

Dear Tom Nieves,

August 1, 2020

I would like to express my concern and opposition to the “Whitehaven Estates, SCH No.: 2020060430” rezoning amendment from Resource Conservation (RC) to Rural Living (RL). I have three issues with this proposed project and the MND submitted, (1) the project area is a unique habitat for the high desert and a housing tract of this size would have a significant impact, (2) the MND is very misleading in regards to the ecological and wildfire topics, and (3) I do not agree that rezoning the area from RC to RL benefits a majority of San Bernardino County residents and therefore do not believe it should be rezoned. The developer knew the zoning status at the time of purchase so there is no obligation to rezone.

This is a unique habitat for the high desert area. Few places in the high desert have the plant and wildlife diversity that is found here, such as large scrub oak, manzanita, mountain mahogany, and other plant species unique to mountain desert transition regions (none of this was mentioned in the MND). This area is one of only a few areas near Interstate 15 that provides habitat or transitional habitat for numerous wildlife such as bobcats, owls, quail, deer, black bear, mountain lions, and bighorn sheep among others, all of which have been spotted here in the last two years (a review of social or print media would confirm this).

The current RC zoning is appropriate because while allowing some development it discourages (via very low density housing) any rational disturbance of the land, i.e., it wouldn't be logical for a developer to build a few homes as allowed with RC zoning and then remove or otherwise damage the remaining natural open space. The scarcity and value of the land to the citizens of San Bernardino is better served as currently zoned. The additional housing units this rezoning proposal would produce does not offset the natural habitat and general disturbance it would create, particularly when you consider the vast amount of residentially zoned land available in the high desert. This land was purchased by the developer zoned RC, I believe the burden is on the developer to show why it should be zoned RL.

Additionally, I would like to point out some omissions and factual inconsistencies in the MND submitted for this proposed project that should also be considered (some of these were mentioned in Ref. [1], which had a much less environmental impact, and arguably improved the area):

- 1) WILDFIRE, Currently the MND states “Less than Significant.”: This project would have a significant impact on wildfire. All areas near this tract, and including this tract, are rated as a “High” Fire Hazard Severity Zone, see Ref. [2]. In fact, neighboring this tract to the south is a “Very High” fire zone. The proposed tract has large steep slopes and extremely high winds, that are very well known to anyone familiar with the area. All the homes in the proposed tract would be at a high risk of wildfire, particularly the southern most homes whose southern property lines would border the “Very High” risk fire region. Fighting wildfire in this area would be difficult and the increased amount of human activity from additional residents would increase the likelihood of a man-made fire event. As a final anecdote, all new residents of existing homes in this area cannot get standard residential fire insurance policies and must participate in the California FAIR plan, further substantiation that the fire risk to potential residents and current residents would be significant if this project was approved.
- 2) AESTHETICS, Currently the MND states “Less than Significant.”: This project would have a significant impact on the scenic resources. Currently it is a largely untouched ~160 acre tract with abundant native plants and wildlife not common to a desert habitat. Currently large scrub oak and manzanita are present at this site in addition to other species, and single leaf pinyon pine trees are in the area

(and may transition to this site if not already there). A 50+ housing tract will lead to a significant amount of grading and vegetation destruction to this area typical with residential development.

- 3) BIOLOGICAL RESOURCES, Currently the MND states “No Impact.”: This project would have a significant impact on biological resources. The authors of this section of the MND are misleading readers with obvious errors. Quoting from the MND, “The project site does not have trees or shrubs that could provide nesting habitat for birds;” This is entirely false. The area has numerous large shrubs and what most would consider trees. The same shrubs in my personal property have been nesting sites for Red Tail Hawks and Barn Owls, and burrow entrances for large mammals. This project would disturb and likely displace most wildlife present in the tract and surrounding areas.

Thank you for your objective consideration of these concerns.

Sincerely,
Saul Opie, Ph.D.
High Desert Resident
760-490-4025

References:

[1] “San Bernardino National Forest Baldy Mesa Off-Highway Vehicle Trails and Staging Area Mitigated Negative Declaration,” March 2015.

[2] California Fire Hazard Severity Zone Viewer,
<https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414>, Retrieved August 2, 2020.

From: [Collette Crowell](#)
To: [Nieves, Tom](#)
Subject: Fwd: New Housing Project In west Oak Hills
Date: Wednesday, July 29, 2020 3:41:15 PM

Hello Tom,

It has been brought to our attention that a new 54 house development has been planned near the Summit Estates. My husband and I strongly disapprove of such a large Project with such a huge impact on our little bit of country. It would add to the strain of electricity grid as well as more water being used where we are already limited (or supposed to be based on states per capita of 55 gallons per person per day law), not to mention the traffic that would be added and adding countless children to already crowded classrooms. This is a small community and adding at least another 100 people (or more based in household size) is insane. There are plenty of places to build cookie cutter communities other than an established neighborhood and feel this builder needs to move on. Enough with over populating this state!

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 2 -year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county. The 92344 zip code has the highest average

household incomes in the High Desert and one of the highest average household incomes in San Bernardino County. With many residents working in law enforcement, fire departments, and with many owning their own businesses, I implore you to NOT approve the request to rezone this area.

~Collette Crowell

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a XXXX -year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county. The 92344 zip code has the highest average household incomes in the High Desert and one of the highest average household incomes in San Bernardino County. With many residents working in law enforcement, fire departments, and with many owning their own businesses, I implore you to NOT approve the request to rezone this area.

From: [Dolores Forino](#)
To: [Nieves, Tom](#)
Subject: I am sharing "TEMPLATE EMAIL IN OPPOSITION.docx" with you from WPS Office
Date: Thursday, July 30, 2020 9:19:08 AM
Attachments: [TEMPLATE EMAIL IN OPPOSITION.docx](#)

Please check the attachment

Shared from WPS Office:
<https://kso.page.link/wps>

From: [elizabeth Schuller](#)
To: [Nieves, Tom](#)
Subject: Keep oak hills rural
Date: Sunday, August 9, 2020 12:07:16 PM

I strongly oppose the 54 home development that is being considered for oak hills for several reasons:

Firstly we are rural and this development can not coexist with rural living with regards to livestock people who live in tract homes don't want to wake up to the sounds or smells of farm animals.

Secondly we don't have emergency services to cover another 54 homes we never have law enforcement patrol our neighborhoods now and it takes hours for them to respond if they respond at all

Thirdly we do not have adequate roads (or the police to enforce traffic laws)to accommodate a housing tract Jenny is the only paved thru street and the traffic is heavy fast and dangerous already ...do I need to refresh your memory 2 kids have been run over and killed on oak hills roads

Don't think to tell us you will put up stop signs because we have one at braceo and Jenny ...people don't even stop there now !!! if you add 2 cars per house we're looking at another 108 cars blowing Up and down Jenny twice a day!!! That's a death trap!! The school bus site is oak hills and Caliente

How about you come live on Jenny st and see if you want your kids to walk to the school bus Stop being greedy and put people first for a change

And lastly Higher density living will lower the values of the existing homes... look what happened with the Escondido track on the east side of the 15 All those values bottomed out

Virginia Wilson
10216 Jenny St
Oak Hills

From: [Collette Crowell](#)
To: [Nieves, Tom](#)
Subject: New Housing Project In west Oak Hills
Date: Wednesday, July 29, 2020 2:57:50 PM

Hello Tom,

It has been brought to our attention that a new 54 house development has been planned near the Summit Estates. My husband and I strongly disapprove of such a large Project with such a huge impact on our little bit of country. It would add to the strain of electricity grid as well as more water being used where we are already limited (or supposed to be based on states per capita of 55 gallons per person per day law), not to mention the traffic that would be added and adding countless children to already crowded classrooms. This is a small community and adding at least another 100 people (or more based in household size) is insane. There are plenty of places to build cookie cutter communities other than an established neighborhood and feel this builder needs to move on. Enough with over populating this state!

~Collette Crowell

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 9 year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) Increasing the density of houses from one house per 40 acres to one house per less than 2 acres.
- 2) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring evacuation.
- 3) Lack of water and water pressure. The area currently has a lack water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

While there were some residents notified of this proposed zoning change, the entire community of Summit Estates should be notified as this will impact all residents. I request that the Planning Commission hearing be postponed to all for notification of all the residents of Summit Estates and neighboring areas.

I implore you to NOT approve the request to rezone this area.

Sincerely,

Jason & Erica Hall
9972 Mirandy Way
Oak Hills CA 92344

From: [Jason J Hall - LA](#)
To: [Nieves, Tom](#)
Subject: New housing track in Oak Hills
Date: Sunday, August 9, 2020 3:17:19 PM
Attachments: [New housing track in Oak hills.docx](#)

Not interested in a new track in our area. We wish to keep our area rural and quiet.

Thanks for your time.

Jason Hall

From: [Jon Thompson](#)
To: [Nieves, Tom](#)
Subject: oak hills
Date: Wednesday, August 5, 2020 7:44:57 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As 35 year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring and evacuation.
- 2) Lack of water and water pressure. The area currently has a lack water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

I implore you to NOT approve the request to rezone this area.

From: [Pamela Torres](#)
To: [Nieves, Tom](#)
Subject: Oak Hills Development
Date: Wednesday, July 29, 2020 2:41:03 PM

Good Afternoon Sir,

I am emailing to you out of concern as a long time Oak Hill resident regarding the proposed 54 residence development in our community that would rezone an area in the west side for a housing development. The land is currently zoned as conservation/floodway and in my opinion should remain so. We are losing more and more of our rural way of life by adding more homes, stores etc. especially without the necessary infrastructure more residents bring. Please add my name and voice to those that oppose this development. You may respond to this email if any clarification or additional information is needed.

Thank you for your time.

Pamela Torres

Sent from my iPhone

From: [Nicole Torres](#)
To: [Nieves, Tom](#)
Subject: Oak hills housing development
Date: Friday, July 31, 2020 4:28:46 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 26 -year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county. The 92344 zip code has the highest average household incomes in the High Desert and one of the highest average household incomes in San Bernardino County. With many residents working in law enforcement, fire departments, and with many owning their own businesses, I implore you to NOT approve the request to rezone this area.

Thank you,
Nicole Torres

Sent from my iPhone

From: [Barbara Degrassi](#)
To: [Nieves, Tom](#)
Subject: Oak Hills New home development
Date: Wednesday, July 29, 2020 6:16:21 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 20 -year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county. The 92344 zip code has the highest average household incomes in the High Desert and one of the highest average household incomes in San Bernardino County. With many residents working in law enforcement, fire departments, and with many owning their own businesses, I implore you to NOT approve the request to rezone this area.

Sincerely,

Barbara Degrassi

Sent from my iPad

From: jedimom246@aol.com
To: [Nieves, Tom](#)
Subject: Oak Hills Whitehaven Estates Project
Date: Saturday, August 8, 2020 2:25:06 PM

Mr. Nieves,

I am opposed to the building of 54 homes in Oak Hills. I live on Braceo Street. Twice while I have lived here we have had to evacuate due to fires. With more homes built in this area it would be harder to get out as there is one way in and one way out...not safe. Braceo has a deep hill on it. It can be dangerous going up or coming down that hill as you cannot see what is coming toward you. With that hill and a paved street it would be more dangerous in the snow. The additional traffic would be horrible. Jenny Street would become even busier and unsafe. People already speed down Jenny and Whitehave, again not safe. Please do not allow the building of these homes in Oak Hills.

Sincerely,
Susan Richmond

From: [Kolleen Dockins](#)
To: [Nieves, Tom](#)
Cc: [Hubby](#)
Subject: Oppose Whitehaven Estates
Date: Tuesday, August 4, 2020 2:26:08 PM

Good afternoon, Tom.

I know my husband, Larry Dockins, has left you messages, but I also wanted to follow up with my own e-mail.

I wanted to make sure you were aware of my opposition to the proposed Whitehaven Estates and any change in the zoning.

We live directly across the street from where the proposed area is.

Please feel free to contact myself or my husband.

Larry and Kolleen Dockins
6523 Landover Road
Oak Hills, CA 92344

Larry (909) 322-9313

Kolleen (951) 264-2344

Thanks!!

From: [Norma Armstrong](#)
To: [Nieves, Tom](#)
Subject: Opposed to changing Oak Hills community Plan Resource Conservation etc.
Date: Wednesday, July 29, 2020 5:53:49 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 20+ year resident of Oak Hills Summit Estates, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county. The 92344 zip code has the highest average household incomes in the High Desert and one of the highest average household incomes in San Bernardino County. With many residents working in law enforcement, fire departments, and with many owning their own businesses, I implore you to NOT approve the request to rezone this area.

Jim and Norma Macdonald
Monterey drive
Oak hills Ca
92344
909-230-8086
Njmacd42@yahoo.com

Sent from my iPhone

From: [Andrea Mitchel](#)
To: [Nieves, Tom](#)
Subject: Opposition Email to Rezoning of Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL)
Date: Friday, August 7, 2020 10:48:21 AM

Dear Mr. Nieves, Members of the San Bernardino Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 17-year resident of Oak Hills (10250 Farmington Street, Oak Hills, 92344), I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our 3,400-square foot home on a 2 1/2-acre property seventeen years ago, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

With this area having burned several times in the last ten years, the area is deemed as a very high fire hazard severity zone. The CEQA report stating that this area has a less than significant impact, "Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?" is absolutely ludicrous. I, along with many neighbors, have had to pay for the California Fair Plan for fire insurance. The building of an additional fifty-four homes will create a potential disaster for the residents of the Summit Estates area during an evacuation. During the Blue Cut Fire, the one route out (Jenny Street to Oak Hill Road) was gridlock. With only one egress route, the addition of 100 vehicles to the route out of the area could be deadly. This is unacceptable and should the Planning Commission and the Board of Supervisors approve of this project, they should assume personal liability for any injuries and/or deaths due to the increase in traffic during wildfire situations.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county. Many residents have the means to relocate to other areas. I implore you to NOT approve the request to rezone this area.

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Andrea Mitchel
Mobile: 213 700-8640
FAX: 866 591-0721
Oak Hills, CA

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E-mail is covered by the Electronic Communications Privacy Act, 18 USC SS 2510-2521 and is legally privileged.

From: [Scott Tober](#)
To: [Nieves, Tom](#)
Subject: P201700742
Date: Wednesday, July 29, 2020 3:24:13 PM

Good afternoon Mr. Nieves

I had a couple of questions regarding P201700742 if you could call me.

Mr. Scott Tober

760-987-0211

@9984 Whitehaven street Oak Hills CA. 92344

[Sent from Yahoo Mail on Android](#)

From: [leann dunning](#)
To: [Nieves, Tom](#)
Subject: Please don't change oak hills zoning
Date: Thursday, August 6, 2020 5:13:08 PM

dear San Bernardino planning commission,

We like the neighborhood the way it is !!This is why we bought property in this Neighborhood!! Do you know how much traffic that would bring to the one road going to that area ?? Way to much !! We want to live that way we would've bought property in Victorville or Adelanto!!Please don't let them come in and destroy our beautiful land that sits empty there And where the wild animals like the bobcats and mountain lions are ! That many homes would bring so much traffic to our neighborhood !!

Sincerely, LeAnn Dunning
Sent from my iPhone

From: [Robert Hellebrand](#)
To: [Nieves, Tom](#)
Subject: Please Vote NO on the proposed 54-house development at the southernmost edge of Summit Estates in Oak Hills
Date: Wednesday, August 5, 2020 6:59:04 PM

I am concerned that this proposed development will adversely affect the safety and comfort of our neighborhood in Oak Hills. I live on Jenny Street, which is one of the few paved roads in the area. As such, drivers speed through our neighborhood often at rates exceeding 60 mph. With the proposed housing development, traffic will increase beyond the capacity of our area. The view that so many were promised when they bought their houses will be lost. Many people in the neighborhood are upset by this proposed development, and it would behoove the county to take their voices into consideration.

Thank you for your consideration,

Rob Hellebrand
10420 Jenny St
Oak Hills C 92344-0920

From: [ricardo long](#)
To: [Nieves, Tom](#)
Subject: Proposed Development Oak Hills
Date: Thursday, July 30, 2020 2:07:20 PM

Hello Mr Nieves,
can you please provide information on a new development by Bruno Mancinelli in Oak Hills,
Ca.

I am a resident of thai community.. thank you

R. Long

562-761-1999

ricardosbtc@gmail.com

From: [Mary Helen Wallachy](#)
To: [Nieves, Tom](#)
Subject: Proposed Land subdivision and housing development at corner of Whitehaven Street and Braceo Street in the unincorporated area of west Oak Hills in San Bernadino county on parcel number 0357-062-01-0000.
Date: Saturday, August 1, 2020 11:01:03 AM

Dear Sir,

Our family has owned land in west Oak Hills since 1983. We moved here because of the rural living and protected zoning of this area. There are endangered plants and animals in the proposed area of this housing development. Our family and the families of our friends often hike in this area. We would like to keep our neighborhood small and close knit. We do not desire any further developments that will impact our community in such a negative manner. Please consider the needs of our established community and stop this proposed project. Thank you for your consideration of this matter and all your efforts on behalf of your constituents.

Sincerely,

May Hellen Wallachy

From: [Tom Edgar](#)
To: [Nieves, Tom](#)
Subject: Proposed New Homes
Date: Saturday, August 8, 2020 5:16:24 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 22 year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring an evacuation.
- 2) Lack of water and water pressure. The area currently has a lack of water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

I implore you to NOT approve the request to rezone this area.

Thank You,
Tom Edgar

From: [Olivia Vanillo](#)
To: [Nieves, Tom](#)
Subject: Proposed New Homes
Date: Saturday, August 8, 2020 5:11:42 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a nineteen -year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring and evacuation.
- 2) Lack of water and water pressure. The area currently has a lack water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

I implore you to NOT approve the request to rezone this area.

From: [Janet Edgar](#)
To: [Nieves, Tom](#)
Subject: Proposed New Homes
Date: Saturday, August 8, 2020 5:02:32 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a resident of 21 years in Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring an evacuation.
- 2) Lack of water and water pressure. The area currently has a lack of water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

I implore you to NOT approve the request to rezone this area.



From: [Tom Edgar](#)
To: [Nieves, Tom](#)
Subject: Proposed New Homes
Date: Saturday, August 8, 2020 5:16:24 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 22 year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring an evacuation.
- 2) Lack of water and water pressure. The area currently has a lack of water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

I implore you to NOT approve the request to rezone this area.

Thank You,
Tom Edgar

From: [Wendy Michnowicz](#)
To: [Nieves, Tom](#)
Subject: Proposed rezoning in Summit Estates
Date: Sunday, August 2, 2020 9:48:41 PM

Re: Proposed housing project on Braceo/Jenny, Summit Estates, Oak Hills.

We bought our house on Whitehaven in March this year. We love the open space, natural vegetation & the abundant wildlife that live in this area. It is a very quiet neighborhood, without traffic, in fact, most of the streets don't even have center lines painted on them.

The proposal to change the zoning & build 54 houses would ruin all of the above for the current residents. We take many walks out into the beautiful, uninhabited high desert off Braceo. To grade that natural terrain & build so many houses would totally disrupt the ecosystem & environment as we know it. It would be very disappointing to see our quaint neighborhood destroyed by adding so many houses, people & cars all at once. One of the major draws in purchasing this house is that the wide open high desert is only 3 properties away. This proposal would drastically change that & NOT for the better !

Please don't change our neighborhood, drive away the animals & destroy the natural vegetation.

Wendy Michnowicz

From: [Jennifer Edgar](#)
To: [Nieves, Tom](#)
Subject: Purposed New Homes
Date: Saturday, August 8, 2020 5:14:04 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 16 year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring an evacuation.
- 2) Lack of water and water pressure. The area currently has a lack of water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

I implore you to NOT approve the request to rezone this area.

Thank You,
Jennifer Edgar

From: [Andrea Mitchel](#)
To: [Nieves, Tom](#)
Cc: [Drake, Susan](#)
Subject: Question on Whitehaven Estates CEQA
Date: Sunday, August 2, 2020 6:19:37 AM

Hi Tom:

Can you provide information on the CEQA for the proposed Whitehaven Estates project?

Who does CEQAs? Is it the developer? A consulting firm?

Who verifies the information is correct in the CEQA?

I am sorry for my ignorance. I don't know much about these things, but I am learning!

Thank you.

--

Andrea Mitchel
Mobile: 213 700-8640
FAX: 866 591-0721
Oak Hills, CA

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E-mail is covered by the Electronic Communications Privacy Act, 18 USC SS 2510-2521 and is legally privileged.

From: [Omar Dy](#)
To: [Nieves, Tom](#)
Subject: RE: Opposition to rezoning from resource conservation to rural living
Date: Friday, July 31, 2020 11:39:31 AM

To whom it may concern:

I am opposed to rezoning the resource conservation to rural living to building a housing tract.
Please do not approve of this rezoning.

Thank you.

--

Omar Dy
Cell: 951 - 545 - 4704

From: [John W. Hays](#)
To: [Nieves, Tom](#)
Subject: Re: Whitehaven Estates...
Date: Saturday, August 8, 2020 9:09:56 AM

Dear Mr. Nieves,

Put me down as a NO vote!
Thank you...

Respectfully,

John W. Hays
8838 Lilac Rd.
Oak Hills

[Sent from Yahoo Mail on Android](#)

From: [Tracy ALERICH](#)
To: [Nieves, Tom](#)
Subject: Regarding the subdivision plan in Oak Hills
Date: Wednesday, July 29, 2020 2:21:21 PM

If this was to take place what would be the entry and exit points? Right now Jenny street is the ONLY paved road into the Oak Hills area your proposing, which means Jenny st will be a nightmare when we get evacuated. Which we will it happens annually. So how many cars would be trying to get through this one street!! Not liking it at all!!
Sent from my iPhone

From: [Ernest Stephen Ramirez](#)
To: [Nieves, Tom](#)
Subject: SB County Planning. Letter of Opposition for Oak Hills
Date: Saturday, August 8, 2020 10:24:46 AM
Attachments: [Letter of Oppostion SB County 8-7-20.pdf](#)

Attached is a letter of opposition to the proposed rezone of open land in Oak Hills, 92344 adjacent to Whitehaven.

Thank you,
Ernest Stephen Ramirez
10250 Farmington Street

DATE: August 7, 2020

FROM: Ernest Stephen Ramirez
Oak Hills, CA 92344

TO: Tom Nieves, SB County
SB County Planning Commission
Supervisor Lovingood, County Supervisors

RE: Proposed rezone in Oak Hills, 92344. Whitehaven Estates.
Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW)

This letter is in opposition to the rezoning of the site in question. I live at 10250 Farmington Street, less than one mile from the site. There are inadequate transportation corridors to this area, the only route is Oak Hill Rd. to Jenny St. to Braceo Rd. This corridor is already experiencing an increase in traffic and dust pollution as a result of recent development (six newly constructed residences in the last year).

This is a safety concern above all else to due to the likely event that the area will come under evacuation during a wildfire event. As personally experienced during the August 16, 2016 Blue Cut fire, which nearly devastated our neighborhood. When evacuation was taking place, there was a traffic jam of cars leaving the area with only one thoroughfare out, by way of Jenny and Oak Hill Roads. Cars packed with belongings, animals and families were forced to run a gauntlet of flames along Oak Hill Road to save their lives. I never want to experience this situation again, nobody should.

This project will add 54 more residences and a minimum of 100 more vehicles travelling the thoroughfare, exceeding the original intended number of vehicles deemed reasonable and safe.

If the rezoning and housing expansion go forward, this letter may serve as evidence in a potential criminal and civil investigation as prior knowledge of danger in the event that a wildfire in this area causes widespread damage and injury/loss of life due to the inability of residences to evacuate due to limited egress routes to safety.

From: jshahnic@gmail.com
To: [Nieves, Tom](#)
Subject: South west Oak Hills
Date: Saturday, August 8, 2020 11:26:00 AM

We oppose the development. No.

Sent from my iPhone

From: [william hanssen](#)
To: [Nieves, Tom](#)
Subject: Southwest Oak Hills
Date: Saturday, August 8, 2020 11:27:04 AM

Please don't change the zoning for the all important open space and add more homes, traffic and strain on the plants and animals. No more development.

Thank you.

Bill Hanssen

Sent from my iPad

From: ladydi1948@aol.com
To: [Nieves, Tom](#)
Subject: white haven development
Date: Sunday, August 9, 2020 1:26:01 PM

I HAVE LIVED IN OAK HILLS FOR OVER 25 YEARS. HAVE SEEN MANY CHANGES EFFECTING MY LIFE. QUIET OUT HERE UNTIL THE OAK HILL HIGH SCHOOL WAS BUILT, WE NOW HAVE SO MUCH DUST I CAN HARDLY BREATHE, I AM 72. TO ADD INSULT TO INJURY WE NOW HAVE MANHOLE COVERS FROM THE HIGH SCHOOL GOING DOWN THE MIDDLE OF THE STREET, RAISED ABOVE THE DIRT ROAD. DEVELOPERS / INVESTORS TRIED TO GET A SOLAR PROJECT BUILT ACROSS THE STREET FROM RESIDENTS OF OAK HILLS BUT PULLED OUT AFTER THE UPROAR OF THE COMMUNITY.

JUST FOUND OUT THAT A HUGE HOUSING PROJECT WAS PLANNED FOR THE WHITEHAVEN AREA. SO MANY THINGS WILL BE AFFECTED BY THIS PROPOSAL, IE: WATER, RURAL LIFESTYLE, HUGE INCREASE IN TRAFFIC ON AN ALREADY OVER USED ROADS, DUMPING OF TRASH ON EMPTY LAND AND ON AND ON. WE WERE ALL WONDERING ABOUT FIOS BEING INSTALLED OUT THERE..WHAT ??? DON'T KNOW HOW LONG THIS HAS BEEN IN THE WORKS BUT TO PUT FIOS IN SEEMS LIKE THEY ALL FEEL IT IS A DONE DEAL.

PLEASE SIR, HELP US TO MAINTAIN OUR RURAL COMMUNITY. ONCE ONE IS ALLOWED IT OPENS THE GATE FOR ALL..

THANK YOU SO MUCH .

DIANA COLVIN
8425 COYOTE TRAIL
OAK HILLS, CA

From: lbvette65@aol.com
To: [Nieves, Tom](#)
Subject: White haven estates
Date: Thursday, August 6, 2020 1:49:43 PM

Dear Sir

The development must conform to the Oak Hills Community plan as written

From: [Mike COLVIN](#)
To: [Nieves, Tom](#)
Subject: White heaven estates
Date: Thursday, August 6, 2020 8:19:42 PM

I am a resident of Oak Hills and live on Coyote Trail. I have owned this 10 acre lot since the 1980's and now have a track at Cedar and Coyote Trl. This housing track has brought nothing but crime, traffic, noise and property devaluation to my home. I strongly oppose and development in Oak Hills which violates the 2.5 acre minimum lot size. If this is allows to happen then why did we purchase here and try to be rural if you are just going to violate the rules as you go. You can contact me for more info at 602-510-6756
Sent from my iPhone

From: [Madison Turner](#)
To: [Nieves, Tom](#)
Subject: Whitehaven estates
Date: Monday, August 3, 2020 8:53:42 PM

Good evening,

I want to express my frustration in regards to the possibility of Whitehaven estates. My husband and I spent a long time researching the best area to move to, and start a family. After careful consideration we bought our home 3 years ago on Joshua Rd off of whitehaven. We chose this area because of the safe neighborhoods, and open desert land we could enjoy! Desert views are a weakness. We recently welcomed our first child, a now 5 month old little girl. We feel she is safe in our area, and I'm comfortable walking with her by myself. If whitehaven estates is approved that is more traffic in our neighborhoods, and the possibility for crime to increase. Not to mention that destroys some of the beautiful desert views we love. With everything going on in the world the idea that our safe neighborhood could change is terrifying. I also feel that morally it is unfair for someone to buy a piece of land for what I assume would be a smaller price because of its zoning, and then just being able to change the zoning on it. I pray that this developer won't get away with changing our neighborhoods for the worse, and I guarantee most if not all the citizens in our area would agree.

Thank you for your time.

Sincerely,
Madison Cleveland
(760)382-4909

From: steitzolski@aol.com
To: [Nieves, Tom](#)
Subject: Whitehaven Estates Oak Hills, Ca.
Date: Friday, August 7, 2020 10:26:10 AM

Reference: Whitehaven Estates Oak Hills, Ca. **Parcel #0357-062-01-0000**
Opposed to this development project

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

I have been an Oak Hills resident for over 20 years. I want to thank you for being able to express my concern and opposition to this Whitehaven Estates project and the rezoning for this project.

I understand that this project has been denied in 2009 and as a long time resident I am requesting that this project be denied again. A major reason for purchasing my home in Oak Hills was the location and the open space that this area provided. This project will diminish this area in many ways.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

1. Increasing the density of houses from one house per 40 acres to one house per less than 2 acres. The residents of Oak Hills have fought long and hard, and will continue to fight, to protect the MINIMUM 2.5 ACRE lot size for all buildable lots in Oak Hills as noted in the Oak Hills Community Plan.
2. The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring evacuation. Traffic flow will increase, which will create major safety issues for this entire area. The 2 lane road will become congested, especially since this road has been known to be blocked by snow, accidents or fires. This leaves no safe route to enter or exit the area and more traffic will compound the problem.
3. Lack of water and water pressure. The area currently has a lack of water and poor water pressure. The addition of 54 homes will exacerbate the water situation. When this development was proposed in 2009, it was exposed that the current water well and storage tanks were insufficient to supply water to the proposed development. As of 2020 no improvements have been made to the well or the water storage. This will make the water

pressure for current resident to be below acceptable standards. This area is also considered an extreme fire danger area. The recent fires we experienced in the last few years have emphasized the inadequate water system for this area.

- 4) We moved to this area because it is a beautiful area, this type of development will take that away. Track homes do not enhance an area like Oak Hills. These types of development bring the value of the whole area down.

As a taxpaying resident of the Oak Hills area I strongly oppose this type of development. The desert is a large area; this type of development can be done somewhere else. The High Desert has many new developments all over that have shown that this type of development creates all the issues listed above. I am confident in saying that if this type of development was proposed in your neighborhood you would feel the same way we do and request a denial.

We also understand that many residents of the area have NOT been notified of the new development and the impact it will have on the area. This is a way that the development gets done without the concerns of the taxpayers who live in this area. The Planning Commission should at least show good faith by notifying all residents of the hearing to have their concerns addressed as well as their request to stop this type of development in this area. . Allowing this developer to ignore the will of the taxpaying people and manipulate the community plan will set precedence for others to follow.

The residents of Oak Hills have made it very clear through their words, actions and community involvement that they wish to KEEP OAK HILLS RURAL. We request from you our representative to NOT approve this request.

Thank you,

Raymond Steitz

From: [Debbie A. Cannon](#)
To: [Nieves, Tom](#)
Subject: Whitehaven Estates Oak Hills, CA
Date: Sunday, August 9, 2020 11:08:23 AM
Attachments: [CannonMass Whitehaven.pdf](#)

Mr. Nieves

Attachment are my comments about the project. Thank you for the opportunity to comment.

Debbie A. Cannon
Phone: (760) 553-6029

Christine Mass
Phone: (760) 998-6173

To:
Tom Nieves
tom.nieves@lus.sbcounty.gov!
San Bernardino County Planning Dept.

From:
Debbie A. Cannon and Christine Mass
10928 Lantry Lane OAK HILLS, CA. 92344

Reference: Whitehaven Estates Oak Hills, Ca.

Dear Planning Commissioners,

As residents of Oak Hills for the last 18 years we are in total agreement with the Oak Hills Property Owners Association on the Whitehaven Estates Oak Hills, CA Parcel #0357-062-01-0000

Within the last 18 years the traffic has increased on the 15 freeway (which we face) and traffic has at least doubled. The pollution from the increased number of trucks has causing fires on the 15 freeway by the side of the road at least three times in the last three months. Once was right in front of Shed World on the West side n Oak Hills.

The area in question would put an increased danger during any fire situations due to their only being one way in or out.

We appreciate the opportunity to express our concerns. Thank you for the option.

Thank you for the opportunity to express our opinion concerning the Whitehaven estates development. The OHPOA and it's members are firmly OPPOSED to this development and the requested rezoning as it has been proposed. We are opposed for the same reasons we opposed the project in 2009 and the same reasons the county denied the project at that time. This project is in conflict with the Oak Hills Community Plan at many levels and should be denied.

Reason #1: Lot size

The residents of Oak Hills have fought long and hard, and will continue to fight, to protect the MINIMUM 2.5 ACRE lot size for all buildable lots in Oak Hills as noted in the Oak Hills Community Plan. Looking at the site plan and

doing the math shows that this development does not adhere to the 2.5 acre minimum lot size requirement for all buildable lots in Oak Hills.

Reason #2: Water

When this development was first proposed in 2009, Zone J water officials stated that the existing water well and storage tanks were insufficient to supply water to the proposed development. No improvements have been made to the well or water storage, and the water table has dropped making the water supply even more limited. Zone J water also stated the elevation of the proposed homes on the higher lots would cause the water pressure to be below acceptable standards for domestic and fire sprinkler requirements.

This proposed development is in an extreme fire danger area. In recent years the NORTH fire and the BLUECUT fire burned through this property, emphasizing that a dependable water system with adequate volume and pressure must be provided to protect the lives and homes of future residents before any new development should be considered.

Reason #3 Traffic

Traffic flow from a properly sized development on to the existing streets (Bracio and Whitehaven) should not be a major problem as long as all the streets are paved and dedicated to the county. A major safety problem exists when all the traffic from Summit Estates, the surrounding homes and the additional traffic from any new development must enter and exit the area via the only maintained 2 lane road available (Jenny Street). On several occasions Jenny St. and Oakhill rd. have been blocked by snow, accidents or fires leaving no safe route to enter or exit the area. The additional traffic generated by the proposed development will intensify the problem and potentially lead to serious injury or death. A second, county maintained, road should be constructed to provide an escape route for the increased traffic.

Reason #4 Esthetics

This is a beautiful area adjacent to the national forest with diverse flora and fauna. If a housing development is constructed on this property it should be designed to enhance the charm of the landscape and not to maximize the developers profit. Attention must be paid to building with the latest in fireproof building materials and home designs that blend with the natural terrain. This proposed development does not meet any of the items listed and should be denied.

Reason #5 Oro Grande Wash

Changing the zoning designation of even part of the Oro Grande Wash to benefit one developer will have long term negative consequences. Please research the wash and it's history before taking action.

The residents of Oak Hills have made it very clear through their words, actions and community involvement that they wish to KEEP OAK HILLS RURAL. Allowing this developer to ignore the will of the people and manipulate the community plan will set a precedence for others to follow.

Thank You,
Oak Hills Property Owners Association

To:
Tom Nieves
tom.nieves@lus.sbcounty.gov!
San Bernardino County Planning Dept.

From:
OAK HILLS PROPERTY OWNERS ASSOCIATION
OAKHILLSPOA@EARTHLINK.NET
9765 Wisteria ct.
OAK HILLS, CA. 92344

Reference: Whitehaven Estates Oak Hills, Ca. Parcel #0357-062-01-0000

Dear Planning Commissioners,

Thank you for the opportunity to express our opinion concerning the Whitehaven estates development. The OHPOA and it's members are firmly OPPOSED to this development and the requested rezoning as it has been proposed. We are opposed for the same reasons we opposed the project in 2009 and the same reasons the county denied the project at that time. This project is in conflict with the Oak Hills Community Plan at many levels and should be denied.

Reason #1: Lot size

The residents of Oak Hills have fought long and hard, and will continue to fight, to protect the MINIMUM 2.5 ACRE lot size for all buildable lots in Oak Hills as noted in the Oak Hills Community Plan. Looking at the site plan and doing the math shows that this development does not adhere to the 2.5 acre minimum lot size requirement for all buildable lots in Oak Hills.

Reason #2: Water

When this development was first proposed in 2009, Zone J water officials stated that the existing water well and storage tanks were insufficient to supply water to the proposed development. No improvements have been made to the well or water storage, and the water table has dropped making the water supply even more limited. Zone J water also stated the elevation of the proposed homes on the higher lots would cause the water pressure to be below acceptable standards for domestic and fire sprinkler requirements.

This proposed development is in an extreme fire danger area. In recent years the NORTH fire and the BLUECUT fire burned through this property, emphasizing

that a dependable water system with adequate volume and pressure must be provided to protect the lives and homes of future residents before any new development should be considered.

Reason #3 Traffic

Traffic flow from a properly sized development on to the existing streets (Bracio and Whitehaven) should not be a major problem as long as all the streets are paved and dedicated to the county. A major safety problem exists when all the traffic from Summit Estates, the surrounding homes and the additional traffic from any new development must enter and exit the area via the only maintained 2 lane road available (Jenny Street). On several occasions Jenny St. and Oakhill rd. have been blocked by snow, accidents or fires leaving no safe route to enter or exit the area. The additional traffic generated by the proposed development will intensify the problem and potentially lead to serious injury or death. A second, county maintained, road should be constructed to provide an escape route for the increased traffic.

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Changing the zoning designation of even part of the Oro Grande Wash to benefit one developer will have long term negative consequences. Please research the wash and it's history before taking action.

The residents of Oak Hills have made it very clear through their words, actions and community involvement that they wish to KEEP OAK HILLS RURAL. Allowing this developer to ignore the will of the people and manipulate the community plan will set a precedence for others to follow.

Thank You,
Oak Hills Property Owners Association

From: [Oak Hills POA](#)
To: [Nieves, Tom](#)
Subject: Whitehaven estates OHPOA
Date: Thursday, August 6, 2020 3:03:43 PM
Attachments: [OHPOA Whitehaven.docx](#)

Mr. Nieves, Please find a DOCX copy of this document attached to this email.
The Oak Hills Property Owners Association is a nonprofit group representing the residents of Oak Hills.

To:
Tom Nieves
tom.nieves@lus.sbcounty.gov!
San Bernardino County Planning Dept.

From:
OAK HILLS PROPERTY OWNERS ASSOCIATION
OAKHILLSPOA@EARTHLINK.NET
9765 Wisteria ct.
OAK HILLS, CA. 92344

Reference: Whitehaven Estates Oak Hills, Ca. Parcel #0357-062-01-0000

Dear Planning Commissioners,

Thank you for the opportunity to express our opinion concerning the Whitehaven estates development. The OHPOA and it's members are firmly OPPOSED to this development and the requested rezoning as it has been proposed. We are opposed for the same reasons we opposed the project in 2009 and the same reasons the county denied the project at that time. This project is in conflict with the Oak Hills Community Plan at many levels and should be denied.

Reason #1: Lot size

The residents of Oak Hills have fought long and hard, and will continue to fight, to protect the MINIMUM 2.5 ACRE lot size for all buildable lots in Oak Hills as noted in the Oak Hills Community Plan. Looking at the site plan and doing the math shows that this development does not adhere to the 2.5 acre minimum lot size requirement for all buildable lots in Oak Hills.

Reason #2: Water

When this development was first proposed in 2009, Zone J water officials stated that the existing water well and storage tanks were insufficient to supply water to the proposed development. No improvements have been made to the well or water storage, and the water table has dropped making the water supply even more limited. Zone J water also stated the elevation of the proposed homes on the higher lots would cause the water pressure to be below acceptable standards for domestic and fire sprinkler requirements.

This proposed development is in an extreme fire danger area. In recent years the NORTH fire and the BLUECUT fire burned through this property, emphasizing that a dependable water system with adequate volume and pressure must be provided to protect the lives and homes of future residents before any new development should be considered.

Reason #3 Traffic

Traffic flow from a properly sized development on to the existing streets (Bracio and Whitehaven) should not be a major problem as long as all the streets are paved and dedicated to the county. A major safety problem exists when all the traffic from Summit Estates, the surrounding homes and the additional traffic from any new development must enter and exit the area via the only maintained 2 lane road available (Jenny Street). On several occasions Jenny St. and Oakhill rd. have been blocked by snow, accidents or fires leaving no safe route to enter or exit the area. The additional traffic generated by the proposed development will intensify the problem and potentially

lead to serious injury or death. A second, county maintained, road should be constructed to provide an escape route for the increased traffic.

Reason #4 Esthetics

This is a beautiful area adjacent to the national forest with diverse flora and fauna. If a housing development is constructed on this property it should be designed to enhance the charm of the landscape and not to maximize the developers profit. Attention must be paid to building with the latest in fireproof building materials and home designs that blend with the natural terrain. This proposed development does not meet any of the items listed and should be denied.

Reason #5 Oro Grande Wash

Changing the zoning designation of even part of the Oro Grande Wash to benefit one developer will have long term negative consequences. Please research the wash and it's history before taking action.

The residents of Oak Hills have made it very clear through their words, actions and community involvement that they wish to KEEP OAK HILLS RURAL. Allowing this developer to ignore the will of the people and manipulate the community plan will set a precedence for others to follow.

Thank You,
Oak Hills Property Owners Association

From: [Angela Little](#)
To: [Nieves, Tom](#); [COB - Internet E-Mail](#)
Cc: [OHPOA](#)
Subject: Whitehaven Estates Opposition
Date: Monday, August 10, 2020 3:20:43 AM

Greetings,

I'm writing to express my opposition to the above referenced proposed project in Oak Hills, and its developer's request to re-zone the subject real property.

For a variety of reasons, property owners, including myself, enjoy their rural lifestyles. Oak Hills has a community identity and the folks who live in that area want to continue their way of life. Oak Hills is a bastion of rural living. I am very pro-development, and, in my opinion, the minimum lot sizes of two acres in this area is appropriate, given the community identity and lifestyles.

Thank you for your consideration.

Angela D. Little
Property Owner
SW corner of Topaz and Ranchero
951-775-1323

From: [Larry Dockins](#)
To: [Nieves, Tom](#)
Cc: [Kolleen Dockins](#); [Erinn Dockins](#)
Subject: Whitehaven Estates P201700742
Date: Friday, July 31, 2020 5:40:22 AM

Good Morning, Tom

Please give me a call regarding the Whitehaven Estates proposed project. I looked at your link but nothing is there. I am especially concerned regarding the land use change. I want to know all of the details. My cell phone number is below.

Thanks,

Larry M. Dockins
909 322 9313

From: [Daniel deValck](#)
To: [Nieves, Tom](#)
Subject: Whitehaven Estates Project
Date: Tuesday, August 4, 2020 3:20:56 PM

Hello Sir, individually we up here in Oak Hills, CA are talking to each other about how much we Reject your New 54 Unit Housing Project in our little "kind of" City", Oak Hills.. It is a project brought on by GREED, something that even Adam Smith, the "Wealth of Nations" author would Reject without giving it a full reading.

Sir, you are putting innocent People into an Area that will be isolated, Hot, and Yes, a Nice area to live in. You and Your GREED will Haunt You your entire Spiritual Life, for taking the innocent Buyers and their Money, and putting them in a: Hot; No Water, Fire Prone; Noisy Freeway Environment.

You must be an ATHEIST with NO HEART nor SOUL to Ever Deal with. If you EVER go to Church, you will NOT be the First HYPOCRITE to do so, but the LIVES of THOUSANDS of Innocent Homeowners will be RUINED because of your GREED!!

Daniel deAvi, B.A., M.A.
Semper Fi
U.S. Marine Corps,
Combat Veteran

From: [Andrea Mitchel](#)
To: [Nieves, Tom](#)
Cc: [Drake, Susan](#)
Subject: Whitehaven Estates Question
Date: Tuesday, July 28, 2020 2:13:15 PM

Hi Tom:

Susan Drake from Supervisor Lovingood's office suggested I reach out to you to ask several questions on the proposed rezoning of the area identified for Whitehaven Estates.

I live in the northern most area of Summit Estates, so I understand why I may not have been notified. Can you provide me with the requirements for notifying residents closer to the proposed project? Can you provide information on the distance requirement?

Also, can you provide me with the process with deadlines/timelines for the approval/denial of the rezoning?

I would like to make a public comment and I am sure many of my neighbors would also like to.

Can you assist with information on how they may do so?

Can you also provide information on the possible next steps after a project is either denied or approved?

Thank you so much Tom for your time and patience.

Andrea Mitchel
10250 Farmington St, Hesperia, CA 92344

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Andrea Mitchel
Mobile: 213 700-8640
FAX: 866 591-0721
Oak Hills, CA

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From: mcf Pratt@aol.com
To: [Nieves, Tom](#)
Subject: Whitehaven Estates
Date: Sunday, August 2, 2020 11:27:08 AM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 15 1/2 year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county. The 92344 zip code has the highest average household incomes in the High Desert and one of the highest average household incomes in San Bernardino County. With many residents working in law enforcement, fire departments, and with many owning their own businesses, I implore you to NOT approve the request to rezone this area.

Mike & Carrie Pratt
9850 Whitehaven St
Oak Hills, CA 92344

From: [Chris Hylton](#)
To: [Nieves, Tom](#)
Subject: Whitehaven Estates
Date: Sunday, July 26, 2020 8:00:38 AM

Good morning Mr. Nieves,

I recently became aware of a proposed change in zoning, and development (SCH 2020060430), on Whitehaven Rd in Oak Hills. I'm not sure if we're in the notification area, but we did not receive any mail from the County about this.

While looking at the proposed plot map for the new development, I was unable to locate any other access to the area other than from Braceo Rd. This is a big concern for me. I live on Jenny Street, and EVERYONE that lives on Braceo, and all of the streets it serves, has to drive by my house. Adding 50+ more homes to the area will drastically increase the amount of traffic using Jenny St.

I am not opposed to new development. Perhaps the zoning can be changed to something less dense. Or, perhaps the County can establish another road to serve that area that would take some of the pressure off of Jenny Street. You already have an established right of way with Caliente Road. You just have to pave it from the freeway to Braceo.

Respectfully,

Chris Hylton
10545 Jenny St
Oak Hills CA 92344

Please send any correspondence to:

6562 Caliente Rd
PMB 129
Oak Hills, CA 92344

From: [Gary Sigler](#)
To: [Nieves, Tom](#)
Subject: Whitehaven Estates
Date: Saturday, August 8, 2020 4:59:45 PM

Thank you for the limited opportunity to express my DISAPPROVAL of the WHITEHAVEN ESTATES development. I object to this development for many reasons.

#1 It DOES NOT meet the Oak Hills requirement of a MINIMUM LOT SIZE OF 2.5 ACRES for all residential lots. 157 acres minus 39 unusable acres = 118 acres divided by 54 lots = 2.18 acres per lot minus streets and 2 retention basins is less than 2 acres per lot.

#2 Increased traffic. The addition of over 100 auto trips per day on the only county maintained 2 lane road accessing the entire area will cause major traffic problems. Especially during snow storms or fire evacuations.

#3 Insufficient Water Capacity. SB County ZoneJ water has told us that the water system that was designed for Summit Estates almost 30 years ago does not have the capacity to handle the increased demand of 54 more houses.

I could go on but I think you get my point. PLEASE DO NOT APPROVE THIS DEVELOPMENT AS SUBMITTED

Thank You,
Gary Sigler
9765 Wisteria Ct
Oak Hills, Ca. 92344

To: Tom Nieves
San Bernardino County Planning Dept.

Reference: Whitehaven Estates Oak Hills, Ca. **Parcel** #0357-062-01-0000

Dear Planning Commissioners,

I am **OPPOSED** to the Whitehaven Estates Development in Oak Hills for several reasons. First reason is the lot size. In Oak Hills, the minimum lot size is 2.5 acres and according to this Whitehaven Estates Development the lot sizes would not adhere to the Oak Hills Community Plan. The residents of Oak Hills have always fought to keep the lot sizes at 2.5 acres or above. This is especially important to the residents and in most cases is the sole reason homeowners bought homes in this area. For me personally, I drive down the hill everyday and fight traffic for 1 ½ hours to 2 hours each way because I love the area I am in and love the idea of having a big home on 2.5 acres. I am able to have my animals and enjoy this rural lifestyle and to put a housing tract comprised of homes on less than 2.5 acres is not acceptable and not the reason why I moved up here. If I wanted that lifestyle, I would have stayed down the hill. Most people in Oak Hills want Oak Hills to stay rural and we want the extra land and we do make sacrifices. I do not agree with a housing tract made up of cookie cutter houses on less than 2.5 acres and this is exactly what this housing tract will bring.

The second reason for being opposed to the Whitehaven Estates Development is that we fought against this in 2009 and nothing has changed with either the land, the capability to sustain this large housing tract and people have not changed. Our ideals and our desire to maintain this rural lifestyle has not changed. We are still opposed to this development as we were in 2009.

The third reason is the water. In 2009 we did not have the water capabilities for this large housing tract, our water wells and storage tanks could not accommodate a housing tract, and this has not changed. We have not made improvements to the water wells or storage tanks and we still CANNOT accommodate a housing tract. No improvements made by Whitehaven Estates Developers can change this. If any improvements are made, it would disrupt the wildlife in the area and it would still cause problems for homes located at the lower levels as the water pressure would drop and make it unsafe for those homeowners and subject them to a higher fire hazard. These homeowners would suffer financially in that they would be responsible for higher taxes which would include a fire tax and they could potentially not be able to get homeowners insurance because of the lack of water pressure to properly alleviate any fire dangers in the future. The sprinkler systems pressure would be less, and the fire hydrants could possibly have less water pressure.

The Fourth reason is the fire danger. We have been the subject of two major fires in this area, the North Fire, and the Blue Cut Fire. Both fires burned through this property and with the water issues stated above, everyone would lose their homes. Assuming the homeowners were able to acquire adequate insurance for the property so that they could rebuild, they would be denied insurance in the future. There is not enough water supply to protect this area. It would cost the state and the County millions of dollars if a fire ripped through this area. It will happen and this

housing tract will not have the protection that it needs.

A fifth reason would be increased traffic in this area. We are subjected to snow and rain every year and along with that comes increased traffic in the area, accidents and roads being shut down. Just this last year on Thanksgiving we had a huge snow fall which basically shut down the Cajon Pass and there was major gridlock in the area. If you add more people and more cars to this mix, more accidents will happen, and more people will be stranded on our local streets with limited means for emergency personnel and tow trucks to get to people. We also had a major snowstorm at Christmas time, and this was just this last year. The weather in unpredictable and I know as I stated earlier in this letter, I drive up and down the Cajon Pass everyday and I know the traffic problems and weather problems that do exist and can exist. This is another reason why this Whitehaven Estates Development is not a good idea for Oak Hills.

The sixth reason this development should be denied is that it will affect the aesthetics of the area. Oak Hills is a beautiful area and I personally enjoy waking up every morning to a beautiful view of the mountains and the Cajon Pass especially in the wintertime with the snow. To construct a housing tract in the Oak Hills area it would need to be constructed in such a way as to preserve the natural beauty of the surrounding area with desert landscaping, fireproof roofing materials, etc. and this development does not address these issues. We live in Oak Hills for the beauty of the surrounding area. Lots will not be spaced out and if Whitehaven Estates is allowed to happen, it will be just one more generic housing tract with no appeal. You can get these housing tracts down the hill or in other areas of the high desert but not in Oak Hills. We are a rural community and want to continue to maintain is as such.

I strongly object to the Whitehaven Estates Development and want all the Planning Commissioners and the entire Board of Supervisors to know that Oak Hills Property Owners do not want a housing development in Oak Hills. We live in Oak Hills because it is rural and for me personally, I sacrifice a lot of time traveling down to work everyday but the trade off is well worth it for me. It is beautiful here, I love having all of my animals, I love the space and yes, it is hard work keeping up your property, but the benefits far outweigh the hassles. I am not alone; my fellow residents are on the same page and allowing this development and changing our community plan is not what the people want. You will be destroying this place by allowing this development to be approved. **We want to KEEP OAK HILLS RURAL!**

Oak Hills Property Owners are very united, and we know what we want, and we do not want change to the Oak Hills Community Plan, and we do not agree to any rezoning changes. As the Board of Supervisors will remember, we fought to keep a Solar Project out of Oak Hills, and we won. We came together as a community and we will do it again!

I ask that you not approve this development and KEEP OAK HILLS RURAL!

Thank You,

Lisa Marie Williams
13822 Mission Street
Oak Hills, Ca 92344

From: [Lisa Marie Williams](#)
To: [Nieves, Tom](#)
Subject: Whitehaven Estates-Proposed Development
Date: Sunday, August 9, 2020 2:39:11 PM
Attachments: [Letter to Planning Commission1.docx](#)

Dear Mr. Nieves and the Board of Supervisors,

I have attached my letter in reference to the Whitehaven Estates Proposed Development in Oak Hills, Ca.

I strongly object to this project for the reasons outlined in my letter.

Thank you in advance for your time reading my letter and your cooperation in this matter.

Thank you,

Lisa Marie Williams

From: Rhall50202@aol.com
To: [Nieves, Tom](#)
Subject: Whitehaven housing development
Date: Friday, August 7, 2020 1:03:22 PM

Dear Mr. Nieves, the San Bernardino County Planning Commission, Supervisor Lovingood and the entire Board of Supervisors:

Thank you for this opportunity to express my opposition to the proposed homes at Whitehaven and Braceo, 92344, named Whitehaven Estates.

As a 27 -year resident of Oak Hills, I am opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and the subdivision of approximately 155 acres into fifty-four residential lots, one open space lot and two lettered detention basin lots.

When purchasing our home, we paid a premium price due to the location and proximity to open space. The OH/RC and OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC and OH/FW to OH/RL for the following reasons:

- 1) Increasing the density of houses from one house per 40 acres to one house per less than 2 acres.
- 2) The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring evacuation.
- 3) Lack of water and water pressure. The area currently has a lack water and poor water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. Should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, and causing safety issues for those walkers, hikers, runners, and joggers enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county.

While there were some residents notified of this proposed zoning change, the entire community of Summit Estates should be notified as this will impact all residents. I request that the Planning Commission hearing be postponed to all for notification of all the residents of Summit Estates and neighboring areas.

I implore you to NOT approve the request to rezone this area.

Randy and Stephanie Hall
6657 Landover rd
Oak Hills, Ca. 92344

From: baranthia@aol.com
To: [Nieves, Tom](#)
Subject: Whitehaven plan to change zoning
Date: Thursday, August 6, 2020 7:25:47 PM

Hi there. My name is Laura Capehart and I must admit that my husband and I are concerned that the changing of zoning will take away from the rural feel we have here in Oak Hills. One of the nice features of limiting the property size to no less than 2 1/2 acres is the ability to have larger amounts of livestock and enough acreage not to have to live on top of your neighbor as in the city's. Not to mention the water situation out here. I do believe there is still enough land out here that the 2 1/2 acre rule should still apply.

Therefore we are against the Whitehaven request to change the zoning to less than 2 1/2 acres.

Thank you,

Paul and Laura Capehart

13023 Mesquite St.

Oak Hills

Sent from AOL Mobile Mail

From: [Teresa Freeman](#)
To: [Nieves, Tom](#)
Subject: Whiteheaven estate project
Date: Sunday, August 2, 2020 11:16:17 AM

Hi

I disagree with this project I bought here in 1999 and have a home on 2.5 acres like everyone else because the area was a rural area and was to remain that Brcause of min lot size.

Each time big lots come up for sale builder threaten are community trying to make a lot of money by subdividing these properties to build

On with less then 2.5 acres . I had a builder across from me sub- divide a 5 acre lot into 2 narrow lots where he bought for 69,000 and put these lots up for sale 230,000 the county dismissed the residents objections because they would make more money . The lots still remain empty because that was poor decision on the builder who bought and the country because these lot was a better building site due to flooding and house location on 5 acres and fit the lot sizes for oak hill estate.

Buy putting more house you are taking away from the residents rights to live in a rural are on which we all bought into years ago . I would agree to each lot bring 2.5 acre lots but not on anything less

Teresa Freeman
6871 bracro Street
Oak Hill ca 92344
909-851-7231 cell

From: [Judith Gouger](#)
To: [Nieves, Tom](#)
Subject: Zoning change - Whitehaven Estates
Date: Thursday, August 6, 2020 9:50:49 PM

It has come to our attention that a zoning change has been submitted to the County for the building of homes to be located in the area of Oak Hills at Whitehaven and Braceo named Whitehaven Estates. As long-time residents of Oak Hills, we would like to register our objection to this change.

Our objection is to the increased density of the housing at less than the 2.5 acre minimum lot size as set forth in the Oak Hills Community Plan. There are other concerns, including limitations of the water supply to the area, fire danger in the area, increased traffic, and more.

Please respect the wishes of the Oak Hill residents to keep the area rural as set forth in the Oak Hills Community Plan.

.Thank You,

From: [Elaine Chambler](#)
To: [Nieves, Tom](#)
Subject: Zoning Change Oak Hills CA
Date: Friday, August 7, 2020 1:05:32 PM

Mr. Nieves, San Bernardino County Planning Commission, Supervisor Lovingood & Board of Supervisors :

Thank you for this opportunity to express our opposition to the proposed homes @ Whitehaven & Braceo, 92344, named Whitehaven Estates.

As a resident of Oak Hills since July 2010, my husband Bob Chambler & I are opposed to the changing of the Oak Hills Community Plan Resource Conservation (OH/RC) & Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) & the subdivision of approximately 155 acres into 54 residential lots, 1 open space lot & 2 lettered detention basin lots.

When purchasing our land & building our dream home, we paid a premium price due to the location & proximity to open space. The OH/FW space to the south transitioning to Bureau of Land Management land, transitioning to National Forest was one of the reasons why we chose to move to this area.

In addition to the proximity to open space, I am opposed to the rezoning of the land from OH/RC & OH/FW to OH/RL for the following reasons:

1. The one route of egress on a paved road (Jenny) will be a safety hazard for all residents of Summit Estates during any fire event requiring evacuation.
2. Lack of water & water pressure. The area currently has a lack of water & water pressure. The addition of 54 homes will exacerbate the water situation.

This region will be significantly impacted by your decision. should this request be approved, there will be a significant increase in traffic through this quiet neighborhood, thus increasing pollution, & causing safety issues for those walkers, hikers, runners, & joggers, enjoying our open spaces.

Your decision regarding the approval or denial of the request to rezone this area to OH/RL will determine whether the residents of this area choose to remain living in this area or will choose to move to another region or county or State.

I implore you to NOT approve the request to rezone the area.

Respectfully,
Elaine Chambler & Bob Chambler
echambler@verizon.net
controlledclimate@msn.com
Sent from my iPad

Reference: Whitehaven Estates Oak Hills, Ca. Parcel #0357-062-01-0000

Dear Planning Commissioners,

I AM OPPOSED to this development and the requested rezoning. I opposed the project in 2009. The county also denied the project at that time. This project is in conflict with the Oak Hills Community Plan and again should be denied.

The project doesn't require 2.5 acre minimum **lot size** now required for all build able lots in Oak Hills.

There is **insufficient supply water** for the proposed development. The stated elevation of the proposed homes on the higher lots would cause the **water pressure** to be below acceptable standards for domestic and fire sprinkler requirements.

Water pressure must be provided as this proposed development is in an extreme **fire danger** area.

This development would cause **Traffic flow** problems.

One of the reasons why we chose to move to this area was due to the location and proximity to open space. This development **would not blend** with the natural terrain or **Country Living** desired by the Oak Hills residence.

Your decision regarding the approval or denial of the request to rezone this area should once again mirror the Commissions decision in 2009 to deny the project and rezoning.

Your vote will have a great impact on our **Country Living Community**. We wish to **KEEP OAK HILLS RURAL**.

I implore you **NOT** to approve the request to rezone this area.

Patricia Williams
13822 Mission Street
Oak Hills, CA 92345

From: [Mdr Racing](#)
To: [Nieves, Tom](#)
Subject: ZONING PARCEL #0357-062-01-0000
Date: Saturday, August 8, 2020 8:40:58 PM
Attachments: [2020 zoning response.doc](#)

Against rezoning. See Attached letter.

Patricia Williams
13822 Mission St.
Oak Hills, CA 92345

EXHIBIT F

Conditions of Approval

CONDITIONS OF APPROVAL:

Whitehaven Estates
Planned Development and Tentative Tract 18533

GENERAL REQUIREMENTS

Conditions of Operation and Procedures

Land Use Services – Planning (909) 387-8311

1. Project Approval Description. Planned Development Permit (PDP) that includes a preliminary and final development plan for a 54-unit single family residential project with a 39-acre open space conservation lot for the Oro Grande Wash and two lettered lots for detention basins, and Tentative Tract Map 18533, to subdivide approximately 155-acres into fifty-four single-family residential lots, one open space lot and two lettered detention basin lots. This project is approved to be constructed and operated in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the Conditions of Approval, the approved PDP and Tentative Tract Map, and all other required and approved reports.

The developer shall provide a copy of the approved conditions and the site plan to every current and future Project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project Site.

APN: 0357-062-01; Project No: P201700742/PROJ-2020-00147.

2. Concurrent Filings. The project includes a General Plan Amendment to change the Land Use Zoning District from Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Community Plan Floodway (OH/FW) to Oak Hills Rural Living (OH/RL).
3. Project Location. The project is located at the southwest corner of Braceo Street and Whitehaven Street in the Community of Oak Hills (1st supervisorial District).
4. Revisions. Any proposed change to the approved Tentative Tract Map and/or the conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Planning for review and approval.
5. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its “indemnitees” (herein collectively the County’s elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and

attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' "passive" negligence but does not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

6. Expiration. This conditional approval shall become null and void unless all conditions have been completed and the Tentative Map has been deemed complete by the County Surveyor for purposes of recordation within thirty-six (36) months following the effective approval date, unless an extension of time is granted.

PLEASE NOTE: This will be the ONLY notice given of the approval expiration date. The "developer" is responsible for initiation of any extension request.

7. Continuous Effect/Revocation. All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner, developer or other interested party to correct the non-complying situation.
8. Extension of Time. Where circumstances cause delays, which do not permit compliance with the required recordation time limit, the developer may submit for review and approval an application requesting an extension of time. County Planning may grant such requests for extensions of time in compliance with the State Map Act Section 66452.6. An Extension of Time may be granted upon a successful review of an Extension of Time application, which includes a justification of the delay in recordation, a plan of action for completion and submittal of the appropriate fee, not less than 30 days prior to the expiration date. The granting of an extension request is a discretionary action that may be subject to additional or revised conditions of approval.
9. Project Account. The Project account number is PROJ-2020-00147. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works and County Counsel). Upon notice, the "developer" shall deposit additional funds to maintain or return the account to a positive balance. The "developer" is responsible for all expenses charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 shall be in the project account at the time of project approval and the initiation of the Condition Compliance Review. Sufficient funds shall remain in the account to cover all estimated charges that may be made during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and/or operation of each approved use.

-
10. Condition Compliance. Condition compliance confirmation for purposes of the Final Map recordation will be coordinated by the County Surveyor.
 11. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
 12. Additional Permits. The property owner, developer, and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These may include:
 - a) FEDERAL: United States Fish and Wildlife Service, Army Corp of Engineers
 - b) STATE: California Department of Fish and Wildlife, Regional Water Quality Control Board (RWQCB) –Lahontan Region, Mojave Desert Air Quality Management District (SCAQMD).
 - c) COUNTY: Land Use Services Department; Public Health-Environmental Health Services (DEHS), Department of Public Works, AND
 - d) LOCAL: San Bernardino County Fire Department, Local Agency Formation Commission (LAFCO)
 13. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste, including during construction.
 14. GHG – Operational Standards. The developer shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project:
 - a. Waste Stream Reduction. The developer shall provide to all tenants and homeowners County-approved informational materials about methods and need to reduce the solid waste stream and available recycling services.
 - b. Vehicle Trip Reduction. The developer shall provide to all tenants and homeowners County-approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include: participation in established ride-sharing programs, creating a new ride-share employee vanpool, and/or providing a web site or message board for coordinating rides.
 - c. Provide Educational Materials. The developer shall provide to all tenants and homeowners education materials and about reducing waste and available recycling services. The education materials shall be submitted to County Planning for review and approval.
 - d. Landscape Equipment. The developer shall require in the landscape maintenance contract and/or in onsite procedures that a minimum of 20% of the landscape maintenance equipment shall be electric-powered.
 15. Construction Hours. Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards.
 16. Improvements. All improvements, including but not limited to, landscaping, fencing, walls, ditches, sewer/wastewater treatment, open space, detention basins and related pumping systems, parkways, walkways, medians, trails and streetlights, shall be maintained in good

condition by the subdivider until such improvements are conveyed to individual property owners, or until an association or public agency accepts the maintenance responsibility.

Land Use Services – Code Enforcement Division (909) 387-8311

17. Enforcement. If any County enforcement activities are required to enforce compliance with the conditions of approval, the property owner shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees.
18. Weed Abatement. The applicant shall comply with San Bernardino County weed abatement regulations [SBCC§ 23.031-23.043] and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

County Fire Department – Community Safety Division (909) 386-8465

19. Fire Jurisdiction. The above referenced Project is under the jurisdiction of the San Bernardino County Fire Department, herein "Fire Department". Prior to any construction occurring on any parcel, the developer shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.
20. Expiration. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred within 180 days of any previous inspection. After a construction permit or Fire Condition Letter becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.
21. Additional Requirements. In addition to the Fire requirements stated herein, other on-site and off-site improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
22. Fire Fee. The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division (909) 386-8400.

Land Use Services – Land Development – Drainage (909) 387-8311

23. Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off site - on site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed.

24. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
25. Additional Drainage Requirements. In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
26. Erosion Control Installation. Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.
27. Continuous BMP Maintenance. The property owner/"developer" is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to ensure peak performance of all BMPs. Furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those pertaining to confined space and waste disposal methods in effect at the time such maintenance occurs.
28. BMP Enforcement. In the event the property owner/"developer" (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or "developer", including administrative costs, attorney's fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

Public Works - Solid Waste Management (909) 386-8732

29. Franchise Hauler Service Area. This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area (CR&R).

PRIOR TO ISSUANCE OF GRADING PERMITS
The following shall be completed:

Land Use Services - Building and Safety (909) 387- 8311

30. Retaining Wall Plans. Submit plans and obtain separate building permits for any required walls or retaining walls.
31. Geology Report. A geology report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review prior to grading permits.
32. Geotechnical (Soil) Report. When earthwork quantities exceed 5,000 cubic yards, a geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits.
33. Grading Plans. One copy of the proposed engineered grading plans shall be submitted for plan review with appropriate fees and approval of these obtained, when earthwork quantities exceed fifty (50) cubic yards.
34. Erosion Control Plan. One copy of the proposed engineered erosion and sediment control plans shall be submitted for plan review with appropriate fees and approval of these obtained.
35. Erosion Control Devices. Prior to land disturbance, erosion control devices must be installed at all perimeter openings and slopes. No sediment is to leave the job site.
36. NPDES –NOI. Submit a copy of the Notice of Intent (NOI) obtained from the Regional Water Quality Control Board in compliance with the National Pollutant Discharge Elimination System (NPDES), when proposed grading is one acre or more. Contact local Regional Water Quality Control Board for information.
37. WDID. Submit a copy of the Regional Water Quality Control Board (RWQCB) permit letter with the Waste Discharge Identification (WDID) number assigned by the RWQCB when proposed grading is one acre or more. The letter must include the total land disturbance area including all clearing, grading, and/or excavation areas. Contact the local RWQCB for more information.

Land Use Services - Planning (909) 387- 8311

38. AQ-Dust Control Plan. The “developer” shall prepare, submit for review and obtain approval from County Planning of both a Dust Control Plan (DCP) consistent with SCAQMD guidelines and a signed letter agreeing to include in any construction contracts/ subcontracts a requirement that project contractors adhere to the requirements of the DCP. The DCP shall include the following requirements:
 - a) Exposed soil shall be kept continually moist to reduce fugitive dust during all grading and construction activities, through application of water sprayed a minimum of two times each day.
 - b) Any portion of the site to be graded shall be pre-watered to a depth of three feet prior to the onset of grading activities.

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- c) During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall cease until wind speeds no longer exceed 25 mph.
 - d) Any area that will remain undeveloped for a period of more than 30 days shall be stabilized using either chemical stabilizers and/or a desert wildflower mix hydroseed on the affected portion of the site.
 - e) Storage piles that are to be left in place for more than three working days shall be sprayed with a non-toxic soil binder, covered with plastic or revegetated.
 - f) Imported fill and exported excess cut shall be adequately watered prior to transport, covered during transport, and watered prior to unloading on the project site.
 - g) Storm water control systems shall be installed to prevent off-site mud deposition.
 - h) All trucks hauling dirt away from the site shall be covered.
 - i) Construction vehicle tires shall be washed, prior to leaving the project site.
 - j) Rumble plates shall be installed at construction exits from dirt driveways.
 - k) Paved access driveways and streets shall be washed and swept daily when there are visible signs of dirt track-out.
 - l) Street sweeping shall be conducted daily when visible soil accumulations occur along site access roadways to remove dirt dropped or tracked-out by construction vehicles. Site access driveways and adjacent streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday and after street sweeping.
39. AQ - Construction. The “developer” shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce vehicle and equipment emissions and other impacts to air quality by implementing the following measures and submitting documentation of compliance: The developer/construction contractors shall do the following:
- a) Provide documentation prior to beginning construction demonstrating that the project will comply with all MDAQMD regulations including 402, 403, 431.1, 431.2, 1113 and 1403.
 - b) Each contractor shall certify to the developer prior to construction-use that all equipment engines are properly maintained and have been tuned-up within last 6 months.
 - c) Each contractor shall minimize the use of diesel-powered vehicles and equipment through the use of electric, gasoline or CNG-powered equipment. All diesel engines shall have aqueous diesel filters and diesel particulate filters.
 - d) All gasoline-powered equipment shall have catalytic converters.
 - e) Provide onsite electrical power to encourage use of electric tools.
 - f) Minimize concurrent use of equipment through equipment phasing.
 - g) Provide traffic control during construction to reduce wait times.
 - h) Provide on-site food service for construction workers to reduce offsite trips.
 - i) Implement the County approved Dust Control Plan (DCP)
 - j) Suspend use of all construction equipment operations during second stage smog alerts. NOTE: For daily forecast, call (800) 367-4710 (San Bernardino and Riverside counties).
40. Noise. The developer will submit for review and obtain approval of an agreement letter that stipulates that all construction contracts/subcontracts contain as a requirement that the following noise attenuation measures be implemented:

- a) Noise levels of any project use or activity will be maintained at or below adopted County noise standards (SBCC 83.01.080). The use of noise-producing signals, including horns, whistles, alarms, and bells, will be for safety warning purposes only.
- b) Exterior construction activities will be limited between 7 a.m. and 7 p.m. There will be no exterior construction activities on Sundays or National Holidays.
- c) Construction equipment will be muffled per manufacturer's specifications. Electrically powered equipment will be used instead of pneumatic or internal combustion powered equipment, where feasible.

All stationary construction equipment will be placed in a manner so that emitted noise is directed away from sensitive receptors nearest the project site.

County Fire Department – Community Safety Division (909) 386-8465

- 41. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix IIIA of the Uniform Fire Code. [F05]
- 42. Additional Requirements. In addition to the Fire requirements stated herein, other on-site and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office. [F01A]
- 43. Street Signs. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed. Standard 901.4.4 [F72]
- 44. Fire Flow Test. Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to either produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied or you must install an approved fire sprinkler system. This requirement shall be completed prior to combination inspection by Building and Safety. [F05B]

Public Works – Solid Waste Management Division (909) 386-8701

- 45. Construction and Demolition Waste Management Plan (CDWMP) – Part 1. The developer shall prepare, submit, and obtain approval from Solid Waste Management Division (SWMD) of a "Construction Waste Management Recycling Plan (CDWMP), Part I. The CDWMP shall list the types and volumes of solid waste materials expected to be generated from grading and construction. The Plan shall include options to divert from landfill disposal materials for reuse or recycling by a minimum of 50 percent of total volume.

Upon completion of construction, the developer shall complete SWMD's CDWMP Part 2. This summary shall provide documentation of diversion of materials including but not limited to receipts or letters from diversion facilities or certification regarding reuse of materials on site.

Public Health – Environmental Health Services (DEHS) (800) 442-2283

46. The project area has a high probability of containing vectors. DEHS Vector Control Section will determine the need for vector survey and any required control programs. A vector clearance letter shall be submitted to DEHS/Land Use. For information, contact Vector Control at 1-800-442-2283.

Public Works – Surveyor (909) 387-8149

47. Monumentation. If any activity on this project will disturb any land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying prior to commencement of any activity with the potential to disturb said monumentation, and appropriate documents shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

Land Use Services - Land Development - Drainage (909) 387-8311

48. Grading Plans. Grading plans shall be submitted to Land Development Division for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
49. NPDES Permit. An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov
50. Regional Board Permit. Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
51. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$550 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
52. Storm Drain Plans. Permanent drainage improvements will be required to intercept and conduct larger drainage flows through or around the site in an approved manner. Submit Storm Drain Plans for review and approval.
53. Drainage Easements. Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities/or concentration of runoff from the site. Proof of recordation shall be provided to the Land Development Division

54. FEMA Flood Zone. The project is located within Flood Zone D according to FEMA Panel Number 06071C7180H dated 08/28/2008. Flood Hazards are undetermined in this area but possible.
55. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
56. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Santa Ana Watershed Region. Copies of the WQMP guidance and template can be found at: (<http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx>)
57. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
58. Streambed Alteration Agreement. California Department of Fish and Wildlife (CDFW) must be notified per Fish and Game Code (FGC) §1602. A streambed alteration agreement shall be provided prior to Grading permit issuance. Link to CDFW website at: <https://www.wildlife.ca.gov/Conservation/LSA>

**PRIOR TO RECORDATION OF THE FINAL MAP
The Following Conditions Shall Be Completed**

Land Use Services – Planning (909) 387-8311

59. CC&R's. The CC&R's shall be submitted for review and approval by the County Planning Division. The approved CC&R's shall be recorded concurrently with the final map and a recorded copy submitted to the County Planning Division.
60. Home Owners Association. A Homeowners Association (HOA), or other entity approved by Planning, shall be established for the purpose of maintenance of all common areas. A copy of the by-laws shall be submitted for review and approval to the County Planning Division. Provide and record a reciprocal agreement to assure maintenance of all common areas, including landscaping, site access points and off-street parking areas, and to assure common ingress and egress between parcels.
61. Landscaping Plans. The developer shall submit and obtain approval of three sets of a Landscape Documentation Package, prepared by a Certified Landscape Professional in compliance with SBCC Chapter 83.10, Landscape Standards, and in compliance with the State Model Water Efficient Landscape Ordinance, as well as the East Valley Area Plan requirements. At a minimum, landscaping shall be in the required setbacks along the street frontages, adjacent to the structures, and within the parking areas. Planting plans shall utilize indigenous plant material, when possible, to minimize water consumption.

Land Use Services - Building & Safety Division (909) 387-8311

62. Geology Report. A geology report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review prior to recordation of the final map.
63. Geotechnical (Soil) Report. When earthwork quantities exceed 5,000 cubic yards, a geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to recordation of the final map.
64. CDP/B&S. A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the B&S, prior to recordation of the Parcel Map (Statements in quotations shall be verbatim):

“Land Use Services Department / Building and Safety Division (909) 387-8311”

- **“Retaining Wall Plans:** Submit plans and obtain separate permits for any required walls, retaining walls or trash enclosures.”
- **“Geology Report:** A geology report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review prior to final project approval.”
- **“Geotechnical (Soil) Report:** When earthwork quantities exceed 5,000 cubic yards, a geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits.”

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- **"Grading Plans:** Grading plans shall be submitted to Building and Safety for review and approval prior to grading/land disturbance of more than 50 Cu Yards."
 - **"Erosion & Sediment Control Plan:** An erosion and sediment control plan shall be submitted to and approved by the Building Official."
 - **"Erosion Control Installation:** Erosion control devices must be installed at all perimeter openings and slopes prior to any land disturbance or grading. No sediment is to leave the job site."
 - **"Construction Plans:** Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division."
 - **"Temporary Use Permit:** A Temporary Use Permit (T.U.P.) for the office trailer will be required or it must be placed on a permanent foundation per State H.C.D. guidelines. A T.U.P. is only valid for a maximum of five (5) years."

Public Health - Environmental Health Services (DEHS) (800) 442-2283

65. Water purveyor shall be **Phelan Pinon Hills CSD** or EHS approved.
66. Water Verification. Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. This letter shall reference the P201700742 TT18533 and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with project address will suffice. For information, contact the Water Section at 1-800-442-2283.
67. Applicant shall obtain and maintain a valid water system permit with DEHS and meet Title 22, CCR requirements pertaining to the type of water system. The public water supply system shall be maintained and operated by an entity acceptable to DEHS. For information, contact the Water Section at 1-800-442-2283.
68. The water purveyor shall be EHS approved **individual wells/new water system** Source water shall meet water quality and quantity standards. A registered hydro-geologist, registered geologist, or registered engineering geologist shall conduct a **hydro-geologic study** of the groundwater basin in the project area. A report of the study, signed and stamped by the geologist, shall be submitted to EHS and the County of San Bernardino geologist for review and approval. The report shall provide sufficient information for EHS to make an informed decision regarding the availability of a **sustained water supply** to this project. The report shall state individual and/or cumulative impacts this project will have on the surrounding groundwater basin. The report shall provide mitigation measures (if needed) to offset any potential negative impacts to the area's groundwater basin. The report shall provide the methods and resources used by the geologist to form his opinion regarding water quantity and quality for this project. The report shall contain a definitive statement regarding sustained water yields for this project.

- A) The report shall address the following items; **Purpose and scope of investigation, Area of investigation, Geology, Water bearing strata, Bedrock, Extraction, Recharge, Local wells (pump test static levels, pumping levels, and recovery times), Water quality, Maps, Graphs, Supporting data, Etc.** Provide a summary of all findings in the report.
- B) Individual wells may be permitted on each lot. They shall meet water quality standards for bacteria, inorganic chemicals, gross alpha activity, and general mineral and general physical constituents. Individual wells shall meet the quantity requirements of a "state small" water system (3gpm for 24hrs). The well locations and all pertinent information shall be noted on the Composite Development Plan. A note shall be placed on the CDP stating, **"Individual wells shall be utilized as domestic water source for each lot and shall be installed prior to the issuance of building permits." Contact the EHS/Water Section at 1-800-442-2283 for information.** (Note: Water quality information from the hydrogeological report shall be used to determine all water quality requirements for the wells except bacteria and nitrate.)
69. A water system permit will be required and concurrently approved by the State Water Resources Control Board – Division of Drinking Water. Applicant shall submit preliminary technical report at least 6 months before initiating construction of any water-related development. Source of water shall meet water quality and quantity standards. Test results, which show source meets water quality and quantity standards shall be submitted to the Division of Environmental Health Services (DEHS). For information, contact the Water Section at 1-800-442-2283 and SWRCB-DDW at 916-449-5577. Technical report should include the following:
70. The name of each public water system for which any service area boundary is within three miles, as measured through existing public rights-of-way, of any boundary of the applicant's proposed public water system's service area.
71. A discussion of the feasibility of each of the adjacent public water systems identified pursuant to paragraph (1) annexing, connecting, or otherwise supplying domestic water to the applicant's proposed new public water system's service area. The applicant shall consult with each adjacent public water system in preparing the report and shall include in the report any information provided by each adjacent public water system regarding the feasibility of annexing, connecting, or otherwise supplying domestic water to that service area.
72. A discussion of all actions taken by the applicant to secure a supply of domestic water from an existing public water system for the proposed new public water system's service area.
73. All sources of domestic water supply for the proposed new public water system.
74. The estimated cost to construct, operate, and maintain the proposed new public water system, including long-term operation and maintenance costs and a potential rate structure.
75. A comparison of the costs associated with the construction, operation and maintenance, and long-term sustainability of the proposed new public water system to the costs associated with providing water to the proposed new public water system's service area through annexation by, consolidation with, or connection to an existing public water system.

76. A discussion of all actions taken by the applicant to pursue a contract for managerial or operational oversight from an existing public water system.
77. An analysis of whether a proposed new public water system's total projected water supplies available during normal, single dry, or multiple dry water years during a 20-year projection will meet the projected water demand for the service area.
78. Any information provided by the local agency formation commission. The applicant shall consult with the local agency formation commission if any adjacent public water system identified pursuant to paragraph (1) is a local agency as defined by Section 56054 of the Government Code.
79. Any existing wells on the lot shall (1) be properly destroyed under permit OR (2) have been constructed to "California Well Standards" and be used as a source of water (industrial and/or domestic) for the project. Contact DEHS/Water Section for more information at 1-800-442-2283.
80. Method of sewage disposal shall be **Hesperia Water District** or EHS approved.
81. Method of sewage disposal shall an EHS approved onsite wastewater treatment system (OWTS) and conform to the Local Agency Management Program May 2017. OWTS options (see page 60 of LAMP):
 - A) Require the project to be sewerred with an out of agency agreement and LAFCO approval.
 - B) Require a Supplement Treatment Plant for the entire project with approved operation and maintenance.
 - C) Require larger lot sizes of 2 ½ acres.
 - D) Require individual supplemental treatment systems in lieu of septic systems.
 - E) Allow septic systems and install monitoring well (s) with a mechanism for sampling established.
82. Applicant shall procure a **verification** letter from the sewer service provider. This letter shall state whether or not sewer connection and **service** shall be made available to the project by the sewerred agency. The letter shall reference **P201700742 TT18533** and the Assessor's Parcel Number(s).
83. The following note shall be placed on a Composite Development Plan (CDP): "An approved percolation report, (DEHS reference number) prepared by (person/firm name & credentials) on (date prepared), is on file with DEHS. For information, please contact DEHS at 1-800-442-2283.
84. Existing onsite wastewater treatment system (OWTS) can be used if applicant provides OWTS certification from a qualified professional (i.e., Professional Engineer (P.E.), Registered Environmental Health Specialist (REHS), C42 contractor, Certified Engineering Geologist (C.E.G.), etc.) that the system functions properly, meets code, and has the capacity required for the proposed project. Applicant shall provide documentation outlining methods used in determining function. For information on the OWTS Certification form, contact DEHS at 1-800-442-2283.
85. The community use onsite wastewater treatment system (OWTS) shall be utilized subject to the following conditions:

- A) Multiple ownership septic systems shall be operated under permit from DEHS. Easements and expansion areas for such systems shall be shown on the tentative parcel map.
 - B) Advanced Treatment Units operations and maintenance shall be conducted by factory qualified service provider. For more information, contact the Wastewater Section at 1-800-442-2283.
86. Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer service provider, submit to DEHS verification of Local Agency Formation Commission (LAFCO) approval of either:
- A) Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or,
 - B) Out-of-agency service agreement for service outside a water and/or sewer service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant to the provisions of Government Code Section 56133. Submit verification of LAFCO authorization of said Out-of-Agency service agreement to DEHS.
87. Written clearance shall be obtained from the designated California Regional Water Quality Control Board (listed below) and a copy forwarded to the Division of Environmental Health Services for projects with design flows greater than 10,000 gallons per day.
- Lahontan Region, 15095 Amargosa Road Bldg. 2 Suite 210 Victorville, CA 92392 (760) 241-6583.
88. The following are the steps that must be completed to meet the requirements for installation and/or finance of the on-site/off-site water system and/or sewer system.
- A) Where the water and/or sewer system is to be installed prior to recordation, it is the developer's responsibility to submit to the TRANSPORTATION/FLOOD CONTROL DEPARTMENT, SURVEYOR DIVISION, a copy of the approved plan and a signed statement from the utility of jurisdiction confirming that the improvement has been installed and accepted.
 - B) Where a bond is posted in lieu of installation of the improvement, the developer shall submit the approved plans and determined amount or a signed statement from an acceptable governmental entity, that financial arrangements have been completed and submitted to the TRANSPORTATION/FLOOD CONTROL DEPARTMENT, SURVEYOR DIVISION.
89. The following are the steps that must be completed to meet the requirements for installation and/or finance of the on-site/off-site water system and/or sewer system.
- A) Where the water and/or sewer system is to be installed prior to recordation, submit a signed statement to DEHS from the approved utility of jurisdiction confirming the improvement has been installed and accepted.

- B) Where a bond is to be posted in lieu of installation of the improvement, the developer shall submit evidence of financial arrangements agreeable to the water purveyor and/or sewerage entity to DEHS for review and approval.
90. Sewer Verification. Applicant shall procure a verification letter from the sewerage agency with jurisdiction. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewerage agency. The letter shall reference the Assessor's Parcel Number.
91. LAFCO. Submit verification of annexation to DEHS for any project that require water or sewer connection outside a purveyor's jurisdiction. For information, contact LAFCO at (909) 387-5866.
92. Preliminary Acoustic Information. Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standard(s), San Bernardino Development Code Section 87.0905(b). The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the DEHS for review and approval. For information and acoustical checklist, contact DEHS at (800) 422-2283.
93. Existing Wells. Any existing wells on the lot shall (1) be properly destroyed under permit OR (2) have been constructed to "California Well Standards" and be used as a source of water (industrial and/or domestic) for the project. Contact DEHS/Water Section for more information at (800) 442-2283.

Land Use Services - Land Development - Drainage (909) 387-8311

94. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a safety manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$550 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
95. Drainage Easements. Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities/or concentration of runoff from the site. Proof of recordation shall be provided to the Land Development Division.
96. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
97. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Santa Ana Watershed Region. Copies of the WQMP guidance and template can be found at: (<http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx>)

98. NPDES Permit. An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov
99. Regional Board Permit. Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
100. On-site Flows. On-site flows need to be directed to the nearest County road or drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
101. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
102. Grading Plans. Grading and Erosion control plans shall be submitted for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
103. CDP/LDD - Drainage. A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the LDD, prior to recordation of the Final Map (statements in quotations shall be verbatim):
- “Land Use Services Department – Land Development Division – Drainage Section (909) 387-8311”
- “Revisions to WQMP. If the Owner wishes to deviate from the approved WQMP dated [REDACTED], the Owner(s) shall submit a revised WQMP along with grading plans for the lot. Submit necessary fees per the latest fee schedule for review, Inspection and approval.”
 - “NPDES Permit: An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov”
 - “Regional Board Permit: Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.”

- "Natural Drainage. Natural Drainage Course(s) and/or Easement(s) shall not be occupied or obstructed, unless specific approval is given by County Land Use Services Department - Land Development Division/Drainage Section for each lot/parcel."
- "FEMA Flood Zone. The project is located within Flood Zone D according to FEMA Panel Number 06071C7180H dated 08/28/2008 . Flood Hazards are undetermined in this area but possible.
- "Grading Plans. Grading and Erosion control plans shall be submitted for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule."
- "Additional Drainage Improvements. At the time each lot/parcel is developed, a California Registered Civil Engineer (RCE) shall prepare/design complete drainage improvement plans and profiles. After these are submitted for review and approval additional "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time."
- "Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private registered engineer shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development."
- "WQMP Improvements. All required WQMP improvements shall be completed by the applicant, inspected and approved by County Public Works. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section."
- "WQMP Operations and Maintenance. Operation and maintenance requirements for all Source Control, Site Design, and Treatment Control BMPs shall be identified within the Water Quality Management Plan (WQMP). All maintenance or replacement of BMPs proposed as part of the WQMP is the sole responsibility of the Owner in accordance with the terms of the WQMP Agreement."
- "Streambed Alteration Agreement. California Department of Fish and Wildlife (CDFW) must be notified per Fish and Game Code (FGC) §1602. A streambed alteration agreement shall be provided prior to Grading permit issuance. Link to CDFW website at
<https://www.wildlife.ca.gov/Conservation/LSA>."

Land Use Services - Land Development - Roads (909) 387-8311

104. Road Dedication/Improvements. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed

required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California.

Whitehaven Road (Local – 60')

- Street Improvements. Design AC Dike with match up paving 18 feet from centerline.
- Curb Returns. A 35-foot radius return grant of easement is required at the intersection of Whitehaven Road and Braceo Street. The curb return shall be designed per County Standard 110. Adequate easement shall be provided to ensure future sidewalk improvements are within Public right-of-way.

Braceo Street (1/4 Section Line –88')

- Road Dedication. A 44 -foot grant of easement is required to provide a half-width right-of-way of 44 feet.
- Street Improvements. Design AC Dike with match up paving 18-foot wide from centerline with a minimum 26 paved section within a 40 foot right-of-way.
- Curb Returns. A 35-foot radius return grant of easement is required at the intersection of Braceo Street and "A" Street. The curb return shall be designed per County Standard 110. Adequate easement shall be provided to ensure any future sidewalk improvements are within Public right-of-way.
- Cul-de-sac Design. The proposed cul-de-sac shall be designed to County Standard 120. turnarounds at end of the cul-de-sac shall be in accordance with the requirements of the County Department of Public Works and Fire Department.

"A", "B", "C", "D" and "E" Streets (Private –50')

- Road Dedication. A 50-foot grant of easement is required to provide a full-width right-of-way of 50 feet.
- Street Improvements. Design AC dike with match up paving 36 feet full width of the street.
- Curb Returns. A 20-foot return grant of easement is required at the intersection of "B" Street and Whitehaven Street, and "C" Street and Whitehaven Street. The curb returns shall be designed per County Standard 110. Adequate easement shall be provided to ensure any future sidewalk improvements are within Public right-of-way.
- Cul-de-sac Design. The proposed cul-de-sac shall be designed to County Standard 120.

105. Road Standards and Design. All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Desert Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.

-
106. Street Improvement Plans. The developer shall submit for review and obtain approval of street improvement plans prior to construction. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction. Any utility affecting construction shall be relocated as necessary without cost to the County. Street improvement plans shall not be approved until all necessary right-of-way is acquired.
107. CMRS Exclusion. Road improvements required for this development will **not** be entered into the County Maintained Road System (CMRS).
108. CDP/LDD - Roads. A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the LDD prior to recordation of the Parcel Map (Statements in quotations shall be verbatim):

"Land Use Services Department / Land Development Division – Roads (909) 387-8311"

- a. "Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design."
- b. "Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded."
- c. "Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works. Completion of road and drainage improvements does not imply acceptance for maintenance by the County."
- d. "Structural Section Testing. Prior to occupancy, a thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to the County Public Works."
- e. "Private Roads/Improvements. Prior to occupancy, construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria."
- f. "CMRS Exclusion. Roads within this development will not be entered into the County Maintained Road System (CMRS)."
- g. "Regional Transportation Fee. This project falls within the Regional Transportation Facilities Mitigation Plan for the Hesperia Subarea. This fee shall be paid by a cashier's check to the Department of Public Works Business Office prior to the issuance of building permits."

- h. "Local Transportation Fee. This project falls within the Oak hills- Zone A Local Area Transportation Facilities Fee Plan. This fee shall be paid by a cashier's check to the Department of Public Works Business Office prior to occupancy."
 - i. "Private Roads/Improvements. Prior to occupancy, construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria."
109. Improvement Securities. Any required public road, drainage, and/or utility improvements for subdivisions shall be bonded in accordance with County Development code unless constructed and approved prior to recordation. All necessary fees shall be provided in accordance with the latest fee schedule.
110. Maintenance Bond. Once all required public road, drainage, and/or utility improvements have been constructed and approved, a maintenance bond for a period of one year shall be required to insure satisfactory condition of all improvements. Submit necessary fees, per the latest fee schedule, for new securities.
111. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
112. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
113. Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.
114. Slope Easements and Tests. Slope rights shall be dedicated, where necessary. Slope stability tests are required for road cuts or road fills per recommendations of the Geotechnical Engineer to the satisfaction of County Public Works.
115. Access Restriction. An approved type wall/barrier shall be required along the rear of double frontage lots and shall be constructed outside of public right-of-way.
116. Turnarounds. Turnarounds at dead end streets shall be in accordance with the requirements of the County Department of Public Works and Fire Department.

117. Street Type Entrance. Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.
118. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
119. Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of County Public Works confirming the adequacy of the grade.
120. Caltrans Approval. Obtain comments and approvals from Caltrans for access requirements and working within their right-of-way.
121. Physical Access. Physical access shall be required to all newly created parcels. Physical access is defined as a route which is traversable in a standard (two-wheel drive) sedan. The Developer's Engineer or Surveyor shall submit a signed and sealed letter, to Land Development Division certifying that physical access has been completed.

Public Works – Surveyor (909) 387-8149

122. Final Map. A Tentative and Final Map is required in compliance with the Subdivision Map Act and the San Bernardino County Development Code.
123. Lot Line Adjustment. The Lot Line Adjustment noted on the tentative map will need to be filed concurrently with the Final Map application.
124. Non-interference Letter. Subdivider shall present evidence to the County Surveyor's Office that he has tried to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
125. Easements of Record. Easements of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easement of record, which cannot be relinquished or relocated, shall be redesigned.
126. Payment of Actual Cost Fees. Review of the Final Map by our office is based on actual cost, and requires an initial \$8,000.00 deposit. Prior to recordation of the map all fees due to our office for the project shall be paid in full.
127. Title Report. A current Title Report prepared for subdivision purposes is required at the time the map is submitted to our office for review.
128. Final Monumentation. Final Monumentation, not set prior to recordation, shall be bonded for with a cash deposit to the County Surveyor's Office as established per the current County Fee Ordinance on file with the Clerk of the Board.

County Fire Department – Community Safety Division (909) 386-8465

129. Fire Fees. The required fees shall be paid.

130. CDP/Fire. The project applicant shall submit for review and approval a "Composite Development Plan" (CDP). The following statements shall be placed verbatim on the CDP.

- a. "This project is protected by the County Fire Department. Prior to building permits being issued on any parcel, the applicant shall comply with the adopted California Fire Code requirements and all other applicable codes, ordinances, and standards of San Bernardino County Department standards."
- b. "Individual lot owners shall be required to provide their own fire protection measures as determined and approved by the Fire Department prior to any building permit issuance. Fire protection measures may include Fire Department approval of:"
 - "Automatic fire sprinklers for all structures."
 - "Surfacing of access roads and driveways."
- c. "All construction shall adhere to the applicable standards and requirements of the Fire Safety Review Area One (FS1) overlay district, as adopted in the San Bernardino County Development Code. In Fire Hazard Areas, the applicant shall contact the San Bernardino County Building & Safety Division for variances concerning modified one-hour fire resistive construction for exterior walls."
- d. "The street addresses shall be posted with a minimum of four-inch (4") numbers, visible from the street, and during the hours of darkness the numbers shall be internally electrically illuminated with a low voltage power source. Posted numbers shall contrast with their background and be legible from the street in accordance with the Uniform Fire Code. Where building setbacks exceed fifty feet (50') from the roadway, additional contrasting four-inch (4") numbers shall be displayed at the property access entrances."
- e. "Prior to combustibles being placed on the project site, an approved paved road shall be installed. The topcoat of asphalt does not need to be installed until final inspection."
- f. "Not less than two (2) complete sets of Building Plans shall be submitted to the Fire Department for review and approval."

Public Works - Traffic Division (909) 387-8186

125. Prior to recordation of the subdivision map, all street names shall be reviewed and approved by the Department of Public Works, Traffic Division pursuant to 87.06.050(j) of the Development Code.

PRIOR TO ISSUANCE OF BUILDING PERMITS

The Following Shall Be Completed

Public Works – Surveyor (909) 387-8149

126. Monumentation. If any activity on this project will disturb any land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying prior to commencement of any activity with the potential to disturb said monumentation, and appropriate documents shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

County Fire Department – Community Safety Division (909) 386-8465

127. Paved Road. Prior to combustibles being placed on the project site, an approved paved road shall be installed. The topcoat of asphalt does not need to be installed until final inspection.
128. Fire Flow Operational. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job-site.
129. Street Sign. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed.
130. Hydrant Marker. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three feet (3') from the hydrant and at least six feet (6') high above the adjacent road.
131. Fire Hydrants. Additional Fire Hydrants shall be required on cul-de-sac roads greater than 350 feet long. No cul-de-sacs over 600 feet long will be allowed.

Land Use Services Dept. / Land Development Division – Road Section (909) 387-8311

132. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
133. Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road

encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.

PRIOR TO FINAL INSPECTION OR OCCUPANCY

The Following Shall Be Completed

Public Works – Surveyor (909) 387-8149

134. Monumentation. If any activity on this project will disturb any land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying prior to commencement of any activity with the potential to disturb said monumentation, and appropriate documents shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

Land Use Services Department – Planning Division (909) 387-8311

135. CCRF/Occupancy. Prior to occupancy/use, all Condition Compliance Release Forms (CCRF) shall be completed to the satisfaction of County Planning with appropriate authorizing signatures from each affected agency.

Public Works - Solid Waste Management (909) 387-8701

136. Construction and Demolition Waste Management Plan (CDWMP) Part 2. The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. This summary shall provide documentation of actual diversion of materials including but not limited to receipts, invoices or letters from diversion facilities or certification of reuse of materials on site. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 50% of total weight or volume of all construction waste.

County Fire Department – Community Safety Division (909) 386-8465

137. Key Box. An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service
138. Radio Control. Where an automatic electric security gate is used, an approved Fire Department radio operated controller is required.

Land Use Services Dept. / Land Development Division – Drainage Section (909) 387-8311

139. Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.
140. WQMP Improvements. All required WQMP improvements shall be completed by the applicant, inspected and approved by County Public Works. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.

Land Use Services Dept. / Land Development Division – Road Section (909) 387-8311

141. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works. Completion of road and drainage improvements does not imply acceptance for maintenance by the County.
142. Private Roads/Improvements. All required on-site and off-site improvements shall be completed by the applicant. Construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria.
143. Condition of Road Improvements. At the time of occupancy for all structures, the condition of all required on-site and off-site improvements shall be acceptable to County Public Works.
144. Structural Section Testing. A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to County Public Works.
145. CMRS Exclusion. Roads within this development will not be entered into the County Maintained Road System (CMRS).
146. Landscape Maintenance. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by the County Public Works/Current Planning, maintained by the adjacent property owner or other County-approved entity.

Public Works - Traffic Division (909) 387-8186

147. This project falls within the Local Area Transportation Fee Plan Area for the Oak Hills - Zone A area. The Local Area Transportation Plan Fee (Plan Fee) shall be paid by a cashier's check to the Department of Public Works Business Office during the application process. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted and prior to the building occupancy/use is issue or granted. The Plan Fee is subject to change periodically. The current Local Area Transportation Fee Schedule can be found at the following website: <http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>

END OF CONDITIONS

EXHIBIT G

CDFW Letter



July 17, 2020

Tom Nieves
Contract Planner
County of San Bernardino
385 North Arrowhead Avenue, First Floor
San Bernardino, California 92415-0187

Whitehaven Estates (Project)
Mitigated Negative Declaration (MND)
SCH# 2020060430

Dear Mr. Nieves:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an MND from the County of San Bernardino for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code..

PROJECT DESCRIPTION SUMMARY

Proponent: Bruno Mancinelli

Objective: The objective of the Project is to change the land use designation from Oak Hills Community Plan Resource Conservation (OH/RC) and Oak Hills Floodway (OH/FW) to Oak Hills Rural Living (OH/RL) and subdivide the area into 54 single-family residential lots, one 39-acre open space lot and two lettered detention basins for drainage on approximately 155 acres.

Location: The southwest corner of Whitehaven Street and Braceo Street, in the community of Oak Hills; APN: 0357-062-01-0000, USGS Quad: Hesperia and Cajon Summit, Calif.; Within the City of Victorville, County of San Bernardino, State of California, San Bernardino Meridian, Section 7, Township 3N, Range 5W

Timeframe: Unknown

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County of San Bernardino in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, CDFW concludes that a Mitigated Negative Declaration is appropriate for the Project.

I. Mitigation Measure or Alternative and Related Impact Shortcoming

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS?

COMMENT 1: BIO-X, Special Status Plant Species

Section IV, Page 19

Issue: The MND lacks analysis of potential impacts to special status plant species. An expired biological report was provided and mentioned the presence of five listed or special status species, but the MND does not include measures for them or other potential special status plants. As short-joint beavertail, a rare species (1B.2) that can grow in disturbed habitat, has been mapped on the Project site (CNDDDB, 2020; CNPS, 2020), CDFW has concerns sensitive plant species are present and not mitigated for.

Specific impact: A botanical field survey to identify all plants to the taxonomic level necessary to determine rarity and listing status was not performed. The MND lacks analysis of potential impact, and avoidance, minimization, and mitigation measures for special status plant species.

Why impact would occur: Botanical field surveys should be conducted during times of year when plants are evident and identifiable (i.e. flowering or fruiting), which may warrant multiple surveys during the season to capture floristic diversity (CDFW, 2018). Habitats, such as desert plant communities that have annual and short-lived perennial plants as major floristic components may require yearly surveys to accurately document baseline conditions for purposes of impact assessment (CDFW, 2018).

Evidence impact would be significant: Sensitive plant species are listed under CESA as threatened, or endangered, or proposed or candidates for listing; designated as rare under the Native Plant Protection Act; or plants that otherwise meet the definition of rare, threatened, or endangered species under CEQA. Plants constituting California Rare Plant Ranks 1A, 1B, 2A, and 2B generally meet the criteria of a CESA-listed species and should be considered as an endangered, rare or threatened species for the purposes of CEQA analysis. Take of any CESA-listed species is prohibited except as authorized by state law (Fish and Game Code, §§ 2080 & 2085). Fish and Game Code Sections 1900–1913 includes provisions that prohibit the take of endangered and rare plants from the wild and a salvage requirement for landowners.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Project Description and Related Impact Shortcoming)

Mitigation Measure 1:

To minimize significant impacts: To ensure that Project impacts to biological resources are fully analyzed, CDFW recommends the County of Bernardino require a thorough floristic-based assessment of special status plants and natural

communities. The assessment should be performed by a qualified biologist following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW, March 2018) or most recent version.

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline=1>

Note that CDFW generally considers biological field assessments for rare plants valid for a period of up to three years. Should short-joint beavertail or other special status plants be present, CDFW recommends the inclusion of the following mitigation measure:

MM-X: Special Status Plant Species. Should any CESA-listed plant species be present at the Project site, the Project Proponent shall obtain an incidental take permit for those species prior to the start of Project activities. Should short-joint beavertail or other special status plants or natural communities be present in the Project area, a qualified biologist shall develop species specific avoidance, minimization, and mitigation measures to ensure there is no net reduction in the size or viability of the local population.

COMMENT 2: BIO-X, Desert Tortoise

Section IV, Page 19

Issue: CDFW has concerns that a protocol level survey was not conducted for desert tortoise, a threatened species. The biological assessment states desert tortoise has been mapped within 5 miles from the Project site, however there are no measures in place to address avoidance, minimization, or mitigation measures should desert tortoise enter the Project site during the life of the Project.

Specific impact: Project activities have the potential to take desert tortoise, a CESA-listed species.

Why impact would occur: The MND does not ensure a qualified biologist, experienced in locating desert tortoise individuals in all life stages and their sign, completed a survey following CDFW approved protocols. Additionally, should desert tortoise presence be confirmed, during surveys or within the Project timeframe, the MND lacks avoidance, minimization and mitigation to avoid take.

Evidence impact would be significant: Desert tortoise is a CESA-listed species. Take (hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill) is prohibited unless authorized by state law (Fish and Game Code, §§ 2080 & 2085).

Mitigation Measure 2:

To minimize significant impacts: If the Project, including the Project construction or any Project-related activity during the life of the Project, results in take of CESA listed species, CDFW recommends that the Project proponent seek appropriate authorization prior to Project implementation through an incidental take permit (ITP). CDFW recommends adding to the following measure:

MM BIO-4: Desert Tortoise Surveys. A qualified biologist shall conduct a protocol level presence or absence survey no more than 14 days prior to initiating Project activities in accordance with the survey methodology described in U.S. Fish and Wildlife Service Desert Tortoise (Mojave Population) Field Manual. In addition, the survey shall utilize perpendicular survey routes and 100-percent visual coverage of the Project area and 50-foot buffer zone for desert tortoise and their sign. If the survey confirms absence, a qualified biological monitor shall remain on-site during all Project activities to confirm desert tortoise do not enter the Project site. If the survey confirms presence, the Project Proponent shall obtain an ITP for desert tortoise prior to the start of Project activities. If the biological monitor during the life of the Project encounters a desert tortoise, work shall be suspended, and the Project Proponent shall obtain an ITP for the species prior to the restarting Project activities.

Focused surveys should be conducted for desert tortoises following this approved CDFW protocol:

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=174633&inline>

- CDFW recommends that the County of San Bernardino condition the environmental document to include on-site worker education about any sensitive wildlife species that may occur in the area.
- Additionally, CDFW requests to be contacted immediately should sensitive wildlife species be present in the Project area.

COMMENT 3: BIO-X, Burrowing Owl

Section IV, Page 29

Issue: CDFW has concerns that a protocol level survey was not performed for burrowing owls, a Species of Special Concern. The biological assessment mentions burrowing owls have been mapped within 5 miles of the project location but were not surveyed or mitigated for. A protocol level survey is needed to fully determine impact. Survey information should include the qualifications of the surveyor and describe actions that will be taken should burrowing owl presence be confirmed during the survey.

Additionally, the MND does not address avoidance, minimization, or mitigation measures.

Specific impact: Project-related activities have potential to take burrowing owl individuals and their nests and may result in loss of burrowing owl habitat.

Why impact would occur: Potentially significant impacts to burrowing owls are not mitigated to the extent feasible.

Evidence impact would be significant: Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513. Take is defined in Fish and Game Code Section 86 as "hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill." Burrowing owls are dependent on burrows at all times of the year for survival and/or reproduction, evicting them from nesting, roosting, and satellite burrows may lead to indirect impacts or take. Loss of access to burrows will likely result in varying levels of increased stress on burrowing owls and could depress reproduction, increase predation, increase energetic costs, and introduce risks posed by having to find and compete for available burrows (CDFG, 2012). Eviction of burrowing owls is a potentially significant impact under CEQA

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Mitigation Measure or Alternative and Related Impact Shortcoming)

Mitigation Measure 3:

To minimize significant impacts: CDFW recommends including the following measure in the environmental document:

MM BIO-X: Pre-construction Burrowing Owl Survey. Burrowing owl surveys shall be conducted by a qualified biologist at least 14 days prior to any Project activities, at any time of year. Surveys shall be completed following the recommendations and guidelines provided within the Staff Report on Burrowing Owl Mitigation (CDFG, March 2012) or most recent version by a qualified biologist. If an active burrowing owl burrow is detected within any Project disturbance area, or within a 500-foot buffer of the disturbance area, a 300-foot radius buffer zone surrounding the burrow shall be flagged, and no impacts to soils or vegetation or noise levels above 65 dBA shall be permitted while the burrow remains active or occupied. Disturbance-free buffers may be modified based on site-specific conditions in consultation with CDFW. The qualified biologist shall monitor active burrows daily and will increase buffer sizes as needed if owls show signs of disturbance. If active burrowing owl burrows are located within any work area and impact cannot be avoided, a qualified

biologist shall submit a burrowing owl exclusion plan to CDFW for review and approval. The burrowing owl exclusion plan shall include permanent compensatory mitigation consistent with the recommendations in the Staff Report on Burrowing Owl Mitigation such that the habitat acreage, number of burrows and burrowing owls impacted are replaced. Passive relocation shall take place outside the nesting season (1 February to 31 August).

CDFW approved protocol for burrowing owl surveys can be found here.

- <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83842&inline>

COMMENT 4: BIO-X, Mohave Ground Squirrel (MGS)

Section IV, Page 19

Issue: CDFW recommends assessing habitat suitability for MGS because the site was found to be within the geographic range of MGS. CDFW recommends mitigation for MGS be provided.

Specific impact: The Project is within the geographic range of Mohave ground squirrel.

Why impact would occur: MGS are known to have historically occupied areas in the region and are state-listed as threatened, thereby giving species protection under CESA. MGS is found in several habitat types identified on the Project site. Should MGS presence be confirmed, the measure lacks avoidance, minimization and mitigation to avoid take.

Evidence impact would be significant: CDFW has discretionary authority over activities that could result in the “take” of any species listed as candidate, threatened, or endangered, pursuant to CESA. CDFW considers adverse impacts to CESA-listed species, for the purposes of CEQA, to be significant without mitigation. Take of any CESA-listed species is prohibited except as authorized by state law (Fish and Game Code, §§ 2080 & 2085).

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Mitigation Measure or Alternative and Related Impact Shortcoming)

Mitigation Measure 4:

To minimize significant impacts: CDFW recommends County of San Bernardino assume presence of MGS and condition the environmental document to include pre-construction surveys for MGS.

MM BIO-X: Pre-Construction Mohave Ground Squirrel Survey. Pre-construction surveys following the *Mohave Ground Squirrel Survey Guidelines* (CDFG, 2010) or most recent version shall be performed by a qualified biologist authorized by a Memorandum of Understanding issued by CDFW. The pre-construction surveys shall cover the Project Area and a 50-foot buffer zone. Should Mohave ground squirrel presence be confirmed during the survey, the Project Proponent shall obtain an ITP for Mohave ground squirrel prior to the start of Project activities. CDFW shall be notified if Mohave ground squirrel presence is confirmed during the pre-construction survey.

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83975&inline>

MM BIO-X: Mohave Ground Squirrel Observations. If a Project, including Project construction or any Project-related activity during the life of the Project, results in take of CESA-listed species, CDFW recommends that the Project proponent seek appropriate authorization prior to Project implementation. This may include an incidental take permit (ITP). Information on how to obtain an ITP can be found at <https://wildlife.ca.gov/Conservation/CESA/Permitting/Incidental-Take-Permits>.

Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS; or have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

COMMENT 5: Need for a Lake and Streambed Alteration Agreement

Section IV, Page 19

Issue: The environmental document does not mitigate for mapped channels/dry washes identified within the Project Area.

Specific impact: Aerial imagery confirms multiple dry washes are impacted by Project activities.

Why impact would occur: The environmental document lacks avoidance, minimization, and mitigation measures for the biological resource. Project activities describe construction of fifty-four residential lots and detention basins. Use of equipment in the area and construction activities have the potential to impact the bed, bank, and channel of the ephemeral stream as well as associated vegetation.

Evidence impact would be significant: Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one

or more of the following: substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream or lake.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Project Description and Related Impact Shortcoming)

Mitigation Measure 5:

To minimize significant impacts: Information on how to submit a Notification of Lake or Streambed Alteration can be found at <https://wildlife.ca.gov/Conservation/LSA>. CDFW requests that the County of San Bernardino include the following new mitigation measure in the Final MND:

MM BIO-X: Notification of Lake and Streambed Alteration. Prior to commencement of Project activities, the Project Proponent shall submit a Notification of Lake or Streambed Alteration to CDFW's Lake and Streambed Alteration Program. Upon receipt of a complete notification and associated fees, CDFW shall determine if Project activities may substantially adversely affect existing fish and wildlife resources. The Project Proponent shall obtain a CDFW-executed Lake or Streambed Alteration Agreement, authorizing impacts to resources associated with the Project, or a letter from CDFW stating an Agreement is not required.

II. Editorial Comments and/or Suggestions

MM-X: On-site Education. A qualified biologist shall conduct an education program for all persons employed or otherwise working on the Project site prior to performing any work on-site. The program shall consist of a presentation that includes a discussion of the biology of the habitats and species that may be present at the site. The qualified biologist shall also include as part of the education program information about the distribution and habitat needs of any special status species that may be present, legal protections for those species, penalties for violations, and mitigation measures. Education should include but not be limited to desert tortoise, burrowing owl, special status plant species, and nesting birds. Interpretation shall be provided for non-English speaking workers, and the same instruction shall be provided for any new workers prior to their performing work on site.

MM BIO-X: Minimize Impacts on Other Species. A qualified biologist shall be onsite prior to and during all ground- and habitat-disturbing activities to move out of harm's way wildlife that would otherwise be injured or killed from Project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as

far as necessary to ensure their safety. Measures shall be taken to prevent wildlife from re-entering the Project site. Only biologists with authorization from CDFW shall move CESA-listed species.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.


FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the County of San Bernardino in identifying and mitigating Project impacts on biological resources. Questions regarding this letter or further coordination should be directed to Julia Karo, Environmental Scientist at Julia.Karo@Wildlife.ca.gov.

Sincerely,

DocuSigned by:

8091B1A9242F49C...

Scott Wilson
Environmental Program Manager

ec: Office of Planning and Research, State Clearinghouse, Sacramento
Attachment 1

REFERENCES

California Department of Fish and Wildlife (CDFW). 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. Website
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>

California Department of Fish and Game (CDFG). 2012. Staff Report on Burrowing Owl Mitigation.

California Department of Fish and Game (CDFG). 2010. Mohave Ground Squirrel Survey Guidelines.

ATTACHMENT 1

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

PURPOSE OF THE MMRP

The purpose of the MMRP is to ensure compliance with mitigation measures during project implementation. Mitigation measures must be implemented within the time periods indicated in the table below.

TABLE OF MITIGATION MEASURES

The following items are identified for each mitigation measure: Mitigation Measure, Implementation Schedule, and Responsible Party for implementing the mitigation measure. The Mitigation Measure column summarizes the mitigation requirements. The Implementation Schedule column shows the date or phase when each mitigation measure will be implemented. The Responsible Party column identifies the person or agency that is primarily responsible for implementing the mitigation measure.

Mitigation Measure	Implementation Schedule	Responsible Party
MM BIO-X: <u>Special Status Plant Species.</u> Should any CESA-listed plant species be present at the Project site, the Project Proponent shall obtain an incidental take permit for those species prior to the start of Project activities. Should white pygmy-poppy or other special status plants or natural communities be present in the Project area, a qualified biologist shall develop species specific avoidance, minimization, and mitigation measures to ensure there is no net reduction in the size or viability of the local population.	Before commencing ground- or vegetation-disturbing activities	Project Proponent
MM BIO-X: <u>Desert Tortoise Surveys.</u> A qualified biologist shall conduct a protocol level presence or absence survey no more than 14 days prior to initiating Project activities in accordance with procedures described in Chapter 6 of the US Fish and Wildlife Service Desert Tortoise (Mojave Population) Field Manual. In addition, the survey shall utilize perpendicular survey routes and 100-percent visual coverage of the Project area and 50-foot buffer zone for desert tortoise and their sign. If the survey confirms absence, a qualified	Before commencing ground- or vegetation-disturbing activities/Entire Project	Project Proponent

<p>biological monitor shall remain on-site during all Project activities to confirm desert tortoise do not enter the Project site. If the survey confirms presence, the Project Proponent shall obtain an ITP for desert tortoise prior to the start of Project activities. If the biological monitor during the life of the Project encounters a desert tortoise, work shall be suspended, and the Project Proponent shall obtain an ITP for the species prior to the restarting Project activities.</p>		
<p>MM BIO-X: <u>Pre-construction Burrowing Owl Survey</u>. Burrowing owl surveys shall be conducted at least 14 days prior to any Project activities, at any time of year. Surveys shall be completed following the recommendations and guidelines provided within the <i>Staff Report on Burrowing Owl Mitigation</i> (CDFG, March 2012) or most recent version by a qualified biologist. If an active burrowing owl burrow is detected within any Project disturbance area, or within a 500-foot buffer of the disturbance area, a 300- foot radius buffer zone surrounding the burrow shall be flagged, and no impacts to soils or vegetation or noise levels above 65 dBA shall be permitted while the burrow remains active or occupied. Disturbance-free buffers may be modified based on site-specific conditions in consultation with CDFW. The qualified biologist shall monitor active burrows daily and will increase buffer sizes as needed if owls show signs of disturbance. If active burrowing owl burrows are located within any work area, a qualified biologist shall submit a burrowing owl exclusion plan to CDFW for review and approval. The burrowing owl exclusion plan shall include permanent compensatory mitigation consistent with the recommendations in the <i>Staff Report on Burrowing Owl Mitigation</i> such that the habitat acreage, number of burrows and burrowing owls impacted are replaced. Passive relocation shall take place outside the nesting season (1 February to 31 August).</p>	<p>Before commencing ground- or vegetation-disturbing activities/Entire Project</p>	<p>Project Proponent</p>

<p>MM BIO-X: <u>Pre-Construction Mohave Ground Squirrel Survey.</u> Pre-construction surveys following the <i>Mohave Ground Squirrel Survey Guidelines</i> (CDFG, 2010) or most recent version shall be performed by a qualified biologist authorized by a Memorandum of Understanding issued by CDFW. The pre-construction surveys shall cover the Project Area and a 50-foot buffer zone. Should Mohave ground squirrel presence be confirmed during the survey, the Project Proponent shall obtain an ITP for Mohave ground squirrel prior to the start of Project activities. CDFW shall be notified if Mohave ground squirrel presence is confirmed during the pre-construction survey.</p>	<p>Before commencing ground- or vegetation-disturbing activities/Entire Project</p>	<p>Project Proponent</p>
<p>MM BIO-X: <u>Mohave Ground Squirrel Observations.</u> If a Project, including Project construction or any Project-related activity during the life of the Project, results in take of CESA-listed species, CDFW recommends that the Project proponent seek appropriate authorization prior to Project implementation. This may include an incidental take permit (ITP).</p>	<p>Entire Project</p>	<p>Project Proponent</p>
<p>MM-X: <u>Notification of Lake and Streambed Alteration.</u> Prior to commencement of Project activities, the Project Proponent shall submit a Notification of Lake or Streambed Alteration to CDFW's Lake and Streambed Alteration Program. Upon receipt of a complete notification and associated fees, CDFW shall determine if Project activities may substantially adversely affect existing fish and wildlife resources. The Project Proponent shall obtain a CDFW-executed Lake or Streambed Alteration Agreement, authorizing impacts to resources associated with the Project, or a letter from CDFW stating an Agreement is not required.</p>	<p>Before commencing ground- or vegetation-disturbing activities</p>	<p>Project Proponent</p>
<p>MM-X: <u>On-site Education.</u> A qualified biologist shall conduct an education program for all persons employed or otherwise working on the Project site prior to performing any work on-site. The program shall consist of a presentation that</p>	<p>Before commencing ground- or vegetation-disturbing</p>	<p>Project Proponent</p>

includes a discussion of the biology of the habitats and species that may be present at the site. The qualified biologist shall also include as part of the education program information about the distribution and habitat needs of any special status species that may be present, legal protections for those species, penalties for violations, and mitigation measures. Education should include but not be limited to desert tortoise, burrowing owl, special status plant species, and nesting birds. Interpretation shall be provided for non-English speaking workers, and the same instruction shall be provided for any new workers prior to their performing work on-site.	activities/Entire Project	
<u>MM-BIO-X: Minimize Impacts on Other Species.</u> A qualified biologist shall be onsite prior to and during all ground- and habitat-disturbing activities to move out of harm's way wildlife that would otherwise be injured or killed from Project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far as necessary to ensure their safety. Measures shall be taken to prevent wildlife from re-entering the Project site. Only biologists with authorization from CDFW shall move CESA-listed species.	Before commencing ground- or vegetation-disturbing activities/Entire Project	Project Proponent