



## Interoffice Memo

DATE: September 17, 2020

PHONE: (909) 387-4110

FROM: **JERRY BLUM**, COUNTYWIDE PLAN COORDINATOR *JB*  
Land Use Services Department

TO: **HONORABLE PLANNING COMMISSION**

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SUBJECT: **COUNTYWIDE PLAN PROJECT NO. P201400317 (AGENDA ITEM #2)**

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Since the distribution of the staff report, Staff has received additional comments regarding the above-referenced project.

The correspondences are attached for your consideration.

**From:** [Sharon Dove](#)  
**To:** [Planning Commission Comments](#)  
**Subject:** Morongo Valley COMMENTS for Community Plan Action Guidelines for Hearing this week  
**Date:** Monday, September 14, 2020 4:02:51 PM  
**Attachments:** [Blum,J-01 MB DEIR Letter.pdf](#)

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Please include the attached 3-page letter in the written comments regarding the Morongo Valley Community Plan Action items that promote the development of OHV trails in Morongo Valley. This letter was submitted a year ago on behalf of many Morongo Valley residents outlining in detail the many reasons why OHV activity in our community is considered a nuisance and a threat. Language in the Action Items that promotes future OHV activity is inconsistent with all previous community plans and does not represent the current community.

Thank you,

Sharon Dove

Morongo Valley resident

760-363-6380

September 4, 2019

**VIA E-MAIL** [[countywideplan@lus.sbcounty.gov](mailto:countywideplan@lus.sbcounty.gov)]

Jerry L. Blum, Countywide Plan Coordinator  
County of San Bernardino  
Land Use Services Department  
385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, CA 92415

Re: *Request to Reopen Public Comment Period for the Countywide Plan Draft EIR  
DEIR Comment Letter on OHV Issues*

Dear Mr. Blum:

Please accept this letter on behalf of Morongo Basin stakeholders, private property owners, and various residents who are deeply concerned with the lack of public notice and opportunity for community input with the Countywide Plan Draft Environmental Impact Report (“**DEIR**”) and the Morongo Basin Community Action Plan (“**Action Plan**”). There are significant issues with the DEIR that have recently come to the attention of the community, which directly contradict existing San Bernardino County (“**County**”) land use policy, and negatively impact the Morongo Basin. We request that the County reopen the DEIR public comment period and give impacted stakeholders two additional weeks to address these significant issues. Although the County has attempted to provide wide ranging notice on the DEIR and Action Plan, these attempts have failed to timely reach the stakeholders most impacted by the Action Plan – Morongo Basin landowners and residents.

As you may be aware, the Morongo Basin has a long-standing history of illegal off-highway vehicle (“**OHV**”) intrusion on public lands and private property. It has been a source of constant frustration for private property owners and residents. As a result of the countless trespassing issues, the community has successfully collaborated with the San Bernardino County Code Enforcement, the San Bernardino County Sheriff’s Department and volunteer groups to educate and inform the public of this ongoing problem. The County has recently placed signs throughout the Morongo Basin informing the public of the OHV prohibitions, which state:

“There are no designated off-highway vehicle riding areas or trails in the

Morongo Basin. Persons found operating off-highway vehicles on any road including unpaved roads could be issued a citation per San Bernardino County Code Section 28.0403. Off-highway vehicles traveling through the Morongo Basin must be towed."

Yet despite clear direction from the community and the County, the County's recently issued DEIR and Action Plan have established community actions that directly contradict this existing land use policy. Action Statement C.5 establishes as one of its action goals to, "Have the community OHV committee identify and map existing designated areas for OHV use and opportunity areas with limited environmental constraints." Why would the County work so hard to curb illegal OHV intrusion within the community only to use the countywide policy and planning document to highlight impermissible OHV activity? This policy proposal is entirely inconsistent with the County's policy to date. Moreover, an environmental analysis of the expansion of OHV use including its environmental impacts is not included in the Recreation section of the DEIR or otherwise.

Equally concerning is the County's lack of transparency in which the Action Plan has been developed. Community leaders, private property owners, and other stakeholders, including members of the Morongo Basin Community Services District, have never advocated for OHV use in the Morongo Basin, let alone, "opportunity areas" to facilitate and augment OHV activity.

This is a clear example that the County's process has not been designed to inform the public and invite meaningful feedback on the direction of countywide planning, but rather it has been devised to negotiate with select populations, some of which appear to be from outside the Morongo Basin community with an interest in promoting OHV activity. This is deeply concerning. To date, we are unaware of any Morongo Basin landowners and residents advocating for OHV activity within Morongo.

As a result, and in order to provide the most meaningful feedback to the County and the Board of Supervisors, we request the County reopen the DEIR public comment period and provide a two-week extension for the public to weigh in. If possible, a formal hearing on this particular issue with the newly reopened Morongo Basin Municipal Advisory Council might provide additional community guidance and direction to assist with the County's planning process.

Jerry Blum  
September 4, 2019  
Page 3

Thank you for your attention to this matter. I look forward to your response. Please do not hesitate to call me with any questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jon Shardlow", with a long horizontal flourish extending to the right.

Jonathan E. Shardlow, of  
GRESHAM SAVAGE  
NOLAN & TILDEN,  
A Professional Corporation

CC: Terri Rahhal, Director of Land Use Services – [Terri.Rahhal@lus.sbcounty.gov](mailto:Terri.Rahhal@lus.sbcounty.gov)

**From:** [Bill Lembright](#)  
**To:** [Audrey Mathews](#); [Gabriel Chavez](#); [Jonathan Weldy](#); [Michael Stoffel](#); [Raymond Allard](#); [Planning Commission Comments](#)  
**Cc:** [CountywidePlan](#); [Blum, Jerry](#); [Watkins, Karen](#); [Chuck Bell](#); [Pat Flanagan](#); [Linda Gommel](#); [Brian Hammer](#); [Neil Naddler](#); [Steve Mills](#); [Steve Bardwell](#); [Betty Munson](#); [Janet Johnston](#)  
**Subject:** Fwd: Countywide Plan  
**Date:** Tuesday, September 15, 2020 12:06:05 PM

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To: The San Bernardino County Planning Commissioners

I understand that County officials want a uniform, streamlined Countywide Plan that draws on those features that many rural communities share. In fact, I don't argue with that. But we need the County to maintain our individual Community Plans for specific needs and desires to steer our future development and zoning.

We need to update those plans to include recent challenges to the integrity of our communities, such as the overwhelming threat imposed by marijuana grows (now exceeding 250 in Lucerne Valley), the ongoing threat of industrial renewable energy farms, overuse of water by legal and illegal immigrants, increased traffic congesting our two-lane highways, our need for State Highway 247 to be designated as Scenic by the State, and more. But, we NEED our REAL Community Plans as an anchor and for the County to refer to them for planning and zoning.

Anyone in the County with common sense knows that small communities do NOT have the human, or financial resources, to do the job of community planning that the County historically has done working with us. That's a big part of why the County government exists and on which they spend our tax dollars. SO, go ahead and generalize in the broad overview promoted in the Countywide Plan, BUT keep and USE our Community Plans tailored to the specifics of each community. Plus, our Community Plans carry more weight regarding County decisions than do Community Action Plans. Many of us selected our specific community in which to build our home because of our shared values we discovered there.

In closing, let me describe why I am unable to participate in the hearing on Thursday. This Covid19 panicdemic has VASTLY increased the demands to serve our customers at Lucerne Valley Market and Hardware. Because of State and County restrictions, many businesses are either closed or overly restricted, and so those of us who remain open are serving vastly more customers than we are prepared to serve. Plus, there are supply shortages on over 30% of what we sell, causing us to spend MUCH more time hunting down replacements of needed supplies, and the labor market of qualified workers is also tight. Also, two weeks ago our local lumberyard closed its doors as they were unable to remain profitable in today's business climate causing their customers to turn here for supplies. To that, add the challenge of participating in important issues such as the Countywide Plan, the HUGE number of evil marijuana grows, and the endless threat of the industrialization and destruction of our communities, I was unable to schedule myself out for this important hearing.

For that I apologize. Thank you for including my input into this hearing.

Bill Lembright, Lucerne Valley Market and Hardware

**From:** [Linda Gommel](#)  
**To:** [Bill Lembright](#); [Audrey Mathews](#); [Gabriel Chavez](#); [Jonathan Weldy](#); [Michael Stoffel](#); [Raymond Allard](#); [Planning Commission Comments](#)  
**Cc:** [CountywidePlan](#); [Blum, Jerry](#); [Watkins, Karen](#); [Chuck Bell](#); [Pat Flanagan](#); [Brian Hammer](#); [Neil Naddler](#); [Steve Mills](#); [Steve Bardwell](#); [Betty Munson](#); [Janet Johnston](#); ["Bill Lembright"](#)  
**Subject:** Please retain the local plans designed by each community for itself.  
**Date:** Wednesday, September 16, 2020 12:07:18 PM

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Please retain the localized versions of the Countywide Plan rather than subjecting all areas of the County to a one-size-fits-all approach.

We have seen through this virus "crisis" what this approach has done to the High Desert and to Lucerne Valley specifically. Despite our low case numbers and virtually nonexistent mortality, we are held to the same lockdown rules as the urban areas down below. Because of THEIR situation and THEIR statistics, we are forbidden from fully reopening businesses and restaurants and forced into mask-wearing and "social distancing" requirements that make no sense out here where there is little threat of infection.

Our school district superintendent Peter Livingston had to go to great lengths to obtain a waiver for our local schools so that students could return to the classrooms on a limited basis.

This kind of thing MUST NOT happen in the broader application of the Countywide Plan. Lucerne Valley is a "Town of Character(s)", made up of many people who choose individuality and this non-standard way of life. We have specific issues that need to be dealt with in specific ways.

Do not pass a generic Countywide Plan to destroy our independence with the County's rubber stamp!

**Linda Gommel**  
**Lucerne Valley Market/Hardware**  
**32946 State Hwy 18; P.O. Box 749**  
**Lucerne Valley, CA 92356**  
**760 2487311**  
**Fax 760 2486324**  
**Email: [lvstorelg@lucernevalleymarket.com](mailto:lvstorelg@lucernevalleymarket.com)**

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**From:** [Chuck Bell](#)  
**To:** [Planning Commission Comments](#)  
**Subject:** PC - 9/17 - Countywide Plan Comments  
**Date:** Wednesday, September 16, 2020 12:31:47 PM

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To: SB County Planning Commission

**Re: Countywide/Community Plan comments for 9/17 hearing**

Date: 9/16/20

From: Chuck Bell – Pres. - Lucerne Valley Economic Development Assoc.  
(LVEDA) [chuckb@sisp.net](mailto:chuckb@sisp.net) 760 964 3118

(This is mostly a statement re: our disappointment under the circumstances.

**What's in 'bold' are our positions we strongly request to at least partially rectify what we see as a failed process.**

Even if the notices were legal and timely for a project notification - this is not a 'typical' situation.

After 3 or so years of notices – communications – back and forth e-mail correspondence – phone conversations – multiple comments dealing with the very future of our communities' custom, culture and land-use integrity - the County had every logical reason and responsibility to give us a longer notice of the PC hearing. It's just a matter of courtesy - and understanding how important these 10 year plans are. But not so. And we and others had no time to read the huge staff report.

With back-to-school (or sort of) – the typical virus complications to our everyday lives – fires – we having to spend tremendous amount of time dealing with over 250 illegal marijuana grows In Lucerne Valley etc. – all contributing to disruptions to the time it takes to review all the documents – especially reviewing any changes to the largely unworkable "Action Plans" that we are supposed to do - let alone just finding the County's responses to our EIR comments – this is a chore. Because of the short notice - some of us may only

be able to generalize our positions to the PC – just to gain some standing for a more complete response to the BOS. And this would be a disservice to the PC which – as a “land-use jury” (which it is) – it needs to do its due diligence to fully understand our positions prior to making recommendations to the BOS.

The “Action Plans” probably came from some freshman Planning 101 course. Looks like they will prevail even though most communities do not have the personnel – expertise – time – etc. to do much if any of them. (Some do make sense and it is up to citizens to help protect and govern their communities).

**But to make Action Plans even look like they could be workable – each one needs some indication of the County’s ability and willingness to help carry them out.**

Early on in this process we suggested that instead of one PC hearing dealing with all the community plans – **it should convene maybe 2 or 3 with each session dealing with a group of plans – giving us more time to explain our respective issues.** Just one hearing for all the plans – if that is what’s planned – would be nothing more than the County’s perfunctory attempt to gloss over everything and just get ‘this thing done’.

At the onset – most all communities recommended just amending our 2007 plans (which were and are fine with most of us – since we helped write most of them) with updates re: renewable energy – etc. – keeping it simple and less cost to the County and taxpayers. Instead we got a new system where hopefully we can find ‘our’ stuff – trying to understand it - by searching who knows how many different web sites. **As a compromise solution – we strongly request that our 2007 plans be “incorporated by reference” into this system for both the County and residents to fully understand our goals/policies/issues/etc. – to better respond to project applications – to maintain the land-use integrity what we wanted and worked for.**

But this new system will likely be approved – there’s too much staff pressure to not. This is not to disparage the County’s and consultants’ work that has gone

into it. Although well intended and politically correctly worded – most content in our plans – including the County’s “Vision Statement” - are more hallucinations than ‘visions’ – largely due to the County’s inability to follow-up and enforce a whole lot of stuff – including under-budgeted and staffed Code Enforcement, etc. etc. What’s happening now in our desert communities is a testament to the bottom-line reality that these so-called community plans won’t improve much of anything under the current circumstances – (which include we the people not wanting or affording any additional taxes).

As an aside: Lucerne Valley is not listed by the County as an “Environmental Justice” community. MBCA and Pat Flanagan have provided substantiation that it should be for numerous reasons and our stats. The State Lands Commission sent us a request to respond to our “environmental justice” issues associated with its processing the Stagecoach Solar project on State lands in north LV. And we did with substantiation. Is this an example of the state of Calif. having more insight than the County about our “Severely Disadvantaged Community” and “Env. Justice” status?

After these years of working together on the Countywide and Community Plans – we were hoping to be more supportive.

**From:** [Laraine Turk](#)  
**To:** [Planning Commission Comments](#)  
**Subject:** Countywide Plan Comments  
**Date:** Wednesday, September 16, 2020 2:07:40 PM  
**Attachments:** [Turk Countywide Plan comments on CAPs.docx](#)

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September 16, 2020  
via Email and attached as a Word document.

Dear San Bernardino County Planning Commissioners:

I ask you to reject the Community Action Plans, especially for my community, Joshua Tree. I have attended meetings, made public comments, and followed the Countywide Planning process since its initiation. I do not agree that the Community Action Plans should replace the 2007 Community Plan for my community and other unincorporated communities. They are “pie in the sky,” “wishful thinking” documents, both unenforceable and unobtainable, especially in these times. I appreciate the work that staff did in developing them, but it simply comes off as the County patting us on the head and telling us, “Go along now and try some of these things, we think they will be good for you,” with neither support nor resources.

We had hoped that the County was working with us in good faith when the Community Meetings were held several years ago, but the Community Action Plans show little to no recognition of our main issue: we must have the right of reasonable local input on land use management within our unincorporated communities in order to maintain the quality of rural life we have chosen and enjoy.

The CAPs provide surface attention to some of our wishes and hopes, but at the core we must have an official voice that is separate from the County and its primary goal of development. There is nothing like that in the CAPs.

Please do not accept the Community Action Plans, especially for Joshua Tree. Instead, the Supervisors should direct LUS to revisit the 2007 Community Plans, especially for Joshua Tree. With a year’s worth of work, we who are active Joshua Tree residents working with County staff can come up with a viable and meaningful Community Plan update.

I also support the addition of Lucerne Valley to this list of Environmental Justice Focus Areas.

Laraine Turk  
64024 Hollinger Road  
PO Box 305  
Joshua Tree, CA 92252

## LT Countywide Plan comments on CAPs

September 16, 2020

Dear San Bernardino County Planning Commissioners:

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We had hoped that the County was working with us in good faith when the Community Meetings were held several years ago, but the Community Action Plans show little to no recognition of our main issue: we must have the right of reasonable local input on land use management within our unincorporated communities in order to maintain the quality of rural life we have chosen and enjoy.

The CAPs provide surface attention to some of our wishes and hopes, but at the core we must have an official voice that is separate from the County and its primary goal of development. There is nothing like that in the CAPs.

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I also support the addition of Lucerne Valley to this list of Environmental Justice Focus Areas.

Laraine Turk  
64024 Hollinger Road  
PO Box 305  
Joshua Tree, CA 92252

**From:** [Paula Deel](#)  
**To:** [Planning Commission Comments](#)  
**Subject:** September 17th Hearing - Countywide Plan  
**Date:** Wednesday, September 16, 2020 3:01:14 PM

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I was part of the meetings in Newberry Springs. I signed up to be notified of changes and meetings regarding the Countywide Plan. I was not notified. Had it not been for a contact in Lucerne Valley I would not have known about the Plan going before the Planning Commission. The time was too short for thorough examination of the plan and how it might affect Newberry Springs.

I also attended the meetings at Helendale, Lucerne Valley and Daggett/Yermo. With the repeal of the 14 Community Plans, you are taking away a community's ability to control how their community develops. **The Community Action Guides are not a substitute for a community written Community Plan.**

#### **NBS Community Action Guide – Corrections**

This is a minor change but should be made.

Community Profile Page 3 --- Community Events

Action Guide says:

“Bingo. 3rd Saturday of the month at 6pm at Newberry Community Center”

There is no Bingo 3<sup>rd</sup> Saturday of the month at 6pm at Newberry Community Center

Community Profile Page 4 under Air Quality

It says “Table 2 below shows the air quality near Newberry Springs, measured at the Barstow monitoring site, in terms of the number of days that area exceeded the federal standards for pollutants (exceedance days). The table shows that the monitoring site near Newberry Springs had fewer exceedance days for each pollutant than that of the overall Mojave Air Basin, in which Newberry Springs is located.”

**This information is in-accurate** as the Air Quality – Monitoring station is 30 miles west of Newberry Springs in a settled area (city). Paved streets, parking lots, buildings, many houses etc. Newberry Springs has had an increase in days of blowing Fine Particulate Matter (silica). Our community has requested air monitors but no response as of yet.

Paula Deel  
Newberry Springs Resident

**From:** [Elena Hernandez](#)  
**To:** [Planning Commission Comments](#)  
**Subject:** SAN BERNARDINO ENVIRONMENTAL JUSTICE POLICIES  
**Date:** Wednesday, September 16, 2020 4:15:11 PM

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To Whom It May Concern:

I am submitting a public comment with regards to the San Bernardino Environmental Justice Policies for the County Wide General Plan. I urge the county task force to take into consideration vulnerable communities as a focal lens of this plan. As a current San Bernardino county resident who is very concerned with our daily interactions with the commercial logistic companies growing in our backyards, the pollution and threat of our clean air is my main concern. Please conduct comprehensive cumulative health risk assessments when proposing new developments. Please specify the language in the general plan is strengthened to ensure healthy water, food, and public safety in our underserved communities.

Best regards,

San Bernardino County Resident



# Helendale Community Services District

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26540 Vista Road, Ste.B - P.O. Box 359  
Helendale, California 92342-0359  
(760) 951-0006 Fax (760) 951-0046

September 16, 2020

Heidi Duran, Planning Director  
San Bernardino County  
385 North Arrowhead Ave, First Floor  
San Bernardino, CA 92415

Sent via Electronic Mail

Dear Ms. Duran:

First let me congratulate you on nearing the completion of the Community Planning process. During the public meetings in Helendale we appreciated the knowledge and professionalism of your staff as they guided the community through the multiple public engagement meetings. On behalf of our community and the Helendale CSD Board of Directors, we would like to thank you for this effort.

Recently, as I was reviewing the Helendale land use designation changes, I realized an oversight on my part regarding the property that currently houses the District's administrative located on 10 acres at 26540 Vista Road (APN 0467-081-38000). This property is currently Industrial (IC) and should be changed to Institutional similar to the changes contemplated in the Community Plan for other District properties.

Thank you for this consideration. Please feel free to contact me should you have any questions regarding this request.

Kind Regards,

A handwritten signature in blue ink, appearing to read "Kimberly Cox".

Kimberly Cox, DPA  
General Manager

CC: Chris Warrick, Supervising Planner

**From:** [Steve Bardwell](#)  
**To:** [Planning Commission Comments](#); [sbcpcweldy@gmail.com](mailto:sbcpcweldy@gmail.com); [sbcpcallard@gmail.com](mailto:sbcpcallard@gmail.com); [sbcpcstoffel@gmail.com](mailto:sbcpcstoffel@gmail.com); [sbcpcchavez@gmail.com](mailto:sbcpcchavez@gmail.com); [sbcpcmathew@gmail.com](mailto:sbcpcmathew@gmail.com)  
**Cc:** [Sarah Jane Kennington](#)  
**Subject:** County Wide Plan comments  
**Date:** Wednesday, September 16, 2020 5:46:32 PM

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Commissioners,

We are disappointed the public was not granted additional time to review the draft County Wide Plan, as we requested. The short notice made it difficult to accomplish a thorough review. Coupled with the pandemic that limited the extent of our comments, this has been an especially troubling process.

We are opposed to repealing the existing Community Plans and their replacement with Community Action Guides. We believe the goals expressed by community members would be best realized through Community Plans. To delegate necessary planning to community members will not serve to satisfy the goals expressed by the community.

We support existing Community Plans being included by reference into the draft County Wide Plan. Revisions to the community plans that are needed can be made subsequent to their inclusion.

The calls for equal social justice now being heard are inextricably tied with achieving environmental justice. The identification of Environmental Justice Focus Areas within the CWP does not adequately address this need. A different metric must be used to identify and recognize all underserved and disadvantaged communities, such as Lucerne Valley.

The CWP Policy Plan mentions the phrase 'climate change' only three times; once referring to adaptation and resilience. The natural ecosystem has resilience, while a degraded and disturbed landscape has little or none. The value of the intact functioning ecosystem of the Mojave Desert must be further emphasized, recognized and acknowledged as being essential within this important planning document.

Steve Bardwell

Sarah Kennington

Box 644, Pioneertown 92268

**From:** [Ivette Torres](#)  
**To:** [Planning Commission Comments](#); [Blum, Jerry](#)  
**Cc:** [Mariela Loera](#); [rocharoques5150@gmail.com](mailto:rocharoques5150@gmail.com); [rocharoques@att.net](mailto:rocharoques@att.net)  
**Subject:** San Bernardino County EJ Policies Comment Letter Agenda Item #2 Planning Commission Meeting September 17, 2020  
**Date:** Wednesday, September 16, 2020 7:15:06 PM  
**Attachments:** [SB County EJ Element Policies - September 2020 .pdf](#)

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Hello,

I am attaching a letter for public comment on behalf of The Center for Community Action and Environmental Justice and the Concerned Neighbors of Bloomington for Agenda Item #2 on the San Bernardino Countywide Plan, specifically the EJ Element policies.

Please feel free to contact me if you have any questions or concerns.

Best,  
Ivette Torres

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**Ivette Torres**  
Interim Policy Coordinator  
**Center for Community Action and Environmental Justice (CCA EJ)**  
*Centro de Acción Comunitaria y Justicia Ambiental*

<http://ccaej.org/>

3840 Sunnyhill Drive, Jurupa Valley, CA 92509  
Office: (951) 360-8451

September 16, 2020

San Bernardino County  
385 N. Arrowhead Ave., 1st Floor  
San Bernardino, CA 92415



Dear San Bernardino County Planning Commissioners,

Thank you for considering our comments and recommendations on the previous San Bernardino County General Plan Update. The Center for Community Action and Environmental Justice (CCA EJ) acknowledges your efforts to address environmental justice (EJ) issues throughout unincorporated areas of San Bernardino County. While staff have addressed some of our concerns and recommendations in the draft policy, we believe that stronger language should be considered to increase accountability in EJ focused areas across the County and be in stronger compliance with Senate Bill 1000. We further have checked in with our community members in unincorporated communities and they urge for improvement on policy and action now. We strongly encourage staff to review and consider the following recommended changes, additions, and amendments to policies.

### **Stronger Language in Improvement of Resources**

We recommend stronger language in the following policies that specify how, which, and to what extent resources in these areas will be improved. More specifically acknowledging the need to prioritize these communities, as well as establishing routine testing of different levels of cumulative contamination in these areas.

Policy HZ-3.1 **Cumulative Health Risk Assessment.** ~~Health risk assessment.~~ We require projects processed by the County to provide a **cumulative** health risk assessment when a project could potentially increase the incremental cancer risk by 10 in 1 million or more in unincorporated environmental justice focus areas **within 1,000 feet in cities and half-mile in unincorporated areas**, and we require such assessments to evaluate impacts of truck traffic from the project to freeways. We establish appropriate mitigation prior to the approval of new construction, rehabilitation, or expansion permits.

- With an oversaturated presence of warehouse and distribution centers in many unincorporated areas of San Bernardino County, an emphasis on addressing **cumulative health risks** should be a priority. While the California Environmental Quality Act (CEQA) already requires a cumulative health risk assessment, the County should take a proactive role in ensuring that this is being addressed.

Policy HZ 3.3 **Community emissions reduction plan.** We ~~assist the air quality management districts in establishing~~ **establish** community emissions reduction plans for unincorporated environmental justice focus areas and implement, as feasible, those parts of the plans that are within the jurisdiction and authority of the County, with particular emphasis in addressing the types of pollution identified in the Hazard Elements tables.

Policy HZ 3.4 **Residential Improvements** - In directing discretionary housing improvements investments in unincorporated communities, we **encourage** and prioritize investments that also address environmental conditions identified in the Hazard Element tables. We utilize code enforcement activities to enhance structural safety and property maintenance in environmental justice focus areas. **We assist unincorporated environmental justice focus areas in meeting code requirements to ensure enhanced structural safety and property maintenance. We pursue funding and other assistance for rehabilitation and home improvements in conforming residential units in unincorporated environmental justice focus areas.**

Policy HZ-3.6 **Contaminated water and soils.** We advocate for and coordinate with local and regional agencies in efforts to remediate or treat **all levels of** contaminated surface water, groundwater, or soils in or affecting unincorporated environmental justice focus areas. We obtain grant funding and establish partnerships to implement the County's Site Remediation Program in unincorporated environmental justice focus areas, with particular emphasis in addressing the types of contamination identified in the Hazard Element tables. **We want to ensure if contaminated levels reach or even begin to reach hazard that the grant funding provided has a plan that the community develops to address clean up and access to clean water.**

- It is important to plan when and how contamination in water and soil will be treated. The Hazard Element Tables identify four CES rankings, specification on how contamination will be addressed at each of these quantiles is necessary.

Policy HZ-3.7 **Well water testing.** In unincorporated environmental justice focus areas that are not served by public water systems, we periodically test well water for contamination, identify potential funding sources, and, ~~where feasible~~, provide technical assistance to implement necessary improvements, with particular emphasis in addressing the types of contamination identified in the Hazard Element tables.

- Identify what periodic testing looks like. In this case consider addressing the history of the site's contamination, for example testing should be done more often on a site where contamination ranking in quartile 4 has been found. Lastly, specify what conditions are necessary to provide assistance for improvement.

Policy HZ-3.12 **Barriers to physical activity.** We ~~identify and include~~ appropriate remedies to improve ~~or~~ **and** remove ~~where feasible~~ barriers to outdoor physical activity, such as inadequate infrastructure, when doing County projects in environmental justice focus areas, with particular emphasis in addressing the types of health and mobility issues identified in the Hazard Element tables. **When addressing inadequate infrastructure the county will provide the community a hotline number to report these barriers.**

Policy HZ-3.13 **Safe routes to school.** We work with our regional transportation authority **and** school districts ~~and local law enforcement~~ to ensure that schools have safe walking and bicycling routes to school. **Ensuring safe walking routes includes providing infrastructure such as sidewalks in unincorporated areas within a mile of those schools.** In applying for Safe Routes to School grants, we will prioritize schools that are either located in the environmental justice focus areas, or serve children residing in environmental justice focus areas. **Grants should not be limited and should allow for safe infrastructure.**

Policy HZ-3.15 **Food access.** We increase access to healthy food in underserved areas by promoting local food production, community gardens, and urban farms in agricultural zoning districts or on vacant or underutilized lands. We also encourage, **prioritize, and incentivize** existing and new small grocery, **local community farmers**, or convenience stores to sell fresh foods in underserved areas. We require the County Healthy Communities Program to prioritize environmental justice communities for technical assistance and grant making, and ensure that residents of environmental justice communities are provided educational materials related to food assistance programs, healthy eating habits and food choices. **We also work with local farms and organizations to provide local grocery and convenience stores with fresh foods and produce at low costs that would otherwise be wasted. We will work with bringing accessibility of healthy foods to unincorporated areas by incentivizing local growers to host farmers markets there.**

Policy TM-4.6 **Transit access to public service, health, and wellness.** In unincorporated areas where public transit is available, ~~we prefer~~ **we improve old infrastructures and construct necessary** new public and behavioral health facilities, other public facilities and services, education facilities, grocery stores, and pharmacies to be located within one-half mile of a public transit stop. We ~~prefer~~ **encourage and plan to** locate new County health and wellness facilities within one-half mile of a public transit stop in incorporated jurisdictions. We encourage public K-12 education and court facilities to be located within **one-half mile** of public transit. **We encourage incorporating plans for bike lanes and sidewalks in unincorporated areas.**

### **Stronger Language in Community Engagement**

We recommend stronger language in the following policies that explain what community engagement looks like, and how it will be conducted and funded. Most specifically illustrating what community collaboration looks like with specific emphasis on keywords. For example, explain what educate, raise awareness, outreach, and assistance entails in action. This planning includes acknowledging who will be doing the field work and looking for grant funding.

Policy HZ-3.8 **Indoor air quality.** We **take a proactive role to** educate and raise awareness in unincorporated environmental justice focus areas about indoor air quality, and we pursue grant funding to address asthma and other respiratory illnesses. **We not only educate but will use the funding obtained to provide air filters to the community, specifically in communities impacted by bad air quality in unincorporated areas. Funding can come from community benefits agreements that developers should use as standard policy for building in environmental communities.**

Policy HZ-3.11 **Public Health.** We utilize County Department of Public Health experience, expertise, and staffing resources to expand **and improve** outreach, **community engagement**, analysis, and implementation efforts in unincorporated environmental justice focus areas, with particular emphasis on addressing the types of health concerns identified in the Hazard Element tables.

- INCLUDE WEBPAGE AND PHONE NUMBER SPECIFIC TO EACH COMMUNITY FOR UNINCORPORATED FOR HEALTH CONCERNS

Policy HZ-3.14 **Community-desired improvements.** We ~~assist~~ **partner with** unincorporated environmental justice focus areas to identify ways in which they might establish special funding and financing mechanisms to provide community-desired public facilities and services, recreational facilities, sidewalks and bike trails, and access to fresh and healthy food. **We establish a community group in each unincorporated area including surveys mailed out asking for improvement suggestions.**

Policy HZ 3.16 **Notification.** We notify the public through the County website **and mail** when applications are accepted for conditional use permits, changes in zoning, and Policy Plan amendments ~~in or adjacent to~~ **in, adjacent to, or within 1,000 ft of or within half a mile in** environmental justice focus areas. **We prepare public notices and ensure to send them out** in the predominant language(s) spoken in communities containing environmental justice focus areas.

Policy HZ-3.18 **Application requirements.** In order for a Planning Project Application (excluding Minor Use Permits) to be deemed complete, we require applicants to indicate whether the project ~~is within or adjacent to~~ **is within, adjacent to, or within 1,000 ft of** an unincorporated environmental justice focus area, and, if so, to:

- document to the County's **and resident's** satisfaction how an applicant will address environmental justice concerns potentially created by the project; and
- present a plan to conduct at least ~~one~~ **two** public meetings for nearby residents, businesses, and property owners to obtain public input for applications involving a change in zoning or the Policy Plan. The County will require additional public outreach if the proposed project changes substantively in use, scale, or intensity from the proposed project presented at previous public outreach meeting(s).
- **If the majority of the community does not agree with the proposed project it should require a community benefits agreement with sustainable benefits and opportunities for the community. Community benefits should include air filtration systems and solar panels to run the filtration systems.**

Policy HZ-3.19 **Community education.** We make educational materials available to the public in unincorporated environmental justice focus areas so that they clearly understand the potential for adverse pollution, noise, odor, vibration, and lighting and glare, and the effects of toxic materials to promote civil engagement. We

require that such educational materials be developed in accordance with Plain Language Guidelines **and mandatory in spanish and english** . We require that this information be made available in public spaces such as libraries and community centers, as well as online and through mailing services.

### **Stronger Language in Goods Movements**

The goods movement has impacted environmental justice communities health through the emissions created from freight and truck traffic, **therefore we should encourage policy that aligns with California's SIP for zero emissions and move to electrification of our goods movement industry.**

Policy TM-5.1—~~Efficient~~ **Sustainable goods movement network**. We advocate for the maintenance of ~~an efficient sustainable~~ a sustainable goods movement network in southern California **that prioritizes public health through the use of zero-emission equipment and infrastructure. As good movements impact infrastructure it should be responsible for continued maintenance of infrastructure.**

~~Policy TM-5.3 **High Desert Corridor**. We support the development of the High Desert Corridor to improve the regional goods movement network and foster economic development in the North Desert region.~~

- The county should be supporting development that fosters economic sustainable development that includes social, environmental, and economic prosperity. The high desert corridor can have negative impacts to environmental justice communities that have not been fully looked at in the EIR, and therefore should not be fully supported in policy.<sup>1</sup>

Policy TM-5.5 **Countywide truck routes**. We support SBCTA's establishment of regional truck routes that efficiently distribute regional truck traffic **through roadways whose adjacent properties are commercial, industrial, or undeveloped; and maneuver truck traffic away from residential communities.** ~~while minimizing impacts on residents.~~ We support funding through the RTP to build adequate truck route infrastructure **such as sound barriers, vegetative buffers or alternative routes that will reduce the health impacts on residents.**

Policy TM-5.6 **Unincorporated truck routes**. We ~~may~~ establish local truck routes **away from residential areas and instead efficiently distribute regional truck traffic through roadways whose adjacent properties are commercial, industrial, or undeveloped** in unincorporated areas to

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<sup>1</sup> <https://www.latimes.com/opinion/story/2019-10-06/high-desert-corridor-freeway-stopped>

efficiently funnel truck traffic to freeways while minimizing impacts on residents. We ~~establish routes where trucks are prohibited in unincorporated environmental justice focus areas and to~~ avoid overlaps or conflicts with safe routes to schools.

- Both countywide and unincorporated truck routes should include installation of sound barriers, vegetative buffers in landscaping between residences and truck businesses or routes, which all can help reduce the public health impacts of truck activities.<sup>2</sup>

### **Region-Specific Environmental Justice Policy Amendments:**

In addition to the above recommendations and additions, we include region-specific environmental justice policy amendments to be considered. These amendments are included with the intention to create more robust EJ policies. In creating these amendments, CCAEJ has thoroughly considered the needs of unincorporated EJ focus areas in San Bernardino County. We urge staff to review and include these amendments so that they are reflected in what is presented to the Planning Commission on September 17, 2020.

1. Ensure that students, teachers and staff at all schools can live and prosper in communities that are a safe distance from harmful land uses such as refineries, warehouses, freeways, agriculture, etc.
2. Protect residents from new and existing toxic land uses, by creating a plan, timeline and funding proposals that mitigates existing impacts.
3. Require community-based agreements with all new warehouses to ensure that restricted truck routes are created near homes and schools and the cleanest equipment and transportation technology is being used at the facility.
4. Recognize the cumulative air quality impact that DAC's are faced with and create a plan and financing strategy that results in time bound enforceable measures that provide direct emissions reductions.
5. Provide infrastructure for electric vehicles (passenger, medium and heavy-duty) in disadvantaged communities and other communities along heavily traveled corridors.

CCAIEJ and the communities in unincorporated EJ focus areas in San Bernardino County highly encourage the Planning Department staff to consider and include the stated recommendations, additions, and policy amendments. Including these changes will not only ensure a higher quality of life in EJ focus areas, but will also provide a greater compliance with SB 1000.

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<sup>2</sup> <http://www2.oaklandnet.com/oakca1/groups/pwa/documents/agenda/oak053443.pdf>

Sincerely,  
*Mariela Loera*  
*Ivette Torres*

Center for Community Action and Environmental Justice

*Kim Rocha*  
*Tom Rocha*

CONCERNED NEIGHBORS OF BLOOMINGTON

**From:** [Pat Flanagan](#)  
**To:** [Planning Commission Comments](#)  
**Subject:** Planning Commission Agenda Item #2  
**Date:** Wednesday, September 16, 2020 8:02:19 PM  
**Attachments:** [Flanagan PC Comments 9\\_17\\_2020.docx](#)

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Please accept the attached comments.

Thank you

Pat Flanagan

[patflanagan29@gmail.com](mailto:patflanagan29@gmail.com)

The county general plan must prioritize conservation actions that are both adaptive and foster resiliency in the face of Climate Change.

Both the Natural Resources and Hazards Elements list some general priorities for climate change adaption.

Not described in the Policy Plan or EIR are the robust carbon capture and storage mechanisms found ‘under our feet’ in undisturbed desert systems.

UCR Emeritus professor Dr. Michael Allen’s 2013 research report for the California Energy Commission on ***Carbon Balance in California Deserts*** determined that carbon is being cycled in complex ways including between organic and inorganic forms in desert shrublands. The inorganic carbon may be lost from areas stripped of desert vegetation.

In 2014 the Department of the Interior published ***Terrestrial Carbon Sequestration in National Parks***. The Project calculated the amount of carbon stored and the ecosystem service value in millions of dollars. In the top fifteen parks for ecosystem services, the Great Smoky Mountains NP won. But, within that top 15 were the 4 desert national parks. The annual metric tons of carbon stored per hectare was modest - what won the day was the amount of acreage protected.

The County is sitting on and ignoring millions of acres of undisturbed desert vegetation in our Open Space and Resource/Land Management Use Areas. At the least, based on CEQA, developing undisturbed desert land must quantify the carbon being emitted and the lost carbon storage. That storage includes the shallow caliche layer that so frustrates desert gardeners. That is stored Ice Age carbon.

## Comments related to the Draft Policy Plan and EIR Agenda #2 Sept. 17, 2020

The county general plan must prioritize conservation actions that are both adaptive and foster resiliency in the face of Climate Change.

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Submitted by:

Pat Flanagan

71575 Mesa Drive, Twentynine Palms, CA 92277

Patflanagan29@gmail.com

**From:** [bettina](#)  
**To:** [Planning Commission Comments](#)  
**Subject:** general plan update, county wide plan EIR certification  
**Date:** Wednesday, September 16, 2020 8:15:19 PM

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Sent from [Mail](#) for Windows 10

Because of the devastating fires in our mountains, destroying much of our forests and scrub plant communities, the Environmental Impact Report must be NOT BE CERTIFIED. The environmental impact report must be redone. Spotted Owl, Rubber Boa, Alder Flycatcher, Red legged Frog and many other species have been heavily impacted. The ash and mud flows will damage the rivers and creeks impacting the endangered fish species. No new building permits should be issued until new assessments have been completed. The best thing about living in San Bernardino County is our mountains and open space. We must have a plan that helps restore and protect our fragile, threatened and precious wild areas.

Thank you, Bettina McLeod

**From:** [Penny Mason](#)  
**To:** [Planning Commission Comments](#)  
**Subject:** Joshua Tree Community Plan  
**Date:** Wednesday, September 16, 2020 9:55:40 PM

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To the San Bernardino County Board of Supervisors:

A great deal of time and effort was invested by the community and the County in creating the Community Plan for Joshua Tree in 2007. This document lays out important information about how the citizens of this area see planning and growth evolving for the future of Joshua Tree. This plan may be in need of an update but the idea of having a plan that is unique and specific to the community is integral to giving the citizens of the community a real voice in the growth and development of that community. I urge all of the supervisors to support the current community plan in Joshua Tree, with updates determined by citizen input, and all other unincorporated area community plans where the community has made the effort to create these unique and important documents.

Thank you,

Penny Mason

42 year resident of Joshua Tree

**From:** [janetjohnstn@earthlink.net](mailto:janetjohnstn@earthlink.net)  
**To:** [Planning Commission Comments](#)  
**Subject:** FOR PUBLIC COMMENT: Planning Commission Meeting 9-17-20 Countywide Plan, Community Plans  
**Date:** Wednesday, September 16, 2020 10:08:58 PM

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The proposed Community Action Guides include some helpful guidance, but they are NOT legal Land Use Documents. We reject that they are a replacement for our Community Plans. They are vastly different.

Joshua Tree's 2007 Community Plan needed all 74 pages to address our unique concerns. Our Goals, Objectives, and Policies are now blown up and spread out into a large document that tries to address the needs of a County which would be the 42<sup>st</sup> largest state and the 36<sup>th</sup> most populous state. There are now only 4 mentions of "Joshua Tree" in the entire Policy Plan.

You have new planners all the time, that have no knowledge of our desert. It is much more efficient to simply have them open up the specific and concise Joshua Tree Community Plan document and work away comparing the proposed project to the goals, policies, and objectives that could effect that specific project in that specific location rather than hunting for relevant policies in the countywide plan. This also makes things much clearer for anyone starting a project.

We demand that the County works with the unique and distinct unincorporated communities spread across this wildly diverse County, to update all of our 2007 Community Plans, so that we have true representation and self-determination as that is our basic civil right.

Planning Commissioners please direct the County Staff to retain and update these existing Community Plan land use documents in order to serve and protect the citizens that you represent.

Thank you,  
Janet Johnston  
Joshua Tree resident

**From:** [Meg Foley](#)  
**To:** [Planning Commission Comments](#)  
**Subject:** Public Comment: September 17, 2020 Countywide Plan/Community Action Guides  
**Date:** Thursday, September 17, 2020 6:00:38 AM

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Dear San Bernardino County Planning Commissioners:

It is disappointing that we were not granted more time to review and comment on the County Wide Plan. After being in development for over 2 years, it is reasonable to offer minimally adequate time to review 400+ pages of the County Plan and Community Action Guides, especially when residents are impacted by COVID restrictions and wildfire impacts.

The Community Action Guides were developed after 2 short meetings with little discussion – a planning by “sticky notes” with little reference to land uses policy and goals. Goals included in the Morongo Valley CAG were developed and assigned to local groups with no involvement of said groups. Please **do not repeal the 2007 Morongo Valley Community plan but incorporate by reference**. Residents of Morongo Valley spent countless hours developing the 2007 plans, which give a clear idea of residents’ goals, policies and objectives and community character. The current format of the County Wide Plan requires residents to read through over 400 pages of goals policies and objectives which may or may not reflect local community values and goals.

The Morongo Valley Community Services District has limited powers: Fire Services; Library and Streetlights. The MVCSD worked with San Bernardino County on Hazard Mitigation Planning. The result was a separate HMP for MVCSD identifying Morongo Valley’s unique environmental conditions in an area impacted by large wildfires and subject to historic flooding. A separate Community plan is consistent with other separate plans, like the HMP. The 2007 Community Plan is used extensively by local officials, residents, and other entities, like LAFCO (Service sphere reviews and updates) to identify the priorities, unique character and history of the community. The “identity” of Morongo Valley and other communities with separate plans is lost in the CAG format.

I recognize the amount of work staff performed to develop the updates but hope you take a long range view to make adjustments that will allow engaged residents to work in conjunction with County staff to preserve our rural characteristics. Incorporation, by reference, of 2007 plans will offer a better avenue to cooperatively work together.

Thank you,

Meg Foley  
48283 Adeline Way  
PO Box 1142  
Morongo Valley, CA 92256

**From:** [Thomas Fjallstam](#)  
**To:** [Planning Commission Comments](#)  
**Subject:** FOR PUBLIC COMMENT: Planning Commission Meeting 9-17-20 Countywide Plan, Community Plans  
**Date:** Thursday, September 17, 2020 7:07:45 AM

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Dear Planning Commissioners,

I am a resident and property owner of Joshua Tree. The huge County Wide Plan Update document has been released with barely two weeks to review this document.

Of biggest concern is the loss of our Community Plan for Joshua Tree. The JT Community Action Guide is a component that I attended 3 meeting a to produce. While it is helpful it is by no means an adequate replacement for our Community Plan. The JT CP should be updated not replaced. This was made clear during the meetings.

Joshua Tree is a unique community as are all communities in SBC. We need our local planning document to help define our community. This is of critical importance to the future development of our community.

Regards,  
Thomas Fjallstam  
Joshua Tree, CA



Jonathan Weldy &lt;sbcpweldy@gmail.com&gt;

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**RE: Response to Steve Bardwell RE: Notification of CWP Hearings**

1 message

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**Chuck Bell** <chuckb@sisp.net>

Wed, Sep 9, 2020 at 9:51 AM

To: "Blum, Jerry" &lt;Jerry.Blum@lus.sbcounty.gov&gt;, Steve Bardwell &lt;steve@infinityranch.net&gt;, "Watkins, Karen"

&lt;Karen.Watkins@lus.sbcounty.gov&gt;

Cc: "Rahhal, Terri" &lt;Terri.Rahhal@lus.sbcounty.gov&gt;, "Knox, Matt" &lt;Matt.Knox@bos.sbcounty.gov&gt;, "Lundquist, Mark"

&lt;Mark.Lundquist@bos.sbcounty.gov&gt;, Jacqueline Guevara &lt;jacqueline@joshuatree.org&gt;, Chris Clarke &lt;cclarke@npca.org&gt;,

Miriam Seger &lt;miriamseger@mac.com&gt;, Lorrie Steely &lt;2saveourskyline@gmail.com&gt;, Bill Lembright

&lt;billlembright@gmail.com&gt;, Sarah Kennington ICE &lt;sarah@infinityranch.net&gt;, Marina West &lt;wells.out.west@gmail.com&gt;,

Laraine Turk &lt;laraineinjt@icloud.com&gt;, Pat Flanagan &lt;patflanagan29@gmail.com&gt;, David Fick

&lt;idavid@idavidgraficks.com&gt;, Meg Foley &lt;megfol@aol.com&gt;, Ruth Rieman &lt;rrieman@riemansculpture.com&gt;, Mike Lipsitz

&lt;mikelipsitz@gmail.com&gt;, Arch McCulloch &lt;arch\_mc@yahoo.com&gt;, Brian Hammer &lt;bhammer@mojavewater.org&gt;, Janet

Johnston &lt;janetjohnstn@earthlink.net&gt;, Steve Mills &lt;smills@zmlawpc.com&gt;, Jessica Dacey &lt;jessica@mdlt.org&gt;, Betty M

&lt;ranchotaj@gmail.com&gt;, "Duron, Heidi - LUS" &lt;Heidi.Duron@lus.sbcounty.gov&gt;, "Watkins, Karen"

&lt;Karen.Watkins@lus.sbcounty.gov&gt;, "Peterson, Suzanne" &lt;Suzanne.Peterson@lus.sbcounty.gov&gt;

Thanks Steve – well said.

Jerry:

Thanks for your reply to all of us.

I'll take your word for it that the notices were legal and timely for a typical project notification. (I received 2 hard mail notices – one sent 9/4/20 and one on 9/2/20. May of us rural, unincorporated community residents don't get to the PO every day – maybe once or twice a week. I just got them yesterday – 9/8. The e-mail notice was sent on Sat. 9/5).

This is not a 'typical' situation.

After 3 or so years of notices – communications – back and forth e-mail correspondence (which we appreciated from you and Karen, etc.) – phone conversations – multiple comments dealing with the very future of our communities' custom, culture and land-use integrity - the County had every logical reason and responsibility to give us a longer notice of the PC hearing. It's just a matter of courtesy - and understanding how important these 10 year plans are.

With back-to-school (or sort of) – the typical virus complications to our every-day lives – fires – we having to spend tremendous amount of time dealing with illegal marijuana grows (LV has over 250 – Landers had 80 at last count) - etc. – all contributing to disruptions to the time it takes to review all the documents – especially reviewing any changes to the largely unworkable (but some feasible) “Action Items” that we are supposed to do - let alone just finding the County’s responses to our EIR comments – this will be a chore. Because of the short notice - some of us may only be able to generalize our positions to the PC – just to gain some standing for a more complete response to the BOS. And this would be a disservice to the PC which should fully understand our positions prior to making recommendations to the BOS.

Early on in this process we suggested that instead of one(?) PC hearing dealing with all the community plans – it should convene maybe 2 or 3 with each session dealing with a group of plans – giving us more time to explain our respective issues - and the PC a better opportunity to do its ‘due diligence’ as a ‘land-use jury’ - which is what it is. Just one hearing for all the plans – if that is what’s planned – would be nothing more than the County’s perfunctory attempt to gloss over everything and just get ‘this thing done’.

At the onset – we recommended just amending our 2007 plans (which were and are fine with most of us – since we helped write most of them) with updates re: renewable energy – etc. – keeping it simple and less cost to the County and taxpayers. Instead we got a new system where hopefully we can find ‘our’ stuff – trying to understand it - by searching who knows how many different web sites.

But that’s water under the bridge. It will likely be approved. This is not to disparage your and other’s work that has gone into it. You all thought this was the way to do it. Although well intended and politically correctly worded – most content in our plans – including the County’s “Vision Statement” - are more hallucinations than ‘visions’ – largely due to the County’s inability to follow-up and enforce a whole lot of stuff – including under-budgeted and staffed Code Enforcement. What’s happening now in our desert communities is a testament to the bottom-line reality that these so-called community plans won’t improve much of anything under the current circumstances – (which include we the people not wanting or affording any additional taxes).

But all is not lost just because the plans won’t change much on-the-ground. It’s the residents who will maintain some semblance of order and will keep trying to make the County accountable to its plans/goals/policies/codes/etc. If a community can’t do that – it will just be another nail in the coffin of this grand Republic.

As an aside: Lucerne Valley is not listed by the County as an “Environmental Justice” community. Pat Flanagan has provided substantiation that it should be for numerous reasons. The State Lands Commission sent us a request to respond to our “environmental justice” issues associated with its processing the Stagecoach Solar project on State lands in north LV. And we did with substantiation. Is this an example of the state of Calif. having more insight than the County about our “Severely Disadvantaged Community” and “Env. Justice” status?

After these years of working together on the Countywide and Community Plans – I was hoping to be able to respond differently.

This is just my take as an individual – not having time to run it by our LVEDA bd.

Chuck Bell

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**From:** Blum, Jerry [mailto:[Jerry.Blum@lus.sbcounty.gov](mailto:Jerry.Blum@lus.sbcounty.gov)]

**Sent:** Tuesday, September 08, 2020 4:02 PM

**To:** Steve Bardwell; Watkins, Karen

**Cc:** Rahhal, Terri; Knox, Matt; Lundquist, Mark; Jacqueline Guevara; Chris Clarke; Miriam Seger; Lorrie Steely; Bill Lembright; Sarah Kennington ICE; Marina West; Laraine Turk; Pat Flanagan; David Fick; Meg Foley; Ruth Rieman; Mike Lipsitz; Arch McCulloch; Brian Hammer; Janet Johnston; Steve Mills; Chuck Bell; Jessica Dacey; Betty M; Duron, Heidi - LUS; Watkins, Karen; Peterson, Suzanne

**Subject:** Response to Steve Bardwell RE: Notification of CWP Hearings

Dear Steve:

I received your email and wanted to get the input from several staff members before I replied to you. I appreciate the fact that you and members of your community have been involved in the Countywide Plan from the inception of the public participation program. Your input and that of many others has helped to better the final documents that are now making their way through the hearing process.

Please know that ensuring notice and public participation in the future review and consideration of the Countywide Plan (CWP) is paramount and a primary mission of the County and the Land Use Services Department. In keeping with this mission, the Department has complied with all notice and public hearing requirements required by the California Government Code, Public Resources Code, and San Bernardino County Code for a general plan of this scope and magnitude, which authorize notice via publication in a newspaper of general circulation. In addition to the required notice, the Department provided supplemental notice via electronic display and use of other social media platforms in an effort to ensure public participation. These email notices and the posting of final documents relative to the Countywide Plan on two websites were in addition to what is required by State law and were provided ahead of normal posting procedures.

Should you have any questions regarding the foregoing, please do not hesitate to contact me or the Department.

Sincerely,

**Jerry L. Blum**

Countywide Plan Coordinator  
**Land Use Services Department**  
Phone: 909-387-4422  
Fax: 909-387-3223  
[385 North Arrowhead Ave.](#)  
[San Bernardino, CA 92415](#)



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**From:** Steve Bardwell <[steve@infinityranch.net](mailto:steve@infinityranch.net)>

**Sent:** Friday, September 4, 2020 1:58 PM

**To:** Blum, Jerry <[Jerry.Blum@lus.sbcounty.gov](mailto:Jerry.Blum@lus.sbcounty.gov)>; Watkins, Karen <[Karen.Watkins@lus.sbcounty.gov](mailto:Karen.Watkins@lus.sbcounty.gov)>

**Cc:** Rowe, Dawn <[Dawn.Rowe@bos.sbcounty.gov](mailto:Dawn.Rowe@bos.sbcounty.gov)>; Rahhal, Terri <[Terri.Rahhal@lus.sbcounty.gov](mailto:Terri.Rahhal@lus.sbcounty.gov)>; Knox, Matt <[Matt.Knox@bos.sbcounty.gov](mailto:Matt.Knox@bos.sbcounty.gov)>; Lundquist, Mark <[Mark.Lundquist@bos.sbcounty.gov](mailto:Mark.Lundquist@bos.sbcounty.gov)>; Jacqueline Guevara <[jacqueline@joshuatree.org](mailto:jacqueline@joshuatree.org)>; Chris Clarke <[cclarke@npca.org](mailto:cclarke@npca.org)>; Miriam Seger <[miriamseger@mac.com](mailto:miriamseger@mac.com)>; Lorrie Steely <[2saveourskyline@gmail.com](mailto:2saveourskyline@gmail.com)>; Bill Lembright <[billlembright@gmail.com](mailto:billlembright@gmail.com)>; Sarah Kennington ICE <[sarah@infinityranch.net](mailto:sarah@infinityranch.net)>; Steve Bardwell <[steve@infinityranch.net](mailto:steve@infinityranch.net)>; Marina West <[wells.out.west@gmail.com](mailto:wells.out.west@gmail.com)>; Laraine Turk <[laraineinjt@icloud.com](mailto:laraineinjt@icloud.com)>; Pat Flanagan <[patflanagan29@gmail.com](mailto:patflanagan29@gmail.com)>; David Fick <[idavid@idavidgraficks.com](mailto:idavid@idavidgraficks.com)>; Meg Foley <[megfol@aol.com](mailto:megfol@aol.com)>; Ruth Rieman <[rrieman@riemansculpture.com](mailto:rrieman@riemansculpture.com)>; Mike Lipsitz <[mikelipsitz@gmail.com](mailto:mikelipsitz@gmail.com)>; Arch McCulloch <[arch\\_mc@yahoo.com](mailto:arch_mc@yahoo.com)>; Brian Hammer <[bhammer@mojavewater.org](mailto:bhammer@mojavewater.org)>; Janet Johnston <[janetjohnstn@earthlink.net](mailto:janetjohnstn@earthlink.net)>; Steve Mills <[smills@zmlawpc.com](mailto:smills@zmlawpc.com)>; Chuck Bell <[Chuckb@sisp.net](mailto:Chuckb@sisp.net)>; Jessica Dacey <[jessica@mdlt.org](mailto:jessica@mdlt.org)>; Betty M <[ranchotaj@gmail.com](mailto:ranchotaj@gmail.com)>

**Subject:** Countywide Plan PC hearing with lack of notification to stakeholders

Dear Mr. Blum and Ms. Karen Watkins,

CC to: Terri Rahhal, Supervisor Dawn Rowe, Mark Lundquist, Matt Knox

Yesterday, on September 3, it came to the attention of residents in the desert communities that the September 17 Planning Commission will consider recommendations to the Board of Supervisors to adopt the Countywide Plan.

A notice was not sent to all of us who have commented through the years on the Countywide Plan and EIR. We anticipate these notices, and during these difficult times we depend on them. If a meeting notice was sent and overlooked please provide the date the notice was emailed.

This was brought to our attention by Betty Munson from Homestead Valley following her conversation with Karen Watkins about zoning changes and the SH247 Scenic Highway designation. The September 17 Commission meeting was mentioned. Betty then began the alert chain.

The September 17 Commission meeting date is prominently displayed on the Countywide Plan website. This, however, is not public notification.

On August 7, the County Facebook page posted the availability of the Draft Countywide Plan revisions on Environmental Justice. No deadline for comments was posted and there is no alert for the September 17 meeting. The Facebook announcement was paired with email notices to stakeholders.

However, on the County Meetings and Events page <https://countywideplan.com/events/> :

*"The public is invited to participate in a Planning Commission meeting on September 17th. Participants may view the meeting via live stream or by attending in-person, with facial coverings and social distancing. Purpose of the Workshop At this meeting, the Planning Commission will consider recommendations to the Board of Supervisors to adopt the Countywide [...]"*

After two years of planning LUS now schedules the Planning Commission meeting to take the next important step of recommending to the Board adoption of the Final Countywide Plan without the adequately noticing the stakeholders. **Although this notice says that we, the public, are invited to participate we were not sent an invitation to the party. Our participation would be substantive.**

The PC meeting and agenda notice will be posted on September 11 at 5 PM or 3 working days before the meeting. This is sufficient for the Brown Act but not for the stakeholders to be prepared to participate. We request this agenda item be postponed until the October meeting and be properly noticed.

Thank you for your consideration and attention.

Steve Bardwell

president, MBCA

[steve@infinityranch.net](mailto:steve@infinityranch.net)

**THEME:**        **The Policy Plan Puts the Rural Desert Communities along the North Slope at a Great Disadvantage**

**SUMMARY:**   **First, the Policy Plan strips away the communities' autonomy by eliminating the Community Plans.**

**Second, the EIR changed its criteria midstream, removing Lucerne Valley from its list of Environmental Justice Focus Areas.**

**BULLET POINTS:**

**The Policy Plan strips away the communities' autonomy by eliminating the Community Plans.**

- ❖ The 2007 versions of the Community Plans are co-equal and fully-formed elements of the County's current General Plan.
- ❖ They contain clearly-stated goals and objectives focused on maintaining the communities' respective unique desert and mountain rural qualities.
- ❖ The CWP would eliminate the Community Plans.
- ❖ The CWP would replace the Community Plans with two denatured and ineffectual substitutes:
  - (1) Community Action Guides (CAGs), which have no legal force and are about as hopeless-sounding as those "What to Do in the Event of a Water Landing" cards in the seat pocket in front of you, and
  - (2) Policy Goals in the Policy Plan, in which the Community Plans' unequivocally-worded values and priorities have been watered-down beyond the point of recognition.
- ❖ The Policy Plan includes a matrix showing where the Community Plans' values and priorities have supposedly been transplanted into various Policy Goals in the Policy Plan (the Matrix; the first two pages of which are attached as Exhibit A (pp. 5-6)). This Matrix dramatically highlights how the Policy Plan has *filtered out* the Community Plans' values and priorities.
  - Using Lucerne Valley as an example. The 2007 Lucerne Valley Community Plan:
    - identifies the following "Unique Characteristics": "A rural lifestyle, characterized by the predominance of large lots, limited commercial development and the prevalence of agricultural and animal raising uses in the area. The desert landscape and natural resources further define the rural character of the community." (LV1.3.1).

- declares one of its “Community Priorities” to be to “[r]etain the rural character of the community by maintaining low density residential development and commercial development that serves the needs of local residents. . .” (LV1.3.3)
  - notes that one of its chief concerns is that growth pressures will “threaten the features of their rural community,” including its “natural beauty [which is] characterized by an abundance of open space and scenic vistas . . .” (LV1.3.2)
  - ~~None of these values and priorities is embodied anywhere in the Policy Plan. In fact,~~ One of the chief problems with saying “find the Community Plan values in the Policy Plan” is that every rural community has its own unique values. The Policy Goals in the Policy Plan are nebulously-stated aspirations having no connection to any particular community.
- ❖ **Community Goal LU 1** of the Lucerne Valley Community Plan – “Retain the existing rural desert character of the community” – is ~~dilutednot found anywhere~~ in the County Policy Plan.
- The Matrix says that **Community Goal LU 1** is carried forward in two new goals found in the Policy Plan: *[Policy Goal LU-2 Land Use Mix and Compatibility,* “*[Policy] Goal LU-4 Community Design.*”]
  - But *Policy Goal LU-2* would allow approval of a project if the “needs of future generations” and the project’s perceived merits outweigh the value of preserving “the lifestyle of existing residents” and the “natural environment.” This policy goal doesn’t carry forward the Lucerne Valley goal of preserving the rural desert character of the community; it puts a big hole in that goal.
  - *Policy Goal LU-4 Community Design* calls for the use of community design elements -- in the “preservation and enhancement of unique community identities” -- but this is mostly wishful thinking. Development in a rural community, where the development is not rural in character, is not going to be rendered “rural” by clever design.
- ❖ **Community Goal LU 1.1** of the Lucerne Valley Community Plan – “Require strict adherence to the land use policy map unless proposed changes are clearly demonstrated to be consistent with the community character” – is ~~dilutednot found anywhere~~ in the County Policy Plan.
- The Matrix equates this goal with *Policy LU-2.8*, but that policy concerns only residential development, such as master planned communities.
  - The Matrix cites *Policies LU-4.1 (context sensitive design)* and *Policy LU-4.5 (community identity).* But their bland, infinitely-stretchable language can be used to

justify a broad range of results, and, most importantly, it begs the question of what the community identity is going to be, if there are no longer any parameters of identity set out in a Community Plan.

- The Matrix cites Policy Goals LU-6.1 to 6.4 as being analogous, as well as Table LU-3. But LU-6.1 to 6.4 address only the notion that development is to be encouraged that reduces the number of general plan amendments required, while Table LU-3 provides a description of “Rural Desert Communities” that is weaker and more denatured than the one found in the Lucerne Valley’s current Community Plan.

❖ **Community Goal OS 1** of the Lucerne Valley Community Plan – “Preserve open space lands to ensure that the rural desert character of the community is maintained” – is not adequately embodied in the County Policy Plan.

- The Matrix cites Policy NR-3 as supposedly analogous to **Community Goal OS 1**, but this is not the case. Policy NR-3 calls for open space to be preserved to accommodate “[a] system of well-planned and maintained” parks, trails and the like. Parks, trails and so on are amenities developed and installed in a built environment.
- The Matrix also claims that Policy NR-4 is analogous, but, instead of speaking in terms of “ensuring” that open space and rural desert character is maintained, it talks in terms of “highlighting” the natural environment and reinforcing local community identity. Again, this begs the question of what the local community identity is, once the Community Plans that so plainly spell the identify out are gotten rid of.

❖ **Community Goal OS 1.5** of the Lucerne Valley Community Plan -- “[t]he foothills of the San Bernardino Mountains are recognized as an important open space area that provides wildlife movement and other important linkage values. Projects shall be designed to minimize impacts to wildlife movement in this area” – is not adequately embodied in the County Policy Plan.

- The Matrix offers Policy NR-3.3 as an analogous provision, but this Policy doesn’t identify wildlife movement and linkages as an important value; it only offers to “sustainably manage and conserve land within or adjacent to locally-, state-, or federally–designated open space or resource conservation areas.” In other words, if it’s next to land that some state or federal agency has declared important, then we’ll look into it.
- The Matrix also claims that Policy NR-5.7 fills the shoes of **Community Goal OS 1.5**, but all it says is that the County will comply with existing law regarding species protection.

**The FEIR changed its criteria midstream, removing Lucerne Valley from the list of Environmental Justice Focus Areas.**

❖ **The FEIR switched its definition of “Disadvantaged Communities” to remove Lucerne Valley from its list of “Disadvantaged Communities.”**

- The draft EIR (DEIR) identified the “Disadvantaged Communities” in the Background Report (excerpts of which are attached as Exhibit B (pp. 7-9)), calling them “Environmental Justice Focus Areas”, or EJFA’s. Lucerne Valley is one of them.
- Lucerne Valley is in a “low income area disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.” These are the statutory criteria for “Disadvantaged Communities”. Government Code Section 65302(h)(2)(4)(A). They are also no surprise to anyone living in Lucerne Valley.
- Now, without acknowledging what it is doing, or providing any reason, the FEIR (excerpts of which are attached as Exhibit C (pp. 10-13)) has removed Lucerne Valley from its list of EJFA’s.
- Mystery: How do the people benefit removing Lucerne Valley from the list of EJFA’s?

❖ **It’s important to designate Lucerne Valley as an EJFA, because this is how to encourage policies that promote civil engagement in the public decision-making process, and to prioritize improvements and programs that address the community’s needs.**

- Government Code Section 65302(h)(1)(b) and (c) require Environmental Justice policies that promote civil engagement in the public decision-making process and prioritize improvements and programs that address the needs of Disadvantaged Communities. If the County takes away the EJFA designation, then the protections offered by these Code sections disappear.
- Government Code Section 65302(h)(1)(b) says the Plan must identify Environmental Justice policies that actually reduce the bad environmental effects. Again, if the County takes away the EJFA designation, then the protections offered by these Code sections disappear PEIR.

**September 11, 2020**

**Neil Nadler  
Steve Mills  
John Zemanek**

# **EXHIBIT A**

**Selected Pages from Matrix**

## What is this document?

The County created this matrix to enable residents to better understand how the County updated the current Community Plan goals and policies as well as where they will be found or addressed in the future:

- **Policy Plan:** the location for updated goals and policies that apply to unincorporated areas
- **Implementation Plan:** the location for actions to be undertaken by the County to implement the Countywide Plan
- **Community Action Guide:** the location for actions to be undertaken by community members, in coordination with the County
- **Development Code:** detailed standards or regulations that are already addressed in the Development Code or can be considered in the upcoming Development Code update
- **Other:** those issues, goals, policies, or actions that have already been accomplished, are outdated, or are no longer a community priority

## 2007/2013 Community Plans

In 2007, in conjunction with an overall revision to the County's General Plan, the County adopted 13 Community Plans to guide future growth and development in select unincorporated communities while maintaining their distinct character and sense of identity. A fourteenth Community Plan was adopted in 2013 for the Oak Hills Community. These 14 Community Plans contain goals and policies that augment the County's overall General Plan and attempt to address unique issues and concerns facing each community.

## Proposed changes

**Consolidation of Community Goals and Policies.** The 2007 General Plan, including the 14 Community Plans, contains over 400 goals and 1,700 policies (over 250 goals and 1,000 policies in the Community Plans alone). This is an incredibly large number of goals and policies to review—for members of the public, County staff, and decision makers—when evaluating potential projects, improvements, and other changes.

The large number of goals and policies also creates potential problems when trying to maintain consistency between and avoid redundancy among the General Plan and Community Plans.

Accordingly, the County is proposing to update and consolidate goals and policies from both the overall 2007 General Plan and the 2007/2013 Community Plans into a single source of policy direction called the County Policy Plan.

**Transition from Community Plans to Community Action Guides.** As part of the Countywide Plan preparation, the County took a fresh look at the purpose, functionality, and cost implications of Community Plans. The County was able to eliminate a substantial amount of redundancy and resolve consistency issues by consolidating all goals and policies into one Policy Plan. The County was also able to expand the application of key goals and policies beyond singular communities to help guide multiple communities and regions. Some language from existing Community Plans were incorporated into the **Other Potential Actions** section of the CAG for consideration in future community actions.

However, the County determined that it does not have the financial resources to implement many of the policies in the current Community Plans without potentially compromising existing local and regional levels of service. The updated goals and policies guide and improve the county while remaining fiscally sustainable.

In addition to updated goals and policies, the County prepared draft Community Plans containing hundreds of grass-roots tools, actions, and strategies—shaped by over two years of public outreach. Public feedback led to the renaming of the documents from “Community Plans” to “Community Action Guides”, which more accurately reflects their purpose and content. The Community Action Guides also include updated information on each community's background, character, issues, values, and aspirations provided by the community.

**Glossary of Terms.** The 2007 General Plan included a Glossary. The County Policy Plan will include a revised Glossary of Terms to help users read and understand the Policy Plan and the meaning and intent of its goals and policies.

## Thoughts or questions?

Please contact the County at [CommunityPlans@lus.sbcounty.gov](mailto:CommunityPlans@lus.sbcounty.gov).

2007 Community Plan Policy LAND USE	Ref	Where it will be addressed
Goal LU 1 Retain the existing rural desert character of the community.	PP CAG	<p><b>Goal LU-2 Land Use Mix and Compatibility.</b> An arrangement of land uses that balances the lifestyle of existing residents, the needs of future generations, opportunities for commercial and industrial development, and the value of the natural environment.</p> <p><b>Goal LU-4 Community Design.</b> Preservation and enhancement of unique community identities and their relationship with the natural environment.</p> <p><b>Goal LU-6 Amendments to the Policy Plan.</b> Growth and development in the unincorporated county in a manner that requires few and infrequent amendments to the Policy Plan.</p> <p><b>Focus Statement A.</b> Maintain the rural character of the community.</p> <p><b>Focus Statement B.</b> Promote responsible and sustainable development consistent with Lucerne Valley's rural character.</p>
LU 1.1 Require strict adherence to the land use policy map unless proposed changes are clearly demonstrated to be consistent with the community character.	PP CAG	<p><b>Policy LU-2.8 Rural lifestyle in the Mountain/Desert regions.</b> We intend that new residential development in the unincorporated Mountain and Desert regions offer a lower intensity lifestyle that complements the suburban and urban densities in incorporated cities and towns to provide a range of lifestyle options. Master planned communities in unincorporated Mountain/Desert regions may provide a broader range of lifestyles and densities.</p> <p><b>Policy LU-4.1 Context sensitive design in the Mountain/Desert regions.</b> We require new development to employ site and building design techniques and use building materials that reflect the natural mountain or desert environment and preserve scenic resources.</p> <p><b>Policy LU-4.5 Community identity.</b> We require that new development be consistent with and reinforce the physical and historical character and identity of our unincorporated communities, as described in Table LU-3 and in the values section of Community Action Guides. In addition, we consider the aspirations section of Community Action Guides in our review of new development.</p> <p><b>See new draft Policies LU-6.1 to 6.4 and Table LU-3.</b></p> <p><b>Action Statement A3.</b> Partner with organizations and land trusts to protect and conserve Lucerne Valley's unique natural desert habitats and wildlife corridors, and to maintain the balance between the human and natural communities to maintain a functioning desert/mountain transitional ecosystem.</p>

# **EXHIBIT B**

**Selected Pages from 2019 Background Report on  
Disadvantaged Communities**

# County of San Bernardino

## Environmental Justice and Legacy Communities Background Report

### **REPORT USE, INTENT, AND LIMITATIONS**

This Background Report was prepared to inform the preparation of the Countywide Plan. Updates to this report are contingent upon updates to CalEnviroScreen or equivalent state tools. This report attempts to be comprehensive but may not address every issue that was or could have been considered and discussed during the preparation of the Countywide Plan. Additionally, other materials (reports, data, etc.) were used in the preparation of the Countywide Plan; this report is not intended to be a compendium of all possible reference materials.

This report may be used to understand many of the issues considered and discussed during the preparation of the Countywide Plan, but should not be viewed as the only possible reference for data or as confirmation of intended or desired policy direction. Final policy direction was subject to change based on additional input from the general public, stakeholders, and decision makers during regional outreach meetings, public review of the environmental impact report, and public adoption hearings.

Note that since the initial 2018 publication of this report, the City of Adelanto removed the western unincorporated sphere of influence (the area is essentially unpopulated as of 2019). Additionally, the Town of Apple Valley annexed a portion of its northwestern unincorporated sphere of influence. The maps in this report do not reflect these changes as there is no substantive impact on the results or policies. The maps and identification of environmental justice focus areas will be updated upon the next version of CalEnviroScreen.

9/30/2019

Prepared by:

PlaceWorks

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### 3. Environmental Justice Communities

## 3.2 LUCERNE VALLEY

Lucerne Valley is in the southwest Mojave Desert, approximately 35 miles south of Barstow. State Routes 18 and 247 intersect at the central point of this community. Lucerne Valley offers a rural lifestyle, characterized by large lots and limited commercial development. The area is distinguished by limited agriculture and significant mineral resource activities. Agriculture and resource conservation/extraction land uses cover approximately 73 percent of the land area, followed by rural residential land uses at 22 percent. The Lucerne Valley Community Plan spans 440 square miles, half of which is unpopulated. Population for this area is estimated at approximately 6,750 residents.

### 3.2.1 CalEnviroScreen Assessment

For this analysis, the Lucerne Valley covers four census tracts. As shown in Table 3-4a, census tract scores are color-coded by quartiles, with upper quartile scores shown as red. No census tract exhibits a composite score or pollution burden score in the upper quartile, but two tracts have challenging population characteristics. Three of four tracts are lower income tracts.

**Table 3-4a Lucerne Valley: CalEnviroScreen Score**

Census Tract	Low Income	Percentile and Quartile Rank			Scores in the Upper Quartile	
		Composite Score	Pollution Score	Population Score	Pollution Factors	Population Factors
6071012104	No	66	42	77	AQ   DW   CS	UE   AS   CVD
6071012103	Yes	54	39	59	AQ   DW   SW	POV   UE
6071010424	Yes	48	29	58	AQ   DW   CS   SW	POV   UE
6071009708	Yes	47	13	79	AQ   DW	POV   UE   AS   CVD

Sources: OEHHA, CalEnviroScreen, version 3, 2016.

Rankings:

Quartile 1 = Good	Quartile 2 = Moderate	Quartile 3 = Poor	Quartile 4 = Challenged
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Variables in the CES model:

Pollution Exposure	Environmental Effects	Sensitive Population	Socioeconomic Factors
AQ = Air Quality (incl. Ozone, PM <sub>2.5</sub> , diesel PM)	CS = Toxic Cleanup Sites	AS = Asthma	LI = Linguistic Isolation
DW = Drinking Water	GW: Groundwater Threats	LB = Low Birth Weight	POV = Poverty
TR = Toxic Releases	HZ = Hazardous Waste	CVD = Heart Disease	UE = Unemployment
TD = Traffic Density	IW = Impaired Waters		HB = Housing Burden
	SW = Solid Waste Sites/Facilities		ED = Educational Attainment

# **EXHIBIT C**

**Selected Pages from 2020 FEIR on  
Disadvantaged Communities**

## 3. Revisions to the Draft PEIR

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### 3.1 INTRODUCTION

This section contains revisions to the Draft PEIR based on (1) additional or revised information required to prepare a response to a specific comment; (2) applicable updated information that was not available at the time of Draft PEIR publication; and/or (3) typographical errors. This section also includes additional mitigation measures, if needed, to fully respond to commenter concerns and provide additional clarification to mitigation requirements included in the Draft PEIR. The provision of additional mitigation measures does not alter any impact significance conclusions as disclosed in the Draft PEIR. Changes made to the Draft PEIR are identified here in ~~strikeout text~~ to indicate deletions and in underlined text to signify additions.

### 3.2 UPDATES AND CORRECTIONS TO DRAFT PEIR

This section provides overall corrections/updates/clarification to the Draft PEIR related to CWP refinements and the Executive Summary Table (Draft PEIR Chapter 1). The County of San Bernardino staff has reviewed this material and determined that none of it constitutes the type of significant new information that requires recirculation of the Draft PEIR for further public comment under CEQA Guidelines Section 15088.5.

#### 3.2.1 Changes to CWP Policy Maps

The Policy Plan maps were updated based on annexations and corrections to land use categories reflective of up to date zoning data. The changes, described below, largely removed land from the unincorporated county or reflected the conversion of land to Resource/Land Management (RLM). The updates affect a number of maps, but do not change the substantive analysis, conclusions, or findings.

The updated city boundary data reflected two annexation areas. In the North Desert region, 1,352.5 acres of land designated for Special Development (SD) was annexed into the Town of Apple Valley, and in the Valley region, 40.3 acres of RL-20M was annexed into the City of Chino. There were also about a dozen small parcels owned by the City of Big Bear Lake that were updated to reflect their status as part of the incorporated city boundary. Some minor adjustments were also made in city boundaries to reflect a more accurate alignment with parcel boundaries.

Corrections were also made to reflect two changes to the Land Use Categories based on updated zoning. The first area, in Baker, changed a portion of eight parcels from non-residential to RLM, seven Commercial parcels with a total acreage of 180.9 acres, and one Institutional parcel at 12.1 acres. The second area, in the Montclair SOI, changed one Commercial parcel (7.8 acres) to RM and the adjacent RL parcel (2.4 acres) to RM. The type and amount of development permitted in this change to these lands does not substantively affect any of the analysis, conclusions, or findings of the Draft PEIR.

### 3. Revisions to the Draft EIR

- Replacing older, diesel-fueled equipment with cleaner technologies at railyards.
- Reducing children's exposure to harmful air pollutants by working with local schools to install high efficiency filtrations systems (SCAQMD 2019).

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Page 5.3-22, Section 5.3.1.3, *Existing Conditions*, Chapter 5.3, *Air Quality*. The following text has been added in response to Comment A3-3 from the State of California Attorney General.

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#### **Environmental Justice Focus Areas**

SB 1000's definition of a disadvantaged community includes areas that: 1) are disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation; and 2) have concentrations of people with low income, high unemployment, low levels of homeownership, high rent burden, sensitive populations, or low levels of educational attainment. Accordingly, the County refers to those areas considered to be disadvantaged communities under SB 1000 as environmental justice focus areas (EJFAs). Figure 5.3-2, *Environmental Justice Focus Areas*, shows areas in San Bernardino County that are considered EJFAs.

The California Communities Environmental Health Screening Tool, or CalEnviroScreen (CES), was developed by the Office of Environmental Health Hazards Assessment on behalf of CalEPA. CES is a method for identifying communities that are disproportionately burdened by pollution and/or have a disproportionately vulnerable population. Once such communities are identified, local governments can better understand their needs and target resources appropriately to improve conditions and outcomes in those communities.

CES generates a composite score at the census-tract level that assesses disproportionate impacts on California communities. It uses 18 indicators organized across four categories—pollution exposure, environmental effects, sensitive populations, and socioeconomic factors. These categories are summed into two primary metrics—pollution burden and population characteristics—which CES multiplies to arrive at the CES score. Table 5.3-4 shows the CalEnviroScreen scores for the EJFAs in San Bernardino County. Tables 5.3-5 through 5.3-9 include an environmental justice assessment for the census tracts identified in Table 5.3-4.

### 3. Revisions to the Draft EIR

**Table 5.3-4 CalEnviroScreen Scores for Environmental Justice Focus Areas**

CES Rankings		Quartile 1 = Good		Quartile 2 = Moderate		Quartile 3 = Poor		Quartile 4 = Challenged	
Variables/Factors in the CES model:									
POLLUTION EXPOSURE		ENVIRONMENTAL EFFECTS			SENSITIVE POPULATION			SOCIOECONOMIC FACTORS	
AQ = Air Quality		CS = Toxic Cleanup Sites			AS = Asthma			LI = Linguistic Isolation	
PEST = Pesticides		GW: Groundwater Threats			LB = Low Birth Weight			POV = Poverty	
DW = Drinking Water		HZ = Hazardous Waste			CVD = Heart Disease			UE = Unemployment	
TR = Toxic Releases		IW = Impaired Waters						HB = Housing Burden	
TD = Traffic Density		SW = Solid Waste Sites/Facilities						ED = Educational Attainment	
Census Tract	Low Income	Percentile and Quartile Rank			Scores in the Upper Quartile				
		Composite Score	Pollution Score	Population Score	Pollution Factors		Population Factors		
El Mirage Valley									
6071009117	Yes	92	63	99	AQ, DW, CS, HW		AS, LB, CVD, ED, POV, UE, HB		
North High Desert									
6071009300 Barstow	Yes	88	62	95	AQ, DW		AS, LB, CVD, POV, ED, UE		
6071010300 Daggett/ Newberry Springs/Baker	Yes	77	67	75	AQ, DW, CS GW, HW, SW		LB, UE		
Mountain Communities									
6071010802 Crest Forest	No	78	60	81	AQ, DW, SW		AS, CVD, UE		
Bloomington-Colton									
6071003606	Yes	83	81	74	AQ, DW, TD, HZ		ED, POV, UE, HB		
6071004001	Yes	86	91	68	AQ, TD, HZ		ED, UE		
6071004003	Yes	98	97	86	AQ, DW, GW, HZ, SW		LB, ED, POV, UE, LI		
6071004004	Yes	98	100	78	AQ, DW, TD, CS, GW, HZ, SW		LB, ED, POV, UE		
6071003302	Yes	85	88	70	AQ, DW, TR, TD		LB, ED, LI, POV, UE		
6071006601	Yes	95	80	97	AQ, DW, TD		AS, LB, CVD, ED, LI, POV, UE		
Muscoy-San Bernardino									
6071004104	Yes	98	91	96	AQ, DW, CS		AS, CVD, ED, POV, UE		
6071004101	Yes	93	85	89	AQ, DW, CS, TR				
6071004103	Yes	95	84	95	AQ, DW, CS				
Valley Unincorporated Islands: Chino-Montclair									
6071000303	Yes	94	97	74	AQ, DW, TR, CS HZ, SW		ED, LI, POV		

### 3. Revisions to the Draft EIR

**Table 5.3-4 CalEnviroScreen Scores for Environmental Justice Focus Areas**

CES Rankings		Quartile 1 = Good		Quartile 2 = Moderate		Quartile 3 = Poor		Quartile 4 = Challenged	
Variables/Factors in the CES model:									
<u>POLLUTION EXPOSURE</u>		<u>ENVIRONMENTAL EFFECTS</u>			<u>SENSITIVE POPULATION</u>			<u>SOCIOECONOMIC FACTORS</u>	
<u>AQ = Air Quality</u>		<u>CS = Toxic Cleanup Sites</u>			<u>AS = Asthma</u>			<u>LI = Linguistic Isolation</u>	
<u>PEST = Pesticides</u>		<u>GW: Groundwater Threats</u>			<u>LB = Low Birth Weight</u>			<u>POV = Poverty</u>	
<u>DW = Drinking Water</u>		<u>HZ = Hazardous Waste</u>			<u>CVD = Heart Disease</u>			<u>UE = Unemployment</u>	
<u>TR = Toxic Releases</u>		<u>IW = Impaired Waters</u>						<u>HB = Housing Burden</u>	
<u>TD = Traffic Density</u>		<u>SW = Solid Waste Sites/Facilities</u>						<u>ED = Educational Attainment</u>	
<u>Census Tract</u>	<u>Low Income</u>	<u>Percentile and Quartile Rank</u>			<u>Scores in the Upper Quartile</u>				
		<u>Composite Score</u>	<u>Pollution Score</u>	<u>Population Score</u>	<u>Pollution Factors</u>	<u>Population Factors</u>			
<u>6071000403</u>	<u>No</u>	<u>78</u>	<u>95</u>	<u>52</u>	<u>AQ, DW, TR, HZ, SW</u>	<u>LB, CVD</u>			
<u>Valley Unincorporated Islands: Western Fontana</u>									
<u>6071002402</u>	<u>Yes</u>	<u>92</u>	<u>77</u>	<u>93</u>	<u>AQ, TR, SW</u>	<u>AS, CVD, ED, POV, UE, HB, LI</u>			
<u>6071002204</u>	<u>Yes</u>	<u>98</u>	<u>98</u>	<u>87</u>	<u>AQ, TR, CS, HZ, SW</u>				
<u>6071002501</u>	<u>No</u>	<u>99</u>	<u>99</u>	<u>90</u>	<u>AQ, TR, TD, HZ, SW</u>	<u>AS, CVD, ED, LB</u>			
<u>6071002401</u>	<u>Yes</u>	<u>94</u>	<u>91</u>	<u>85</u>	<u>AQ, TR, CS, HZ, SW</u>	<u>CVD, ED, LI</u>			
<u>Valley Unincorporated Islands: San Bernardino</u>									
<u>6071006302</u>	<u>Yes</u>	<u>87</u>	<u>61</u>	<u>94</u>	<u>AQ, DW</u>	<u>AS, CVD, ED, POV, UE, HB</u>			
<u>6071006500</u>	<u>Yes</u>	<u>95</u>	<u>81</u>	<u>96</u>	<u>AQ, DW, CS</u>				
<u>6071006100</u>	<u>Yes</u>	<u>76</u>	<u>43</u>	<u>93</u>	<u>AQ, DW</u>	<u>AS, CVD, LB, POV, UE</u>			

## Toothaker, Sarah

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**From:** Dawn Davis <dawnpdavis@yahoo.com>  
**Sent:** Thursday, September 17, 2020 7:53 AM  
**To:** Planning Commission Comments  
**Subject:** FOR PUBLIC COMMENT: Planning Commission Meeting 9-17-20 Countywide Plan, Community Plans"

As a resident of Joshua Tree, please accept this as my formal request to keep the current 2007 Joshua Tree Community Plan in place and give residents time to review the current 458 page document and provide meaningful input into a new plan that includes Land Use. At that point the plan will be updated to replace our current 2007 Plan.

As a former project manager for a national financial institution, the Community Action Plan/Guides are empty. They are not LAND USE documents. And no project moves forward in a meaningful way without proper funding or staffing for full planning and implementation.

The items in the 'Community Action Guides' are 'nice to haves' while the Land Use Planning is extremely important in a region that is struggling to maintain its eclectic, rural feel - which is one of the main reasons for its popularity, driving tourism. People come here to get away from their homogenized surroundings - please do not homogenize our village.

I'm asking the Board of Supervisor not repeal our current Community Plans. Thank you.

**Dawn Davis,** Write | Voice | Shopkeep



**Phone:** 424-354-7254  
**Website:** <https://www.dawnpdavis.com/>  
**Imdb:** [imdb.me/dawnpdavis](https://www.imdb.me/dawnpdavis)  
**Podcast:** <https://www.desertladydiaries.com/>  
**Shop:** <https://soulconnectionjt.square.site/>



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**Toothaker, Sarah**

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**From:** Country Kitchen <jtcountrykitchen@gmail.com>  
**Sent:** Thursday, September 17, 2020 7:51 AM  
**To:** Planning Commission Comments  
**Subject:** FOR PUBLIC COMMENT: Planning Commission Meeting 9-17-20 Countywide Plan, Community Plans

As a homeowner, land owner, and small business owner in Joshua Tree, I urge the Commission to keep our Countywide Community plan from 2007 in place until such time as public hearings and reviews can be held within the community. (similar to what was done for the Community Action guides)

At that time, once public discourse, review, commentary and input are taken into consideration- then, the Community Plan from 2007 should be updated to reflect changes and put into effect.

Removing the community plan for Joshua Tree is simply unacceptable at this time.

**Toothaker, Sarah**

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**From:** David Fick <idavidgraficks@earthlink.net>  
**Sent:** Thursday, September 17, 2020 7:49 AM  
**To:** Planning Commission Comments  
**Subject:** County Wide Plan

Dear Commissioners,

We need more time and you need more time for your staff. This County Wide Plan is putting good effort after bad. The 'online aspect' was a good start but the 'Community Action Guide/Plans' was a wayward move. In regards to Joshua Tree, the Community Action Guide/Plans are unverified ramblings. They will probably be contested if approved by your Commission and Board of Supervisors.

The 2007 Joshua Tree Community Plan should be the start point with learned modifications. Our experience has been that the County's disrespect for the 2007 Joshua Tree Community Plan has made for several CEQA lawsuits. The Community Action Guide/Plans, if approved, will make for more confusion and possible litigation. We all want to avoid that possibility. Please bring back and respect the 2007 Joshua Tree Community Plan.

Thank you for your consideration,

David Fick

35 year Joshua Tree resident

2006-2012 Joshua Tree Municipal Advisory Council - Head of Land Use Committee

10 year VP of Morongo Basin Conservation Association

**Toothaker, Sarah**

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**From:** Brian Hammer <bhammer@MojaveWater.org>  
**Sent:** Thursday, September 17, 2020 8:53 AM  
**To:** Planning Commission Comments  
**Cc:** Rowe, Dawn  
**Subject:** Comments to Planning Commission on the Draft Countywide Plan from Brian Hammer  
**Attachments:** Comments to Planning Commission on the Draft Countywide Plan from Brian Hammer 09172020.pdf

Dear Sir/Madam

Please find my 250 word comment attached as a PDF file.

If this should be submitted in the body of the email without the attachment please let me know.

Thank you.

Please let's all take care of one another and stay healthy.

Please make every effort to protect yourself and your family.

Take care

Brian

Brian Hammer, Analyst, Adjunct Professor

15462 Bellflower, Adelanto

33261 Haynes, Lucerne Valley

Brian Hammer, Analyst, Adjunct Professor  
15462 Bellflower, Adelanto  
33261 Haynes, Lucerne Valley

09/17/2020

Dear Planning Commissioner's

If adopted in the current form, the Countywide Plan and the EIR will have far-reaching negative effects on desert communities for decades to come.

If the County's intent is to merely "check this box" these documents meet that low bar. The citizens of this County deserve better.

Limiting comments to 250 words allows for no significant dialogue to support the stakeholders' grave concerns.

I will give two examples:

1. There are fatal flaws with the Environmental Justice methodology reflected in the limited number of 'focus areas' in the Policy Plan. Communities that with even a casual glance are Environmental Justice areas are excluded in this plan. The exclusive use of CalEnviroScreen as the metric disenfranchises rural desert communities. CalEPA's CalEnviroScreen has serious methodological flaws that tip results toward dense urban communities.
2. There are fatal flaws with the premise and execution of Community Action Plans. They are little more than an attempt to push responsibilities from the County on to rural communities. The community action guides do not reflect the input of the rural communities, their aspirations or volunteer base. The original Community Plans' goals and plans were not successfully transplanted to the Policy Plan.

**Although painful, it's better to stop this folly now than to have to amend our way out of the issues it will create.**

**I ask that you reject the flawed draft Countywide Plan in its entirety and return it to staff for rewriting to include serious input from the stakeholder rural communities.**

**Toothaker, Sarah**

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**From:** Bryan Baker <bb1769@hotmail.com>  
**Sent:** Thursday, September 17, 2020 9:28 AM  
**To:** Planning Commission Comments  
**Subject:** Comment on Sept 17 hearing on Countywide Plan

I am commenting on behalf of the Sierra Club, which submitted comments on the Draft PEIR for the Countywide Plan (Plan), as well as for myself. The Final EIR included responses to letters from the Club and from myself.

Unfortunately, the County did not choose to properly address our concerns. We urged the County to delay approval of the Plan in order to sufficiently address impacts in several areas identified in the Draft. We highlighted impacts on biological resources, land use and planning, and transportation and greenhouse gases. My own letter focused on the County's refusal in the Plan to comply with the State of California's requirements for reduction in greenhouse gases. The County's response to our letters was essentially to throw up its hands and to say that it is simply not possible to reduce greenhouse gases and reduce other unavoidable impacts to biological resources, land use and transportation. The responses claimed that it is not possible to meet requirements for reductions in greenhouse gases with current technologies, which is clearly not the case with modern technologies available in renewable energy and transportation advances.

I urge the Planning Commission to refrain from approval of the current version of the Plan, and to revisit its plans in order to meet the requirements for greenhouse gas reductions and for removal of 'unavoidable' impacts to biological resources, transportation, air quality, and wildfire hazards.

Bryan Baker  
Conservation Chair, Mojave Group  
Sierra Club  
760-242-6526

**Toothaker, Sarah**

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**From:** Leslie <jemstone56@yahoo.com>  
**Sent:** Thursday, September 17, 2020 8:10 AM  
**To:** Planning Commission Comments  
**Subject:** Planning Commission meeting 9-17-20

Please keep our 2007 Joshua Tree Community plan!!  
We have the ability to review & update it please.  
Do Not rid us of our Legal land plan!

Thank you!  
Greg & Leslie Pizzino  
Joshua tree residents  
Sent from my iPhone