zoning change. Therefore, the DEIR statements are false and the DEIR failed to adequately assess the collective or combined effect of both the project in question and other foreseeable projects. See Kings County Farm Bureau v. City of Hanford, 221 Cal.App. 3d 692.

50-11

The DEIR states in Section 5.1-3 that this proposed project, combined with other future development, would increase the intensity of land uses in the area, but, without explanation concludes that the impacts are less than significant. This is an inaccurate and defective conclusion. The cumulative effects of this proposed zoning change in total with the proposed Marina Point development project, the proposed Brookside development project, the expansion of the Discovery Center and the other projects currently in development in Big Bear Valley create a significant and unavoidable impact to Fawnskin and the surrounding communities. In particular:

50-12

- The proposed zoning change would have the potential to increase the size of Fawnskin by at least 34%. Such a substantial increase in the size of a community has a multitude of adverse impacts on the infrastructure and the character of the area and would be a significant and unavoidable impact.
- The San Bernardino County Land Use Element policy, which the DEIR states is "relevant to the proposed Project," states that "new residential development [must] ensure compatibility with adjacent land uses and community character." The proposed project is designed as a suburban residential tract with cul-de-sacs, street lighting, curbs, etc, which in no way matches the unique, rural surrounding

50-13

50-14

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community. The DEIR incorrectly states that the surrounding residential property is Improvement Level-1 (high density development in urban areas), but the surrounding properties in reality have Improvement Level-3 – there are no curbs and gutters, there are no sidewalks, there is no street lighting at all the intersections.

50-14

- Considering that State Route 38 is a County designated Scenic Highway and that the views from this Scenic Highway would be completely lost and replaced with a view of the wall of a gated community, stating impacts are not significant is invalid.

50-15

IV. RECREATION

Section 5.2-1, Expansion and/or construction of Recreational Facilities, of the DEIR states on page 5.2-4 that the proposed construction of marina facilities may have an adverse impact on the physical environment, but that these potential impacts are less than significant. This analysis is invalid and the impacts have been significantly understated.

- Construction of these facilities would require dredging of the lake in shallow-water eagle foraging habitat. No analysis has been done on storage of boats during the seven months of the year when they are not in use. Use of these facilities with residents pulling boats and trailers in and out of the facility has not been accounted for in the traffic study.

50-16

- The use and misuse of fuel has not been considered in either the fire safety discussions or water quality discussions.

50-17

- The DEIR bases all calculations on a weekend use factor of 9%, which is the yearly average. This use is actually seasonal and is closer to 60% during summer weekends, with 90% expected on holiday weekends. As a result, the impact these proposed facilities would have has been underestimated, making the analysis invalid. It should be redone focusing on weekend and summer impact.

50-18

- The DEIR statement that "Public access to the lakeshore would be maintained at the eastern and western boundaries of the site" is invalid.

50-19

- The proposed project maps and plans show no public access corridors designated. The lakefront portion of the proposed project would abut to existing homes on the east and to the proposed Marina Point development project on the west.

50-20

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Attn: Matthew Slowik, Senior Association Planner
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- All land below the high water line of Big Bear Lake is open to the public but the proposed plan affectively precudes access.

50-21

V. PUBLIC SERVICES AND UTILITIES

A. Fire Protection. Section 5.3 under Fire Protection does all of its analysis based on Fire Risk level 2, but all mountain areas in the County have been upgraded to Fire Risk level 1. This makes the DEIR's entire analysis of Fire Protection invalid.

50-22

Discussion of fire flow requirements is invalid without discussion of where this water capacity will come from. Further, the DEIR findings are not reflections of any comment from County Fire.

50-23

The DEIR in no way links the fire sprinklers it describes to the real hazard. Especially in cases of forest fires, internal sprinklers do nothing to stop the trees and brush around the homes from burning and spreading the fires. This alleged mitigation completely ignores the issue of fire risk in the mountains.

50-24

The DEIR fails to consider increased fire risk from marina operation and on-site boat storage.

50-25

The mitigations listed for fire risk are based on homeowners complying with HOA standards and offer no plan for enforcement. This is completely impractical, especially in a transient community and the mitigations are therefore illusionary.

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The DEIR does not address Fire Evacuation plans for the area, so nothing was included regarding the cumulative impact more houses will have on fire evacuations from the valley. In

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the October 2003 wildfire evacuation, with a few days of warning and with minimal tourists in the area, it still took 6 hours to get off the mountain. No analysis was done on the impact increasing the size and population of Fawnskin by 34% will have on fire evacuations. No analysis was done for peak weekend usage, locals on of the risk one or more existing evacuation routes will be blocked.

50-27

No analysis was done on the how the additional homes of the proposed development would increase the urban/forest interface percentage in Fawnskin and how much the fire risk will increase accordingly. Homes involve furnaces, fireplaces, barbecues, gas tanks for boats, and other sources of both fuel and ignition.

50-28

The Insurance Service Organization (ISO) has stated that Fawnskin is in a high fire danger area (9 on a 1-10 basis). The EIR does not evaluate whether adding additional homes will increase the likelihood of fire insurance becoming unavailable for the Fawnskin residents and especially for second homeowners who already have a challenge in obtaining fire coverage.

50-29

For the reasons given above, among others, the DEIR is incomplete, inaccurate, and defective in its analysis of fire protection and the development of the proposed project.

B. Police Protection. Section 5.3-2 using the average response time for emergency calls to the entire unincorporated area is invalid – only average times to the Fawnskin area should be used due to its distance from the Sheriff’s station compared with other unincorporated areas. The DEIR does not mention that there is currently one officer for the entire area and police services are spotty at best and non-existent at worst.

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No analysis was done in the DEIR on police response times and abilities for "other than emergency" calls. The one source cited, a letter written in 2002, lists no meaningful data. More data should be requested.

50-31

C. Water. The DEIR states that the water issue cannot be mitigated to below the level of significance. Even so, the analysis that is offered grossly understates the current water crisis.

50-32

This proposed project is not exempt from SB221 (which applies to any subdivision (with fewer than 5,000 connections) that increases connections by 10% or more.) Since Fawnskin is actually a separate system and independent from the rest of the DWP's service area and the rest of the Valley it must be considered separately in the calculations. There are currently 673 connections in Fawnskin, 92 additional connections would be a 14% increase, so SB221 does apply.

50-33

The DEIR does not address the fact that water use restrictions are an effort (and have been for several years). It does not focus on the impact on existing wells or disclose any projections if long-term drought continues. The DEIR projects a potential water supply on 2 wells drilled on the property in 1987. Any assumption for potential water supply from these wells is inaccurate without further study of current conditions. According to the Big Bear Lake Municipal Water District's Watermaster report (which was not utilized as reference material in the DEIR analysis) the average rainfall over the past 5 years compared to the 5 years prior to 1987 was 37% at the dam and 51% less at the Big Bear Lake Fire Department. Without the

50-34

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presentation of this information and an associated analysis, the DEIR is incomplete and inaccurate and understates the level of significance of the impact of this proposed project on water service.

50-34

Mitigation number 5.3-6a states that water supply will be proven prior to building permits. But agencies tend to treat permits after a project is approved as "ministerial." The time to examine these issues is now. Given the current drought conditions in Fawnskin (and the mountains in general), with rate increases and water restrictions already in place, the County would be derelict in its duties of protecting the public health and resources available to current residents if it did not require the DEIR to demonstrate a proven water supply prior to approving any change in zoning.

50-35

The mitigations listed regarding landscape and outdoor watering are completely inadequate and illusionary. The mitigations listed are based on DWP's Stage 1 water restrictions, while we have already moved to Stage 2 water restrictions and DWP has announced that we could be moving to Stage 3 water restrictions before the end of summer. In addition, there is no information regarding how these mitigations would be enforced and current experience shows that the existing water usage restrictions are not being followed nor enforced. The DEIR should provide for the costs of enforcement.

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D. Electricity. The DEIR states that project implementation would result in an increased demand for electricity, but that impacts would be less than significant. Bear Valley Electric (BVE) currently says no more electricity can be brought up the hill, and we are already

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facing short supplies, so ANY additional development, including this proposal would create significant and unavoidable impacts on electricity service capabilities. This needs to be addressed.

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Section 5.3-9 states that an alternative for providing power would be to place a power source at the site. This alternative does not describe the extensive additional impacts in terms of noise, air quality, and wildlife at a minimum.

50-38

VI. AESTHETICS/LIGHT AND GLARE

The DEIR states that there would be a significant and unavoidable impact that cannot be mitigated for the view areas on all sides of the proposed project. Even this analysis greatly understates and downplays the level of significance of the impacts on both adjacent properties and those across the lake.

The DEIR needs to address the requirements of the San Bernardino County Light Ordinance, which has been adopted by CSA 53B.

50-39

From the DEIR: "Implementation of the Moon Camp project would adversely impact scenic resources, scenic vistas and the visual character of the site and its surroundings. Analysis has concluded that a *significant and unavoidable* impact to the visual character and view shed from the project site, and surrounding areas would occur *which cannot be mitigated* to a less than significant level." (Emphasis added.) The obvious conclusion is that mitigation requires a far lesser density.

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The simulated views in the DEIR do not include the housing density that is proposed and they are not done to the correct scale. They should be re-done. 50-41

The views used in Section 5.4 show an exceptional number of full-grown trees (between and near the homes) when in actual construction it would be highly unlikely that these trees would survive and new trees would take 50-100 years to grow to that size. This downplays the overall impacts the proposed project would have. 50-42

The DEIR in section 5.4 fails to consider the visual impact of a 100-boat marina, especially from the lake and from the ski areas, and the cumulative visual impact of the adjoining proposed Marina Point 175-boat marina, nor does it account for the visual impact of parking for usage of this proposed marina. The marina's impact on traffic, nighttime light impacting wildlife, and noise are not addressed 50-43

The DEIR does not address off-site storage locations for the 100 boats and trailers associated with the proposed marina, nor does it include any measures to keep them from being stored at each of the homes, with adjacent fuel spill risk thus increasing the level of significance of the impacts of this proposed project to the aesthetics. 50-44

VII. TRAFFIC AND CIRCULATION

The analysis of traffic and circulation in the DEIR is inadequate because it is based on some assumptions that are not justified:

- The "project" and "baseline" traffic analysis in the DEIR is based on a growth rate of traffic over the past 10 years. This is not accurate. 50-45

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- The annual average in population growth for Big Bear from in the 2 years 2000-2002 is 14 times the annual average from 1990-2000. 50-46
- The annual average increase in number of houses built from 2000-2002 is over 8 times the annual average from 1990-2000. 50-47
- The DEIR also incorrectly assumes that peak hour traffic in the area is the "standard" AM and PM peaks. An actual analysis for this non-urban area, including weekend peaks, should be required 50-48

The DEIR needs to re-evaluate road and lane capacity under snowy or slick road conditions. For example, plowing only provides a limited pathway, but vacation use is intensified because of ski area traffic. 50-49

The DEIR failed to correctly consider the impact that straightening Route 38 will create and the likelihood that a straightened Route 38 will become the route of choice for all commercial traffic. This flow negates all traffic figures, trips, and volume studies assumed by the DEIR. 50-50

The DEIR does not take into account CalTrans information that Route 38 currently has a poor (congested) rating, and cannot adequately support the increased traffic ninety-two more homes and a marina would bring. 50-51

VIII. AIR QUALITY

The DEIR does not include either dispersion or photochemical modeling to predict the impact of the project on the concentrations of pollutants that will actually occur in the air in Big Bear Valley, nor the formation of toxic *secondary* pollutants *formed* by chemical reactions in air, e.g. ozone. It simply uses an emissions model to calculate the number of pounds per day of 50-52

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primary pollutants that will be emitted *directly* by the project, and compares these to regional threshold values given in South Coast Air Management District (SCAMD) "look-up tables".

50-52

This is a 6,600 square mile area and local impact studies are needed.

The DEIR completely omits treatment of even the emissions of three important air pollutants: SO_x, lead and toxic air contaminants (TACs). In the latter case for example, the threshold specified by the SCAMD is a maximum incremental cancer risk that is ≥ 10 in 1 million. The EIR does not identify the increased carcinogens that will be associated with the project and does not assess their impact against such a standard. The Big Bear Valley already has an inversion layer.

50-53

The DEIR does not adequately address the impacts of the increased wood smoke emissions from fireplaces and wood stoves. Again, SCAMC-wide figures are meaningless and studies of the Valley itself are needed.

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Table 5.6-1 does not include California's standard for visibility reducing particles, the current levels in Big Bear Valley and how the project would impact this.

50-55

Emissions of toxic air contaminants, TACs (California)/hazardous air pollutants, HAPs (federal) from all of the sources associated with the project, both mobile sources and stationary sources, are not treated adequately, despite existing standards for TACs/HAPs. Specific studies of Big Bear Lake are needed for an informed decision.

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The mitigation measures cited for air quality include the use of EPA certified fireplaces and the use of a catalytic converter on the chimneys. However, there is no legal mandate to do so and no analysis of the County's ability to enforce such a rule.

50-57

The DEIR describes future hydrocarbon emissions standards for watercraft. However, it is not clear if these were included in the emissions estimates, or if they were, if it was assumed that all watercraft associated with the project would meet these new standards. This must be clarified and re-written. Furthermore, there is no treatment of emissions other than hydrocarbons from watercraft, and the associated impacts on air quality. On a revised report, the risk of emissions from spilled fuel are to be addressed.

50-58

Nothing has been included in the air quality analysis to evaluate the effects of a local power generating plant that was suggested in the DEIR.

50-59

The overall air quality analysis in the DEIR is completely inadequate and even though the DEIR has concluded that the development of this proposed project would cause significant and unavoidable impacts on air quality, those impacts have been underestimated and minimized substantially. They need to be addressed along with a cumulative impact study

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IX. NOISE

The noise section of this DEIR utilizes data, which is decades old, making the analysis inadequate. The noise levels that would be generated, both during construction and of a permanent nature, would have significant continuing negative impact to wildlife and recreational

50-61

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use as well as to the residents. The analysis needs to be redone, using current data and peak usage periods.

50-61

The statement in section 5.7-1 paragraph 3: "A 3 dBA change in sound pressure level is considered a "just detectable" difference in most situations" is incorrect. All of the conclusions that come from this flawed data are incorrect, and are the basis for much of the noise analysis of the DEIR.

50-62

The DEIR failed to consider the funneling effect of noise from the highway into the adjacent residential areas, and the impact the proposed wall would create.

50-63

The DEIR refers to "existing sensors within the vicinity of the project...." In fact, the sensors used in the analysis are not in the vicinity of the proposed project and therefore are not registering correct SPL's. No accurate measurement of current SPL levels is found in this document, so this analysis is flawed and inadequate.

50-64

Rather than measurements, the DEIR states "The (computer) model does not account for ambient noise levels or topographical differences between the roadway and adjacent land uses". The steep rise of the terrain to the north is significant and does not factor into the DEIR's computer model. If the terrain were considered in the analysis, the noise levels would become unacceptable.

50-65

The data used in the Noise analysis is in part from the Traffic Analysis report, which is completely inadequate and understates the noise impact, since the traffic analysis was completely invalid in ignoring (or not measuring) peak usage. This analysis needs to be re-done.

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X. BIOLOGICAL RESOURCES

The DEIR's evaluation of the impacts on Biological Resources is incomplete and inadequate:

- There is no analysis in the DEIR of the impacts that would be caused by removal of a substantial number of trees for moving the highway and creating internal roads, nor for the subsequent removal of additional trees for building houses. 50-67
- The DEIR fails to recognize that in prior developments in the Big Bear valley, where the same eagle mitigations were instituted, the eagles have been effectively driven from those projects. It needs to explain why these failed factors will work. 50-68
- The potential removal of additional trees to support mitigation for a 100-foot fuel modification is not analyzed anywhere in the Biological Resources section. 50-69
- Drought-year botanical surveys yielded an incomplete assessment of rare plants. The result is an inaccurate document that clearly understates the expected extent and significance of impact to rare plants. 50-70
- The DEIR fails to include analysis of the impact to wildlife based on increases in road kill from the increased traffic and the loss of access to the lake due to construction of walls. 50-71

Plant surveys for areas that will be destroyed by road and other infrastructural construction need to be mitigated but this is not stated requiring further analysis. 50-72

At a 3:1 mitigation ratio for loss of pebble plains, it will be difficult if not impossible to find a willing seller of over 50 acres of pebble plains and associated rare plant habitat as 50 acres is approximately one quarter of the total available acreage on private land. The source needs to be identified. The DEIR also fails to state that the cost of the parcel needs to be based on a current appraisal of Bear Valley acreage, plus a reasonable dollar amount for management. 50-73

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The analysis understates expected impacts to trees and eagles. Removal of 655 trees (24% of 2,772) is not analyzed or fully disclosed under "biological resources." This impact would constitute the removal of substantial eagle roost habitat. While the DEIR states that all trees over 20 inches in diameter will be protected, this applies only on individual lots and does not apply to road cutting and other structural changes required for the proposed project. Thus, the DEIR fails to protect perch trees as required by county code, which restricts removal of bald eagle perch trees "w/o adequate substitution". With normal exceptions to county code restrictions, the inevitability of tree cutting to create individual lots, and the removal of hazard trees and others to comply with fire clearance, this proposed project will significantly and negatively impact the bald eagle. The analysis is misleading and needs to be re-done.

50-74

XI. HYDROLOGY AND DRAINAGE

RBF consulting was directed by the County of San Bernardino to conduct a peer review of the 2003 "GSS Focused Geohydrologic Evaluation of Maximum Perennial Yield For the North Shore and Grout Creek Hydrologic Subunits" for incorporation into the DEIR. Engineering Geologist, D. Scott Magorien reviewed the report. He brought up six points (on pages 22 and 23) and did not think there was enough detail in the report to verify the water availability from the two wells on the tract. Magorien's conclusion is that the North Shore is in an overdraft situation, and that there should be a more thorough hydrogeologic investigation to determine the water availability for this proposed project. None of this recommended further analysis was included in the DEIR.

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We are currently in the worst drought condition in history, but the EIR fails to include this in the analysis. The DEIR fails to include information and analysis on the degradation of water quality of the lake due to pesticides and chemical fertilizers being used.

50-76

With the current drought, and by the County's own hydrology expert's report, the impacts caused on hydrology and drainage created by the development this proposed project would have a higher level of significance than the DEIR states. It needs to be re-analyzed.

50-77

XII. CONCLUSION

The Draft EIR for the proposed Moon Camp Project currently in circulation has failed to adequately assess the level of significance of the negative impact on aesthetics, fire protection, police protection, water, electricity, traffic and circulation, air quality, noise, biological resources and hydrology and drainage. Further, once this DEIR has been revised, amended, or a supplemental document prepared, the entire document must be circulated once again so that the public and the decision-makers can be properly informed prior to making any decision on this project, as required by law.

50-78

The DEIR as it stands is incomplete, inaccurate, and defective and must be rejected in its present form. It clearly violates the requirements of CEQA.

Pete Tennison *Mary Tennison*

Response to Commentor No. 50

Peter and Mary Tennyson

May 17, 2004

- 50-1 Commentor refers to cumulative impacts associated with other foreseeable projects. Please refer to Response to Comment No. 13-2, which addresses this concern.
- 50-2 Commentor refers to the Project's impacts in regards to primary versus secondary homes. Please refer to Response to Comment No. 13-7, which addresses this concern.
- 50-3 Commentor refers to current drought conditions and affects to groundwater. Please refer to Response to Comment Nos. 1-3, 1-4, 1-5, 13-98 and 18-1, which address these concerns.
- 50-4 Commentor refers to the enforcement process and procedures for implementation of mitigation measures. Please refer to Response to Comment No. 13-4, which addresses this concern.
- 50-5 Commentor refers to lack of agency consultation with various governmental agencies. Please refer to Response to Comment No. 13-5, which addresses this concern.
- 50-6 Commentor refers to the analysis of Alternatives and conclusion of the "Environmentally Superior Alternative." Please refer to Response to Comment No. 13-6, which addresses this concern.
- 50-7 Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment No. 13-8, which addresses this concern.
- 50-8 Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment Nos. 13-9, 13-11 and 13-12, which address this concern.
- 50-9 Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment No. 13-13, which addresses this concern.
- 50-10 Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment No. 13-15, which addresses this concern.
- 50-11 Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment No. 13-17, which addresses this concern.
- 50-12 Commentor refers to cumulative impacts associated with other foreseeable projects. Please refer to Response to Comment No. 13-2, which addresses this concern.
- 50-13 Commentor refers to increased population and affects to infrastructure. Please refer to Response to Comment No. 13-19, which addresses this concern.

- 50-14 Commentor refers to the Project's consistency with the County's General Plan. Please refer to Response to Comment Nos. 13-20 and 13-21, which addresses this concern.
- 50-15 Commentor refers to proposed highway realignment and affects to the existing aesthetic character. Please refer to Response to Comment No. 13-22, which addresses this concern.
- 50-16 Commentor refers to the proposed marina facilities and affects to the lake and traffic. Please refer to Response to Comment No. 13-24, which addresses these concerns.
- 50-17 Commentor refers to the use and storage of fuels and affects to fire safety and water quality. Please refer to Response to Comment No. 13-35, which addresses this concern.
- 50-18 Commentor refers to lake usage statistics and affects to recreational facilities/uses. Please refer to Response to Comment No. 13-25, which addresses this concern.
- 50-19 Commentor refers to decreased public access to the lakeshore. Please refer to Response to Comment No. 13-26, which addresses this concern.
- 50-20 Commentor refers to decreased public access to the lakeshore. Please refer to Response to Comment No. 13-26, which addresses this concern.
- 50-21 Commentor refers to decreased public access to the lakeshore. Please refer to Response to Comment No. 13-26, which addresses this concern.
- 50-22 Commentor refers to accuracy of current Fire Risk Level designation. Please refer to Response to Comment No. 13-27, which addresses this concern.
- 50-23 Commentor refers to water capacity and affects to fire protection services. Please refer to Response to Comment No. 13-28, which addresses this concern.
- 50-24 Commentor refers to utilization of fire sprinklers in the analysis of fire protection services. Please refer to Response to Comment No. 13-29, which addresses this concern.
- 50-25 Commentor refers to the marina facilities and affects to fire protection services. Please refer to Response to Comment No. 13-35, which addresses this concern.
- 50-26 Commentor refers to enforcement of mitigation measures identified for fire protection services. Please refer to Response to Comment No. 13-31, which addresses this concern.
- 50-27 Commentor refers to increased traffic and affects to evacuation plans. Please refer to Response to Comment No. 13-32, which addresses this concern.
- 50-28 Commentor refers to the urban/forest interface and the increased fire risk associated with the Project. Please refer to Response to Comment Nos. 4-1, 4-4, and 13-27, which address these concerns.

- 50-29 Commentor refers to increased fire risk potential and affects to fire insurance. Please refer to Response to Comment No. 13-36, which addresses this concern.
- 50-30 Commentor refers to current police response times and the Project's impact to police services. Please refer to Response to Comment Nos. 13-38 to 13-39, which address this concern.
- 50-31 Commentor refers to non-emergency call and affects to police protection services. Please refer to Response to Comment No. 13-40.
- 50-32 The County will consider the Commentor's opinion during their deliberation on the project.
- 50-33 Commentor refers to the applicability of SB 221. Please refer to Response to Comment No. 13-42, which addresses this concern.
- 50-34 Commentor refers to water supply and affects to future water service and groundwater. Please refer to Response to Comment No. 13-43, which addresses these concerns.
- 50-35 The County will consider the Commentor's opinion during their deliberation on the project.
- 50-36 Commentor refers to appropriateness of mitigation measures regarding water service. Please refer to Response to Comment No. 13-47, which addresses this concern.
- 50-37 Commentor refers to current electric power shortages and the Project's impact to electric services. Please refer to Response to Comment No. 13-49, which addresses this concern.
- 50-38 Commentor refers to the potential impacts as a result of constructing an alternative electrical power source on the project site. Please refer to Response to Comment No. 13-50, which addresses these concerns.
- 50-39 Commentor refers to light and glare affects conflicting with the San Bernardino County Light Ordinance. Please refer to Response to Comment No. 13-52, which addresses this concern.
- 50-40 The County will consider the Commentor's opinion during their deliberation on the project.
- 50-41 Commentor refers to the visual simulations not being reflective of build-out of the project area. Please refer to Response to Comment No. 13-54, which addresses this concern.
- 50-42 Commentor refers to the visual simulations not being reflective of future vegetation. Please refer to Response to Comment No. 13-55, which addresses this concern.

- 50-43 Commentor refers to the proposed marina facility and affects to the existing aesthetic character. Please refer to Response to Comment Nos. 13-52 and 13-56, which address this concern.
- 50-44 Commentor refers to off-site storage locations of boats and trailers and affects to the existing aesthetic character. Please refer to Response to Comment No. 13-57, which addresses this concern.
- 50-45 Commentor refers to the growth rate utilized in the traffic analysis. Please refer to Response to Comment No. 13-58, which addresses this concern.
- 50-46 Comment is noted. Also, please refer to Response to Comment No. 13-58 regarding the growth rate utilized in the traffic analysis.
- 50-47 Comment is noted. Also, please refer to Response to Comment No. 13-58 regarding the growth rate utilized in the traffic analysis.
- 50-48 Commentor refers to the determination of the peak hour referenced in the traffic analysis. Please refer to Response to Comment No. 13-59, which addresses this concern.
- 50-49 Commentor refers to snowy/wet roadway conditions and affects to traffic. Please refer to Response to Comment No. 13-60, which addresses this concern.
- 50-50 Commentor refers to the proposed highway realignment and the affects to traffic. Please refer to Response to Comment No. 13-63, which addresses this concern.
- 50-51 Commentor refers to Caltrans rating of State Route 38 and affects to traffic. Please refer to Response to Comment No. 13-64, which addresses this concern.
- 50-52 Commentor refers to the methodology utilized to analyze air quality impacts. Please refer to Response to Comment No. 19-3, which addresses this concern.
- 50-53 Commentor refers to the lack of analysis of SO_x, lead and toxic air contaminates in the Draft EIR. Please refer to Response to Comment No. 19-4, which addresses this concern.
- 50-54 Commentor refers to potential air quality impacts associated with wood smoke emissions from wood stoves and fireplaces. Please refer to Response to Comment No. 19-6, which addresses this concern.
- 50-55 Commentor refers to potential impacts associated with visibility reducing particles. Please refer to Response to Comment No. 19-7, which addresses this concern.
- 50-56 Commentor refers to air quality impacts associated with toxic air contaminates. Please refer to Response to Comment No. 19-10, which addresses this concern.
- 50-57 Commentor refers to practicality of enforcing mitigation requiring EPA certified fireplaces. Please refer to Response to Comment No. 19-13, which addresses this concern.

- 50-58 Commentor refers to hydrocarbon emissions from watercraft and affects to air quality. Please refer to Response to Comment No. 19-14, which addresses this concern.
- 50-59 Commentor refers to the local power generating plant and affects to air quality. Please refer to Response to Comment No. 13-76, which addresses this concern.
- 50-60 The County will consider the Commentor's opinion during their deliberation on the project.
- 50-61 Commentor refers to modeling data utilized in assessing noise impacts. Please refer to Response to Comment No. 13-78, which addresses this concern.
- 50-62 Commentor refers to noise impact criteria utilized in the noise impact analysis. Please refer to Response to Comment No. 13-79, which addresses this concern.
- 50-63 Commentor refers to the funneling noise effect from increased traffic. Please refer to Response to Comment No. 13-80, which addresses this concern.
- 50-64 Commentor refers to sensitive receptors and affects to the noise environment. Please refer to Response to Comment No. 13-81, which addresses this concern.
- 50-65 Commentor refers to topographical differences and affects to the noise environment. Please refer to Response to Comment No. 13-83.
- 50-66 Commentor refers to the reliability of the traffic data utilized to conduct the noise impact analysis. Please refer to Response to Comment Nos. 13-2 and 13-58 to 13-65. The County will consider the Commentor's opinion and comments during their deliberation on the project.
- 50-67 Commentor refers to the loss of trees and the affects to biological resources. Please refer to Response to Comment No. 13-86, which addresses this concern.
- 50-68 Commentor refers to cumulative impacts to the bald eagle. Please refer to Response to Comment No. 13-88, which addresses this concern.
- 50-69 Commentor refers to the loss of trees within the fuel modification zone and the affects to biological resources. Please refer to Response to Comment No. 13-86, which addresses this concern.
- 50-70 Commentor refers to adequacy of biological resources surveys in drought years. Please refer to Response to Comment Nos. 3-5 and 13-90, which address this concern.
- 50-71 Commentor refers to increased traffic and affects to biological resources from increased amounts of road-kill. Please refer to Response to Comment No. 13-91, which addresses this concern.

- 50-72 Commentor refers to vegetation within the constriction zone and affects to biological resources. Please refer to Response to Comment No. 13-92, which addresses this concern.
- 50-73 Commentor refers to likelihood of finding a property owner to sell land in accordance with the special status plant and vegetation mitigation. Please refer to Response to Comment Nos. 3-5, 13-86 and 13-92, which address this concern.
- 50-74 Commentor refers to impacts to the bald eagle. Please refer to Response to Comment No. 13-95, which addresses this concern.
- 50-75 Commentor refers to water supply and impacts to groundwater. Please refer to Response to Comment No. 13-97, which addresses this concern.
- 50-76 Commentor refers to current drought conditions and affects to groundwater. Please refer to Response to Comment Nos. 13-98 and 13-99, which address this concern.
- 50-77 The County will consider the Commentor's opinion during their deliberation on the project.
- 50-78 The County will consider the Commentor's opinion during their deliberation on the project.