

## 2. Response to Comments

LETTER I1 – Betty Munson (2 page[s])

I1

Betty Munson  


August 8, 2019

TO:

Ms. Linda Mawby, Senior Planner

(e-mail: Linda.Mawby@lus.sbcounty.gov)

Mr. Jerry Blum, Countywide Plan Coordinator

(e-mail: Jerry.Blum@lus.sbcounty.gov)

County of San Bernardino Land Use Services Department – Planning Division  
385 North Arrowhead Avenue, 1st Floor, San Bernardino, CA 92415

**Re: Draft Environmental Impact Report (State Clearinghouse No. 2017101033 June 2019)**

Dear Ms. Mawby and Mr. Blum:

I frequently visited the Homestead Valley and other regions of the Southern California High Desert since the early 1970s. I became a resident of Johnson Valley in 2000.

I became an officer in the Johnson Valley Improvement Association (JVIA) in 2001. In 2009, I joined the Homestead Valley Community Council (HVCC) of which JVIA is a member organization.

Members of JVIA and the other HVCC organizations devoted many hours of research and discussion, then presented the Homestead Valley Community Plan in 2007 (hereinafter referred to as HVCP 2007), included in the San Bernardino County Plan that year. As an observer and participant in this process, I wish to make a personal comment, pointing out just two defects among many in this environmental impact report for the proposed “Countywide Plan.”

**1) County planners received but have ignored the HVCC objections to the elimination of our 2007 HVCP. Combined with the Supervisors’ recent adoption of the Renewable Energy and Conservation Plan with the protections in its long-discussed Policy 4.10 from industrialization by utility-scale renewable projects, HVCP 2007 makes clear our standards for retaining the rural character of the four Homestead Valley communities.**

We objected in public meetings and in writing, not only to the process which established the Countywide Plan but also to the substitution of so-called “action plans” which sacrificed any legal standing to an impossible creation of various

I1-1

Countywide Plan comment Page 1 of 2

## 2. Response to Comments

Dawn Rowe, Vice-Chairperson and Third District Supervisor;  
[SupervisorRowe@sbcounty.gov](mailto:SupervisorRowe@sbcounty.gov)  
Curt Hagman, Fourth District Supervisor;  
[SupervisorHagman@sbcounty.gov](mailto:SupervisorHagman@sbcounty.gov)  
Josie Gonzales, Fifth District Supervisor;  
[SupervisorGonzales@sbcounty.gov](mailto:SupervisorGonzales@sbcounty.gov)  
Ron Frame  
[Ron.Frame@bos.sbcounty.gov](mailto:Ron.Frame@bos.sbcounty.gov)



Virus-free. [www.avg.com](http://www.avg.com)

## 2. Response to Comments

### **II. Response to Comments from Betty Munson, dated August 8, 2019.**

I1-1 Comment acknowledged. Please refer to Response O1-7 regarding the County's decision to eliminate the Community Area Plans and create Community Action Guides.

The Draft PEIR Chapter 3 provides the CWP project description that serves as the basis for the impact analysis. This section describes the project background, existing Community Plans and boundaries, and the structure for the new CWP, as discussed in response O1-7. In accordance with CEQA, the potential environmental impacts of implementing the project (CWP) are evaluated relative to existing physical conditions. As such, the Draft PEIR focuses on the County Policy Plan, which includes the proposed land use designations and policies that have the potential to result in physical environmental impacts. To the extent that it would be appropriate to analyze the CWP in comparison to the existing Community Plans, this analysis would belong in the Alternatives analysis for the No Project Alternative (Existing General Plan). Alternatives, however, are analyzed at a less detailed level to provide a relative comparison of impacts to the proposed project. Review of the existing 14 Community Plans and related policies would be beyond CEQA requirements for alternative analyses.

## 2. Response to Comments

*This page intentionally left blank.*

## 2. Response to Comments

LETTER I2 – Paula Deel (2 page[s])

I2

**Peterson, Suzanne**

---

**From:** Paula Deel [REDACTED]  
**Sent:** Monday, August 12, 2019 1:15 PM  
**To:** Linda.Mawby@lus.sbcounty.gov; Blum, Jerry  
**Cc:** Supervisor Lovingood; Supervisor Rutherford; Supervisor Rowe; Supervisor Hagman; Supervisor Gonzales; Frame, Ron  
**Subject:** Draft Environmental Impact Report (State Clearinghouse No. 2017101033 (June 2019))

August 12, 2019

Ms. Linda Mawby (**By Email: [Linda.Mawby@lus.sbcounty.gov](mailto:Linda.Mawby@lus.sbcounty.gov)**)

Senior Planner  
Mr. Jerry Blum (**By Email: [Jerry.Blum@lus.sbcounty.gov](mailto:Jerry.Blum@lus.sbcounty.gov)**)  
Countywide Plan Coordinator  
County of San Bernardino Land Use Services Department – Planning Division  
385 North Arrowhead Avenue, First Floor  
San Bernardino, CA 92415-0187

**Re: Draft Environmental Impact Report (State Clearinghouse No. 2017101033 (June 2019))**

Dear Ms. Mawby and Mr. Blum:

You have a large area to coordinate and it is vastly different from community to community. That is why each community needs to have a Community Plan that deals with those differences not a “Community Action Guide” that the county may or may not assist residents in accomplishing the Community Focus Statements.

I2-1

I support in its entirety the positions and comments made by email by Stephan A. Mills on the above referenced project.

Sincerely,

Paula Deel  
[REDACTED]

CCs:

Robert Lovingood, Chairperson and First District Supervisor;  
[SupervisorLovingood@sbcounty.gov](mailto:SupervisorLovingood@sbcounty.gov)  
Janice Rutherford, Second District Supervisor;  
[SupervisorRutherford@sbcounty.gov](mailto:SupervisorRutherford@sbcounty.gov)

1

## 2. Response to Comments

Dawn Rowe, Vice-Chairperson and Third District Supervisor;  
[SupervisorRowe@sbcounty.gov](mailto:SupervisorRowe@sbcounty.gov)  
Curt Hagman, Fourth District Supervisor;  
[SupervisorHagman@sbcounty.gov](mailto:SupervisorHagman@sbcounty.gov)  
Josie Gonzales, Fifth District Supervisor;  
[SupervisorGonzales@sbcounty.gov](mailto:SupervisorGonzales@sbcounty.gov)  
Ron Frame  
[Ron.Frame@bos.sbcounty.gov](mailto:Ron.Frame@bos.sbcounty.gov)



Virus-free. [www.avg.com](http://www.avg.com)

## 2. Response to Comments

### I2. Response to Paula Deel, dated August 12, 2019.

I2-1 Comment acknowledged. Please refer to Response O1-7 regarding the County's decision to eliminate the Community Area Plans and create Community Action Guides.

The Draft PEIR Chapter 3 provides the CWP project description that serves as the basis for the impact analysis. This section describes the project background, existing Community Plans and boundaries, and the structure for the new CWP, as discussed in response O1-7. In accordance with CEQA, the potential environmental impacts of implementing the project (CWP) are evaluated relative to existing, physical conditions. As such, the Draft PEIR focuses on the County Policy Plan that includes the proposed land use designations and policies that have the potential to result in physical environmental impacts. To the extent that it would be appropriate to analyze the CWP in comparison to the existing Community Plans, this analysis would belong in the Alternatives analysis for the No Project Alternative (Existing General Plan). Alternatives, however, are analyzed at a less detailed level to provide a relative comparison of impacts to the proposed project. Review of the existing 14 Community Plans and related policies would be beyond CEQA requirements for alternative analyses.

## 2. Response to Comments

*This page intentionally left blank.*

2. Response to Comments

LETTER I3 – Jean McLaughlin (4 page[s])

08-14-'19 12:26 FROM-

I3

T-289 P0001/0004 F-973

COVER SHEET

To: Jerry Blum, Countywide Plan Coordinator  
County of San Bernardino  
Land Use Services Department  
385 North Arrowhead Avenue  
First Floor  
San Bernardino, CA. 92415-0187

FAX # (909) 387-3223

Re: The San Bernardino Countywide Plan

3 Pages to Follow

From: Jean McLaughlin



P.S. - Sent this letter by mail also.

## 2. Response to Comments

08-14-'19 12:26 FROM-

Jerry Blum, Countywide Plan Committee  
County of San Bernardino  
Land Use Services Department  
385 North Arrowhead Avenue, First Floor  
San Bernardino, CA. 92415-0187

T-269 P0002/0004 F-973  
1/3

August 8, 2019

Re: The San Bernardino Countywide Plan

Dear Mr Blum,

As we all know, San Bernardino is the largest county and encompasses a wide range of geographic areas and populations. What works for one area may not for another - hence the need for specific community plans. Communities have the right to the implementation of theirs and shouldn't be subjected to decisions made by the county that are sometimes condescending to outside interests and in conflict with our plan. Many projects that have been approved and others under consideration have negative long-lasting impacts on our quality of life and the environment, including our National Park, to which we are a gateway community.

13-1

There are so many areas of concern here in Joshua Tree. As a resident, I ask that our supervisors, planning commission, Land Use Services Department, and San Bernardino County honor and uphold our Joshua Tree Community Plan.

The citizens of Joshua Tree held numerous meetings spanning months creating this plan with community input, studies, and facts. It was drafted into a comprehensive plan by a group of dedicated citizens as part of the S.B. County Plan.

13-2

As such, community plans are legally adopted land use documents.

The new Countywide Plan is overwhelming for me to read through, so this is to highlight and emphasize some of my concerns regarding Joshua Tree.

Keep the promise that zoning in Joshua Tree will not be changed to higher density uses, (when representatives were asked at a meeting 9-10-18). Added were changes to lower densities when possible's good but vague.

13-3

2. Response to Comments

08-14-'19 12:27 FROM-

T-269 P0003/0004 F-973

2/3

Outdoor lighting has become more of a problem, needs more public education and stronger code enforcement. Require all new buildings and homes - existing ones as well - to have lower total lumens output and proper shields on all outdoor light fixtures. Include outdoor solar stakes. Some of them are even too bright, especially when too many are installed. Even some of the County buildings have unshielded lights, or orange ones that create a bright glow. And even though Yucca Valley is a city, their lights have a negative impact on Joshua Tree and surrounding areas. Edison Company and the banks are some of the worst offenders.

13-4

Please make homeowners and new buyers and builders aware of plant protections and the importance of not clearing/blading their entire properties. I thought a permit was needed to clear  $\geq \frac{1}{2}$  acre. Often people don't know or don't care. It's sometimes done on weekends or holidays when no overseer is available to contact. The clearing causes erosion, flooding, and property damage in addition to loss of our native plant species and the biodiversity dependent upon it.

13-5

Do not allow building in, filling in, or diversion of, or any man-made "improvements" of desert washes. Keep them in their natural state.

13-6

Do not allow large buildings and chain stores. Dollar General should never have been built here in Joshua Tree.

No more multi-storied tall buildings should be allowed. They create too high of a density and interfere with the viewshed.

Regarding Solar Farms - solar panels belong on rooftops. Acres are taken over and the electricity generated is sent elsewhere with no benefit to us.

13-7

The build-out figure for Joshua Tree is much too high.

13-8

## 2. Response to Comments

08-14-'19 12:27 FROM-

T-269 P0004/0004 F-973

3/3

It does not adequately or realistically take into account the natural resources. Even though Joshua Tree is now able to import water, the allotted amount is not enough to sustain continued development and growth. A few wet years do not make up for the overall drought in California. Climate change must be considered.

13-8  
Cont'd

13-9

Building more dense housing, especially in sensitive areas like the Mojave Desert and Joshua Tree should not be approved. Overbuilding, air pollution, light pollution, and the loss of our biodiversity affects the residents and our National Park directly and negatively.

13-10

Let's plan for the future intelligently and with sustainability in mind.

Respectfully,  
Dawn McLaughlin  
Joshua Tree

## 2. Response to Comments

### I3. Response to Jean McLaughlin, dated August 14, 2019.

- I3-1 This comment is not directly related to the Draft PEIR. It is acknowledged and has been forwarded to decision-makers for their consideration.
- I3-2 Comment acknowledged. Please refer to Response O1-7 regarding the County's decision to replace Community Area Plans.
- I3-3 This comment is not directly related to the Draft PEIR. It is acknowledged and has been forwarded to decision-makers for their consideration.
- I3-4 Under CEQA, the Draft PEIR is required to address the potential impacts of the proposed CWP in comparison to existing conditions. The comments regarding existing lighting issues are not within the scope of the Draft PEIR, but will be forwarded to decision-makers.
- The East Desert Region (which includes Joshua Tree) is not targeted for growth under the CWP. Individual development projects could increase nighttime illumination or glare on a localized level. But the minimal amount of growth anticipated in the region would be expected to have a negligible impact on the region's overall light environment. The region is expected to continue to be a haven for dark skies and viewing of stars, since the region's BLM lands, military-owned land, and designated open space (e.g., Joshua Tree National Park) would not experience growth or development due to implementation of the Countywide Plan.
- I3-5 This comment relates to regulatory enforcement, which is not the purview of CEQA or the Draft PEIR. The comment is acknowledged and has been forwarded to decision makers.
- I3-6 The specific comments regarding future development within Joshua Tree are not within the scope of the Draft PEIR. Please refer to Draft PEIR, Section 5-4, *Biological Resources*, regarding the inventory of existing natural biological resources, and related CEQA mitigation.
- I3-7 Comment acknowledged. Please see responses to Letter O1 from the Coalition of Community Groups, Businesses, Organizations and Individuals in the High Desert of San Bernardino County regarding applicable plans and policies regarding the potential development of renewable energy projects, including solar projects
- I3-8 PEIR Table 3-3, *Projected Growth in San Bernardino County, 2016 to 2040*, in Chapter 3, *Project Description*, shows a projected increase of 39,970 square feet of nonresidential uses and an additional 238 housing units in Joshua Tree over a 24-year period. Furthermore, PEIR Section 5.18.2.4, *Environmental Impacts*, in Chapter 5.18, *Utilities and Service Systems*, compares projected water demand to available water supplies. Net increases in water demand in the East Desert Region would involve a slight increase. Growth in the region would be

## 2. Response to Comments

dispersed among many purveyors' service areas, and impacts to each purveyor's water supplies would be minor.

I3-9 The Draft PEIR addresses potential climate change-related impacts in Section 5.7, *Greenhouse Gases*.

I3-10 Population growth projections for the unincorporated areas under the CWP focus on residential development in two areas: the Bloomington community (Rialto sphere of influence [SOI]) and future master planned communities in the Town of Apple Valley SOI. Little to no growth is projected for other unincorporated areas, including the Mojave Desert and Joshua Tree, based on the availability of water and infrastructure systems, presence of natural hazards and topographical constraints, and the desires of residents.

## 2. Response to Comments

LETTER I4 – Dr. and Mrs. Brent Moelleken (338 page[s]). **Please note, due to the large number of pages, only the pages with comments are below. The comment letter in total is provided as Appendix F of this Final Environmental Impact Report.**

EnvInC

ENVIRONMENTAL  
INFRASTRUCTURE  
CONSULTANTS, LLC

August 15, 2019

BY EMAIL

I4

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

**Re: Comments on Draft Environmental Impact Report**

Dear Mr. Blum:

This letter is written on behalf of Dr. and Mrs. Brent Moelleken, owners of a property located in Lake Arrowhead, County of San Bernardino, California. The Moelleken's property is known as Shady Cove. Shady Cove is on the National Registry of Historic properties, and it is subject to an easement with restrictive covenants. The purpose of these comments is to provide evidence and request that the Draft Environmental Impact Report (DEIR) be supplemented with additional analysis of the impacts of the County of San Bernardino continuing to fail to adopt Mills Act ordinances to preserve its historic properties.

I4-1

Along with this letter is a Dropbox link with supporting documentation. We would be happy to work with your team in supplementing the DEIR on these points. The Moellekens, along with many other organizations, are committed to ensuring that valuable historic resources are preserved given the aesthetic, environmental and economic benefits they confer on neighborhoods and, conversely, the negative impacts that ultimately occur when these structures deteriorate and/or are demolished.

The 2007 General Plan recognized the value of historic preservation and included aspiration goals for the County to adopt an ordinance pursuant to the Mills Act under which property owners are granted relief under the tax code based upon the contributions made by those owners to restore and to preserve the resource. Unfortunately, the Board of Supervisors has yet to adopt an ordinance to implement those goals. The current draft General Plan and DEIR similarly recognize the aspirational values of preservation but without analyzing the environmental and economic impacts if the Board of Supervisors fails to adopt an ordinance as the General Plan recommends.<sup>1</sup> Just as affirmative actions have impacts requiring evaluation and mitigation, so do "inactions" -- in this case, the absence of a

I4-2

<sup>1</sup> Policies CR-2.1 and CR-2.2 found on page 5.5-30 of the Draft EIR.

## 2. Response to Comments



ENVIRONMENTAL  
INFRASTRUCTURE  
CONSULTANTS, LLC

procedure at the County level (available in many of the incorporated San Bernardino cities) to encourage and to facilitate the preservation of historic resources.

14-2  
Cont'd

Further enclosed is a draft proposed Ordinance similar to that adopted by the County of San Diego in 2004, that serves as an excellent model for San Bernardino County. Staff in San Diego could also provide you with additional documentation and information concerning the net environmental and economic values of preservation.

**HISTORIC BUILDINGS ARE A VALUABLE, EXISTING RESOURCE, THE LOSS OF WHICH IMPACTS THE ENVIRONMENT.**

Aside from the aesthetic benefits, retaining a stock of historic properties and avoiding unnecessary demolition and replacement has several benefits to the environment. In a 2004 Brookings Institution report, demolishing and rebuilding properties requires vast amounts of energy and materials, both of which are increasingly in short supply. In addition, demolition and waste have profound adverse impacts on our landfills. For example, building-related construction and demolition debris constitute about two-thirds of all non-industrial solid waste generation in the United States with average building demolition yielding 155 pounds of waste per square foot while the average new construction project yields 3.9 pounds of waste per square foot of building area.<sup>2</sup> San Bernardino County alone has approximately 75 structures on the National Historic Registry.<sup>3</sup>

14-3

**HISTORIC BUILDINGS TYPICALLY ARE MORE ENERGY EFFICIENT**

Historic buildings are often incorrectly perceived as inefficient energy consumers. Rather, mounting evidence reaches different conclusions. For example, data from the U.S. Department of Energy (DOE) indicates that commercial buildings constructed before 1920 use less energy per square foot than buildings from any other decade up until 2000 (EIA, 2003). Many historic buildings were designed with passive systems before the invention of electric lighting and powered heating and cooling. As a result, these buildings were designed to take advantage of natural

14-4

<sup>2</sup> Bernstein, Ken. "Top Ten Myths of Historic Preservation." *"Top Ten Myths" of Historic Preservation | Office of Historic Resources, City of Los Angeles*. City of Los Angeles Office of Historic Resources. [https://preservation.lacity.org/resources/\\*top-ten-myths\\*-historic-preservation](https://preservation.lacity.org/resources/*top-ten-myths*-historic-preservation).

<sup>3</sup> "National Register of Historic Places - San Bernardino County." National Register of Historical Places - CALIFORNIA (CA), San Bernardino County, n.d. [https://nationalregisterofhistoricplaces.com/ca/san\\_bernardino/state.html](https://nationalregisterofhistoricplaces.com/ca/san_bernardino/state.html).

## 2. Response to Comments



ENVIRONMENTAL  
INFRASTRUCTURE  
CONSULTANTS, LLC

daylight, ventilation, and solar orientation—the very characteristics that are being used as “sustainable” design attributes today. In addition, historic structures often were constructed with traditional, durable materials such as concrete, wood, glass, and steel. When properties are properly maintained with the help of tax credits, these materials can have a much longer lifespan. In both residential and commercial buildings, energy consumption is dominated by space heating, venting, air conditioning (HVAC) and lighting (DOE, 2008). Buildings accounted for 72% of total U.S. electricity consumption in 2006 and it is predicted this number will rise to 75% by 2025. Fifty-one percent of that total was attributed to residential building use. In historic buildings - as well as new ones - using efficient technologies can reduce greenhouse gas emissions by reducing energy use.<sup>4</sup>

14-4  
Cont'd

### PRESERVING BUILDINGS ALLEVIATES CLIMATE CHANGE

In the United States, 43% of carbon emissions and 40% of total energy use is attributed to the construction and operation of buildings. The negative environmental impact of buildings is even more significant when taking into consideration the greenhouse gas emissions associated with manufacturing building materials and products. As a key element in sustainable development, the preservation, reuse and “greening” of existing historic buildings present excellent opportunities to reduce our nation’s energy consumption and carbon emissions.<sup>5</sup>

14-5

The DEIR therefore should include in its mitigation measures for climate change the requirement that the County adopts a Mills Act ordinance to provide financial assistance through tax incentives to preserve structures and hence reduce greenhouse gases.

Finally, although economic considerations are not an element of CEQA analysis, numerous studies conclusively demonstrate that historic designation and the creation of historic districts or preserving historic properties like Shady Cove increases property values. Historic designation provides a neighborhood or an individual historic site a caché that sets it apart from ordinary properties, and many buyers desire the unique qualities and ambiance of a historic property. Historic designation also gives potential homebuyers two rare and economically valuable

14-6

<sup>4</sup> Bernstein, Ken. “‘Top Ten Myths’ of Historic Preservation.” *“Top Ten Myths” of Historic Preservation* | Office of Historic Resources, City of Los Angeles. City of Los Angeles Office of Historic Resources. <https://preservation.lacity.org/resources/“top-ten-myths”-historic-preservation>.

<sup>5</sup> Merlino, Kathryn Rogers. “Report on Historic Preservation and Sustainability.” *Report on Historic Preservation and Sustainability*. Washington State Department of Archeology and Historic Preservation, September 2011. [https://dahp.wa.gov/sites/default/files/sustainability\\_SummaryReport.pdf](https://dahp.wa.gov/sites/default/files/sustainability_SummaryReport.pdf).

## 2. Response to Comments

EnvInC

ENVIRONMENTAL  
INFRASTRUCTURE  
CONSULTANTS, LLC

assurances: that the very qualities that attracted them to their neighborhood will actually endure over time, and that they can safely reinvest in sensitive improvements to their home without fear that their neighbor will undermine this investment with a new “monster home” or inappropriate new development.

14-6  
Cont'd

Please incorporate it and the referenced documents in the Administrative Record for the County of San Bernardino General Plan Update and feel free to contact me if you have additional questions or would like more information.

14-7

Very truly yours,



Collin Walcker

### Enclosures

[https://www.dropbox.com/sh/trvhgp25yaj7cns/AAB\\_c\\_-DaugJNn3JGRf8ocoBa?dl=0](https://www.dropbox.com/sh/trvhgp25yaj7cns/AAB_c_-DaugJNn3JGRf8ocoBa?dl=0)

San Bernardino County Draft EIR

Bernstein, Ken. “Top Ten Myths’ of Historic Preservation.”

National Register of Historic Places - San Bernardino County

Merlino, Kathryn Rogers. Report on Historic Preservation and Sustainability.

## 2. Response to Comments

### I4. Response to Comments from Dr. and Mrs. Brent Moelleken, dated August 15, 2019.

I4-1 The commenter, on behalf of Dr. and Mrs. Bren Moelleken, states that the purpose of the letter is to provide evidence and request that the PEIR be supplemented with additional analysis regarding the County's failure to adopt a Mills Act ordinance to preserve its historic properties. The comment is acknowledged and no response is required.

I4-2 This comment references goals in the 2007 General Plan regarding adoption of an ordinance pursuant to the Mills Act under which property owners are granted relief under the tax code based upon the contributions made by those owners to restore and to preserve the resource. The comment notes that the CWP and PEIR recognize the aspiration goals of preservation and references the following policies (page 5.5-30 of the Draft PEIR):

**Policy CR-2.1**                      **National and state historic resources.** We encourage the preservation of archaeological sites and structures of state or national significance in accordance with the Secretary of Interior's standards.

**Policy CR-2.2**                      **Local historic resources.** We encourage property owners to maintain the historic integrity of resources on their property by (listed in order of preference): preservation, adaptive reuse, or memorialization.

The commenter notes that the environmental and economic impacts of not adopting an ordinance ("as the General Plan recommends") have not been analyzed. The commenter further provides examples of jurisdictions that have adopted ordinances similar to what they recommend.

The General Plan does not "recommend" adoption of an ordinance. In addition to summarizing regulatory requirements, the Draft PEIR includes Mitigation Measure CUL-1 to ensure protection of historical resources. The commenter's letter, supplemental information, and request for decision-makers to consider an ordinance under the Mills Act is forwarded to decision-makers. It is beyond the scope of the General Plan and supporting technical studies to address the economic and environmental impact of adopting versus failing to adopt a historic preservation ordinance that gives property owners tax relief under the Mills Act.

I4-3 Comment acknowledged. Historic-period built environment resources listed on National and State Registers, as well as those designated as Landmarks, are included in the discussion of existing conditions in the cultural resources report (Draft PEIR, Appendix E, Table 5).

## 2. Response to Comments

- I4-4        Comment acknowledged.
- I4-5        Please refer to response to I4-2.
- I4-6        Comment acknowledged.
- I4-7        The comments and referenced documents have been incorporated into the Final Environmental Impact Report and will be included in the Administrative Record..

## 2. Response to Comments

LETTER I5 – Sarah Kennington (10 page[s])

15

August 15, 2019

Jerry L. Blum, Countywide Plan Coordinator  
County of San Bernardino  
Land Use Services Department  
385 North Arrowhead Avenue, 1<sup>st</sup> floor  
San Bernardino, CA. 92415-0187

Sent to: [CountywidePlan@lus.sbcounty.gov](mailto:CountywidePlan@lus.sbcounty.gov)  
[Jerry.Blum@lus.sbcounty.gov](mailto:Jerry.Blum@lus.sbcounty.gov)  
Cc: [Linda.Mawby@lus.sbcounty.gov](mailto:Linda.Mawby@lus.sbcounty.gov)

Re: San Bernardino County Countywide Plan Draft Environmental Impact Report  
(State Clearinghouse No. 2017101033 (June 2019))

Dear Mr. Blum:

Thank you for the opportunity to respond with comments to 2019 draft program Environmental Impact Report associated with the pending San Bernardino County Countywide Plan.

15-1

I am a resident of the Gamma Gulch neighborhood in the Pioneertown Communities, in the East Desert Region. I am active in the Homestead Valley Community Council's Scenic Highway 247 Committee. My comments here focus on provisions for County Scenic Resources and Scenic Routes.

The 2019 PEIR lacks the adequate acknowledgement and specificity in threats and protections for County scenic routes, particularly in the East Desert. Retaining Impacts and Mitigations for scenic resources and scenic routes included in the 2007 EIR remains critical to protecting the scenic qualities of the routes.

15-2

A provision in 2007 EIR Mitigation AES-11 missing from the 2019 PEIS Scenic Corridor Analysis is Viewshed (the area within the field of view of the observer.) Including consideration and impacts for viewshed are critical for understanding and creating the protection of the vistas found along Scenic Highways. Specific language for how the viewshed criteria will be determined and development

1

## 2. Response to Comments

Kennington  
PEIR comments  
08-15-19  
Page 2

(location, techniques, materials, style, etc.) aligned must be included in the 2019 PEIR.

The desert landscape and viewshed are great and significant – broad and deep - and can easily be impacted. Scale is relative! What works in the mountains to mitigate a building or other visual “intrusion” will not necessarily work in the desert region – plant trees, right! Without clear guidelines and understanding of how and what can impact our desert landscape we are left with great concern the vistas could indeed be damaged.

15-2  
Cont'd

The 2019 PEIS fails to mention County Development Code Amendment revisions for the Open Space Overlay regarding development within scenic areas 82.19.040. The County Development Code Amendment Open Space Overlay was revised to clarify regulations regarding development along scenic routes. It was intended to satisfy standards for local agency regulations to suffice as a Corridor Protection Program to nominate a scenic route as a State Scenic Highway. This valuable tool for the County should be mentioned.

15-3

### **Have County Scenic Routes been lost?**

*2007 EIR / Mitigation AES-5 The County desires to retain the scenic character of visually important roadways throughout the County. A “scenic route” is a roadway that has scenic vistas and other scenic and aesthetic qualities that over time have been found to have beauty to the County. Therefore, the County designates the following routes as scenic highways, and applies all applicable policies to development on these routes...*

Forty-six County Scenic separate routes were listed in the 2007 EIR. However, County Scenic routes are not individually identified or listed in the 2019 EIR text. They are also inadequately represented, or neglected to be identified graphically, on the map *County Designated Scenic Routes*, Figure 5.1-1, Page 5.1-8.

We’re left to assume and fear that these County treasures – scenic highways and byways – have been eliminated as designated scenic route. More specificity is needed to assure us that scenic routes have not been eliminated and will be protected by the County in the revised Countywide Plan and Draft EIR. The 2019 EIR must retain the list of County scenic highways with scenic designation with appropriate policy and protections.

15-4

Scenic Routes in Pioneertown and adjacent Homestead Valley Communities: The 2007 EIR Table IV-A-2. County Designated Scenic Routes includes several routes in the Morongo Basin Pipes Canyon area (Aesthetics, Mitigation AES-5.) Per our EIR scoping comments (11-20-17), the Pioneertown/Rimrock/Pipes Canyon areas surrounding these scenic routes warrant a **buffer overlay** to protect their scenic qualities. We re-iterate the need for additional protections for this County Scenic Route and others with buffer overlays.

## 2. Response to Comments

Kennington  
PEIR comments  
08-15-19  
Page 3

Pioneertown Road / Pipes Canyon Road is shown in PEIS 2019 Figure 5.1-1. However, another route that was identified in 2007 EIR was not shown in Figure 5.1-1: Burns Canyon Rd. in the Rimrock community of Pioneertown Communities.

I5-4  
Cont'd

The 2019 EIR does not, but should, anticipate revised Land Use Zone Designations in the General Plan Update to provide protections for these Pioneertown scenic areas and others throughout the Morongo Basin and Homestead Valley.

I5-5

### Include the desert's scenic characteristics in Policy statements!

**Re.: Policy LU-4.1 Context-sensitive design in the Mountain/Desert regions.** We require new development to employ site and building design techniques and use building materials that reflect the natural mountain or desert environment and preserve scenic resources.

2019 PEIS: **Policy NR-4.1** Preservation of scenic resources. *We consider the location and scale of development to preserve regionally significant scenic vistas and natural features, including prominent hillsides, ridgelines, dominant landforms, and reservoirs. .... Implementation of the Countywide Plan is not expected to result in substantial obstruction of existing panoramic views of mountains, lakes, or other landforms.*

**Policy M/H-1.4** Protection of scenic qualities. *...shores of all mountain lakes or on slopes ...*

**Policy NR-4.1** Preservation of scenic resources.... *regionally significant scenic vistas and natural features, .... reservoirs.*

**5.5.2 Threshold of Significance AE-2** *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.*

I5-6

Reservoirs, trees, lakes and shores are characteristic of the mountain regions scenic resources not found in the desert region. It would be appropriate to include characteristics of the desert regions: boulders, rock piles, cinder cones, mesa and volcanic features, Joshua Tree woodlands in examples of panoramic views and features / scenic resources and context based features (also in Policy, including TM-2.5)!

Without specific guidelines / requirements for site and building design techniques and building materials, buildings that do NOT reflect our natural desert environment and preserve scenic resources are inevitable. Close the door to generic franchise design that threatens the communities and the scenic highway corridor. Per Policy NR-3.3 - LUS must work with the local community to define aspirations and acceptable and appropriate parameters style, materials, techniques that reflect them.

**Policy NR-3.3** Management of designated areas – coordinate with public and nongovernment agencies to sustainably manage and conserve land within or adjacent to locally, state, or federally designated open space or resource conservation areas.

Unanticipated growth and development impacts: ARE significant

I5-7

## 2. Response to Comments

Kennington  
PEIR comments  
08-15-19  
Page 4

5. Environmental Analysis / Aesthetics *While individual projects could be located adjacent to or visible from scenic roadways, there are no areas of the County where substantial growth or high density urban land uses are planned along such a roadway.*

**AE-3** ...character of some communities ... **East Desert Region** The East Desert Region is not targeted for future growth. No area of the region is expected to experience a major change in community character or visual appearance under the Countywide Plan since most development capacity is in areas allowing very low-density residential uses (i.e., areas designated Rural Living (RL)). **Nonresidential uses would generally be limited to areas that already feature nonresidential uses, such as parcels along SR-62 in the communities of Morongo Valley and Joshua Tree. For this reason, implementation of the proposed Project would not drastically change the visual appearance or character of East Desert communities.**

2019 PEIR 5. Environmental Analysis / AESTHETICS / Scenic Highways:  
Analysis / Aesthetics/

*In addition to Caltrans's designated scenic highways, the County designates numerous scenic routes in each planning region. Conclusion Throughout the four regions of unincorporated County, some growth would occur in smaller areas planned for land use changes (outside those listed above) and would also occur in areas not planned for land use changes Scenic Highways.*

*Level of Significance Without Mitigation: Impact 5.1-2 would be less than significant.*

**Impact 5.1-2:**

*Environmental Analysis diminishes impacts to and lacks protections for Scenic Routes. Particularly the vulnerability of "unbuilt capacity" in the East Desert. While anticipated growth is not anticipated to be substantial – it is anticipated as "sporadic and developed gradually.*

*The proposed Project does change land use designations of some parcels along County-designated scenic routes. These include areas along SR-62 in Morongo Valley and Joshua Tree and areas along SR-247 in Homestead Valley. However, these areas are not targeted for growth, and in most cases, proposed land use changes would allow less intense development than under existing land use designations, changes initiated due to lack of public infrastructure and/or lack of community desire for growth in the affected areas. Countywide policies, impacts to scenic resources within a state scenic highway would be less than significant.*

Even a small development and especially the cumulative effect of a concentration of separate developments can have significant impacts and adversely affect the quality of the landscape view shed and scenic resources. What constitutes "substantial adverse effect on the scenic vista"? Building standards must be carefully defined and articulated. Defining terms and standards is needed. I object to the consistent "less than significant" findings for impacts of the un-built capacity along the Scenic Routes.

Caltrans standards for qualification as a State Scenic Highway require mile-by-mile "Visual Description" of what the travel will see on either direction of the roadway. This includes identification and categorization of "visual intrusions" – minor, moderate, or major. An "intrusion" being any man-made artifact: utility, transmission, landscape modification: grading, scraping, clearing, etc.; building of any sort: homes, businesses, garages, etc. If greater than 25% of the scenic corridor is found to be sufficiently degraded with intrusion, State Scenic Highway status will be denied. Hence, my concern for the need for careful land use and development along highway 247, as with all County Scenic Routes.

15-7  
Cont'd

15-8

15-9

## 2. Response to Comments

Kennington  
PEIR comments  
08-15-19  
Page 5

In addition to the Visual Description, Caltrans proposals for consideration of State Scenic Highway designation require a Corridor Protection Plan. I will say more about the County Development Code Amendment revisions for the Open Space (82.19.040) under Regulatory Background comments.

15-9  
Cont'd

The PEIS 2019 and the Countywide Plan Development Code in regards to scenic routes must acknowledge Corridor Protection Plans for the State Scenic Routes and the possibility that County Overlay Protections along certain routes may require strengthening for Caltrans compliance.

### Build-out / Location and Scale of Development : Analysis / Aesthetics

**Preservation of scenic resources.** *We consider the location and scale of development to preserve regionally significant scenic vistas and natural features, including prominent hillsides, ridgelines, dominant landforms, and reservoirs.*

#### **[Threshold AE-2]**

**Impact 5.1-1** *State scenic highways are shown in Figure 5.1-1. Buildout of the proposed land use plan would involve construction of new land uses on thousands of parcels that feature unutilized development capacity. However, most of this growth is already allowed in the unincorporated County under existing land use regulations and would not be introduced by the proposed Project. Under the Countywide Plan, population growth is generally focused in a handful of "growth areas" identified in this section. Employment growth is focused in the Valley Region, particularly in the Fontana SOI, East Valley Area Plan, and Bloomington. As discussed in Chapter 3 of this PEIR, little to no growth is projected for other unincorporated areas. Accordingly, while the County contains numerous state and County-designated scenic highways, most would not be affected by land use changes contained in the Countywide Plan. The analysis below focuses on the areas of the unincorporated County where most changes to the visual environment would be expected to occur. Level of Significance Without Mitigation: Impact 5.1-2 would be less than significant.*

15-10

**Impact 5.1-2:** *The Countywide Plan would not alter scenic resources within a state scenic highway.*

**Impact 5.1-3:** *The proposed Project would alter the visual appearance and character of some communities in the County. [Threshold AE-3]*

*Level of Significance Without Mitigation: Impact 5.1-3 would be less than significant.*

I challenge the Conclusions of **5.1-2 & 5.1-3** that development impact to Scenic Highways without Mitigation as "*less than significant.*"

Further we object to the accuracy of level of impact and need for mitigation

**5.1.5** Cumulative Impacts to Scenic Vistas and Scenic Resources

**5.1.6** Level of Significance Before Mitigation

*With implementation of RR AE-1 and RR AE-2, impacts of the Countywide Plan related to aesthetics would be less than significant.*

**5.1.7** Mitigation Measures *No mitigation is required.*

**5.1.8** Level of Significance After Mitigation *Impacts would be less than significant.*

While the land surrounding County Scenic Highway 247 is not identified as a "growth area" in the PEIS, as an eligible highway for State Scenic Highway designation (in the proposal to Caltrans is currently being developed by the Homestead Valley Community Council in coordination with LUS) that should be considered for impacts from future development. This is largely rural residential

15-11

## 2. Response to Comments

Kennington  
PEIR comments  
08-15-19  
Page 6

area with numerous communities that are interspersed with commercial and agricultural development and associated zoning. Let's not assume there will be "little or no growth" in this unincorporated area – as the PEIS states. Impacts occurring from projects in the corridor's "unutilized development capacity" are likely and must be considered in the 2019 PEIS for mitigation. The PEIS underplays the potential for development in this vast area that includes much land under County jurisdiction. Changes will certainly occur to the 247 corridor and must be analyzed so as to not jeopardize the quality of visual environment and status for and as a State Scenic Highway. The fact that 247 is eligible for State Scenic Highway status, is receiving encouragement from staff at local Caltrans District 8, and serves as a feeder route or gateway to Joshua Tree National Park speak to the high scenic values worthy of protection.

15-11  
Cont'd

The commercially zoned sections of County Scenic Highway 247 in unincorporated County East and North Desert regions – especially in Flamingo Heights, Landers, and Lucerne Valley – have development capacity that was not adequately addressed in the 2019 PEIS.

A franchise retail store (Dollar General) built in the Flamingo Heights on highway 24 demonstrates a building style that in no way reflects the characteristics of the surrounding Homestead Valley despite the fact it was developed along the County Scenic Highway eligible for State Scenic status. The building is a generic cookie-cutter structure that could be found anywhere in the USA, and shows no effort to blend in and is unfortunate.

15-12

The EIR and Countywide Plan's development code must ensure development along scenic highways, particularly routes "eligible" for State Highway designation (as is highway 247), reflect existing structures, and honors the unique history and environment along the Scenic corridor. More must be done to guide appropriate development and define the characteristics of style in keeping with the area for developers. This will serve to mitigate future development that would otherwise degrade the scenic corridor and community values. We strongly advocate for local committees comprised of stakeholder citizens work with LUS planners to ensure stakeholders interests are understood and honored. Following are specific recommendations to that end:

- Use specific quantifiable, enforceable criteria for commercial development along county Scenic highways to ensure development does not fundamentally alter visual character; in order to ensure LU-3 & LU-5: • *Small businesses that serve local residents and visitors, compatible with the natural environment and surrounding uses.*
- Define view shed and process of development analysis (style, materials, techniques) to honor community history, identity, and aspirations.
- Increase the Scenic Highways corridor in the Open Space Overlay regarding development within scenic areas beyond the standard County

15-13

## 2. Response to Comments

Kennington  
PEIR comments  
08-15-19  
Page 7

scenic route designation beyond the lands within corridor 200' from the scenic highway right-of-way (per Caltrans comment, to Tom Hudson, Director, LUS, 10/23/2014.)

- Ensure Community identity through the engagement (notification, review, ongoing communication, and approval) of citizens' committees working in conjunction with LUS Planners.
- Defining terms and standards. Even a small development and especially the cumulative effect of a concentration of separate developments can have significant impacts and adversely affect the quality of the landscape view shed and scenic resources. What constitutes "substantial adverse effect on the scenic vista"? Building standards must be carefully defined and articulated.
- What are the considerations in the location and scale? The EIR should provide that specificity. What are the Mitigation measures? The desert landscape / view shed is great and can easily be impacted. Scale is relative! What works in the mountains to mitigate a building or other visual "intrusion" will not work in the desert region. Without clear guidelines and understanding of how and what can impact – we are left with great concern the vistas will indeed be damaged.

15-13  
Cont'd

Given increased pressure to develop and growing appreciation of the value of uninterrupted long scenic more must be done to ensure development does not jeopardize the qualities present.

As noted previously in comments, highway 247 is eligible for State Scenic Highway designation. Community grass roots efforts by the Homestead Valley Community Council supported by County Land Use Services and the local Caltrans District 8 Landscape Architect are actively underway and poised to submit a proposal to Caltrans' evaluation. It is a safe bet 247 will be designated in 2019.

15-14

*The PEIS currently states: As in the North Desert Region, a vast majority of the East Desert Region is outside the jurisdiction of the County and is managed by state and federal agencies. Therefore, the numerous County-designated scenic routes in the region (see Figure 5.1-1) will largely be unaffected by implementation of the Countywide Plan. There are no officially designated state-designated scenic highways in the region.*

While, it's too soon to say for certain, I am confident 247 will be green-lighted for approval as a State Scenic Highway by Caltrans and should be anticipated by the EIS to fall into its 20-year life cycle. I strongly suggest the language in the PEIS reflect this probability for the East Desert.

### **5.1.1.1 Regulatory Background – where's the County Open Space Overlay?**

The PEIS lists State Scenic Highways as a state regulatory provision. However it under Regional regulatory conditions, the County Development Code Amendment (**82.19.040**) revisions for the Open Space Overlay regarding

15-15

## 2. Response to Comments

Kennington  
PEIR comments  
08-15-19  
Page 8

development within scenic areas was omitted. The Open Space Overlay Code should be listed as a Regional regulatory provision in the PEIR.

The County Development Code Amendment Open Space Overlay was created to revise and clarify regulations regarding development along scenic routes. It was intended to satisfy standards for local agency regulations to suffice as a Corridor Protection Program to nominate a scenic route as a State Scenic Highway.

Draft Countywide Plan - **82.19.040 Development Criteria within Scenic Areas (2)** *An area extending 200 feet on both sides of the ultimate road right-of-way of State and County designated Scenic Highways as identified in the General Plan. The area covered may vary to reflect the changing topography and vegetation along the right-of-way.*

It should be noted however that County Development Code Amendment revisions for the Open Space Overlay was found to be less protective than Caltrans' Scenic Highway Program. Per correspondence from Steven Magallanes, Caltrans Acting District Landscape Architect, District 8 in a letter to Mr. Tom Hudson, Director LUS Co. of San Bernardino, October 23, 2014 in response to proposed regulatory text (82.19.040):

*Please note that our review was a preliminary assessment of the generally favorable condition of the County's existing and proposed regulatory language as it relates to scenic protection. We would likely have additional comments on the Visual Assessment and Corridor Protection Plan when, and if, the County pursues designation of an eligible route (or routes.) For example, language in 82.19.040 is less protective than Caltrans Scenic Highway Program. 82.19.040 only requires visual quality criteria be applied to "200 feet on both sides of the ...right of way" when evaluating a proposed land-use adjacent to an officially designated Scenic Highway."*

Corridor Protection must show that the expansive desert views - easily extending to a mile or greater along 247, must be significantly increased. 200 feet from the right-of-way might be appropriate in some sections of the County to assure protections for view shed but, that could be found to be inadequate in the desert regions. The existing development code (82.19.040) presents a highly likely impact to the quality of the scenic corridor. 2019 EIR mitigations should anticipate and reflect this.

LUS is currently assisting the Scenic 247 Committee of the Homestead Valley Community Council to complete an application proposing the 247 highway for State Scenic Highway status. Given Mr. Magallanes warning, it is likely the development criteria within Scenic Areas will be found less than adequate.

Commercial development along highway 247 is also a concern. The EIR states a preference for small businesses – given the demographics (low overall

15-15  
Cont'd

15-16

## 2. Response to Comments

Kennington  
PEIR comments  
08-15-19  
Page 9

population base). However, corporate franchise development (Dollar General) has recently impacted 247 and more can be expected. As is often the case with this type of commercial development, the Dollar General building has a generic corporate façade not typical of the overall community character identity shown in neighboring mom and pop stores in the surrounding Homestead Valley.

15-16  
Cont'd

The EIR and Countywide Plan's development code must ensure development along scenic highways, particularly those "eligible" for State Highway designation, reflects existing built structures and honors the unique environment along the Scenic corridor. More must be done to guide appropriate development and define the characteristics of style in keeping with the area for developers. This will serve to mitigate future development that would otherwise degrade the scenic corridor and community values. I strongly advocate for local committees comprised of citizens to work with LUS planners to ensure stakeholders interests are understood and honored.

### High Desert Corridor

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

15-17

The Draft Countywide Plan includes Policy TM-5.3. However the High Desert Corridor is not mentioned in the 2019 PEIS. This significant land use will impact the North and East Desert regions and particularly the Scenic Highway. As it is being anticipated in the CWP, it must not be overlooked in the EIR.

### Renewable Energy concerns for Rural Living communities: no RLM

PEIS Page 5.10-14 Of concern by many residents is the introduction of utility-oriented renewable energy facilities and other types of industrial development. The Renewable Energy & Conservation Element, adopted in 2017 and amended in February 2019, contains goals and policies that would prohibit utility-oriented renewable energy development in the Rural Living land use district, currently adopted Community Plan areas, and other areas as determined in the Development Code update (RE Policy 4.10). The Countywide Plan is not updating this policy and will incorporate the adopted Renewable Energy & Conservation Element in its entirety.

15-18

For any new development, the Land Use Element contains requirements for development to be located, scaled, buffered, and designed in a compatible manner through Policies LU-2.1, Compatibility with existing uses, LU- 2.2, Compatibility with planned uses, LU-2.3, Compatibility with natural environment, and LU-4.5, Community identity

There are significant threats from industrial scale renewable energy development posed to Scenic Highway 247 that were not mentioned in the EIR. Ord Mt., Calcite and Sienna Solar applications were received prior to the passage of RECE 4.10. While Ord Mt. is on hold, and Calcite and Sienna Solar have not submitted EIRs these developments pose clear and present danger to the scenic quality of Barstow Rd. If these developments were to proceed – which is in the realm of possibilities – they should be identified in the 2019 EIR and mitigations

## 2. Response to Comments

Kennington  
PEIR comments  
08-15-19  
Page 10

considered. Renewable energy projects clearly threaten the scenic qualities of County scenic highways.

15-18  
Cont'd

While the 2007 EIR and County Plan Development Code did not serve to protect of the highway travelers' vista as they drive along the 247 view shed, with RECE, especially 4.10, I would expect the 2019 PEIR will ensure industrial scale RE does not impact scenic qualities, including County Scenic Routes.

The rezoning of RC sections to Resource Land Management (RLM) poses enormous concerns for dangerous impacts to the RL communities. The hard won protections in RECE 4.10 need to be extended to RC. The effect of development surrounding the RL desert communities would create an island effect with surrounding industrialization.

15-19

There is no mention of RLM in 2019 PEIS! RLM is incompatible with PEIS Policies LU-2.1; LU-2.2, LU-2.3, LU-4.5. This land use zoning revision must not be implemented in respect to desert rural communities and PEIS Policy. RLM would violate the intent of Policies LU-2.1, LU-2.2, LU-2.3, LU-4.5 and LU-6.4.

15-20

I reference and have endorsed (with my signature) the thorough thoughtful comment letter dated August 15, 2019 submitted by a coalition of individuals and groups. This is an environmental justice issue.

Without specific guidelines / requirements for site and building design techniques and building materials, buildings that do not reflect our natural desert environment and preserve scenic resources are inevitable. Close the door to generic franchise design that threatens the communities and the scenic highway corridor (kudos to the prohibition proposed for the community of Joshua Tree!) LUS must work with the local community to define aspirations and acceptable and appropriate parameters style, materials, techniques that reflect the community.

15-21

Sincerely,  
Sarah Kennington  
HVCC Scenic 247 Committee member

Resident Gamma Gulch neighborhood, Pioneertown Communities  


## 2. Response to Comments

### I5. Response to Comments from Sarah Kennington, dated August 15, 2019.

I5-1 Comment acknowledged.

I5-2 The Draft PEIR addresses impacts to scenic routes in the East Desert under Impact 5.1-2. These impacts are reviewed by county subregion at the appropriate specificity for a programmatic DEIR addressing a 20,000-square-mile area. The analysis acknowledges some land use changes along SR-247 in Homestead Valley, but notes that these areas are not targeted for growth, and in most cases, proposed land use changes would allow less intense development than under existing land use designations.

This commenter suggests that Mitigation AES-11 from the 2007 General Plan EIR should be included in the CWP Draft PEIR to evaluate viewshed impacts along scenic corridors. Mitigation AES 11 noted criteria that should be considered for designated scenic resources, including:

- A roadway, vista point, or areas that provides a vista of undisturbed natural areas:
- Includes a unique or unusual feature that comprises an important or dominant portion of the viewshed 9 the area within the field of view of the observer).
- Offers a distant vista that provides relief from less attractive views of nearby features (such as views of mountain backdrop from urban areas).

This mitigation is presumed to be directed to assist the County in designating resources, and would not serve at an individual project-level to protect visual resources from development projects. A viewshed analysis for potential impacts along scenic highways is required (as noted by the commenter under Comment I5-3) under the County Development Code for the Open Space Overlay (Section 82.19.040). This is a regulatory requirement with specific components ensuring the analysis on a project-level basis recommended by the commenter.

The County concurs that desert landscape is unique and that measures that would be appropriate in the mountains would not necessarily be appropriate for the desert. As described in Draft PEIR, Section 3.3.3, *Description of the Project*, under the CWP, existing community plans are proposed to be replaced with a Community Planning Continuum with a greater focus on community self-reliance, grass-roots action, and implementation. Goals, policies, land use, and infrastructure decisions for the Community Plan areas will be addressed in the County Policy Plan, and a set of new action-oriented Community Action Guides (CAGs) will offer a set of potential tools and action plans framed in a set of community-driven values and aspirations. These Guides would provide an opportunity to customize guidance for aesthetic policy implementation relative to the desert landscape.

Furthermore, County Development Code Section 82.19.040 has been added to the PEIR, as shown in Chapter 3, *Revisions to the Draft PEIR*. The code applies to areas extending 200

## 2. Response to Comments

feet on both sides of the ultimate road right-of-way of State- and County-designated Scenic Highways as identified in the General Plan. A specialized viewshed analysis shall be conducted for projects with significant negative impacts on scenic resources. This analysis shall identify mitigation measures designed to reduce or eliminate potentially significant impacts to the viewshed.

- I5-3 The County agrees that it is appropriate to include the information regarding County Development Code Section 82.19.040 in the Draft PEIR. The code applies to areas extending 200 feet on both sides of the ultimate road right-of-way of State- and County-designated Scenic Highways as identified in the General Plan. A specialized viewshed analysis shall be conducted for projects with significant negative impacts on scenic resources. This analysis shall identify mitigation measures designed to reduce or eliminate potentially significant impacts to the viewshed. This information has been added to the PEIR in Chapter 3, *Revisions to the Draft PEIR*.
- I5-4 Draft PEIR Figure 5.1-1, *County Designated Scenic Routes*, is a reproduction of County Policy Plan Map NR-3, Scenic Routes and Highways. Both accurately reflect county scenic routes as well as State-designated and -eligible routes. Upon adoption of the CWP, Map NR-3 would represent the designated county scenic routes. The web-based map would also be updated upon any County and/or State amendments to their designations. This is more efficient and appropriate than the listing provided as EIR mitigation. The CWP PEIR does not need to list the county scenic highways, and the policy and protections are adequately reflected in Draft PEIR (including the addition of County Development Code Section 82.19.040, as discussed in Response I5-3)
- I5-5 It is unclear what this commenter means by “anticipating revised land use zone designations” in this comment. Impact 5.11.1 in Draft PEIR Section 5.1, *Aesthetics*, reviews the potential for CWP implementation to adversely impact vistas in the East Desert Region. The analysis concludes that the region does have numerous scenic vistas, but that the region is not planned for substantial changes in development patterns, level of urbanization, or the types of development previously allowed. Additionally, Section 5.1 lists the numerous policies that would protect aesthetic resources (see Section 5.1.3.2, *Policy Plan*).
- I5-6 This comment recommends more specific policy language in the proposed CWP to protect visual resources in the desert environment. Policy language and detailed design guidelines are not within the purview of the Draft PEIR. This comment is acknowledged and will be forwarded to decision makers.
- I5-7 This comment provides examples to support comment I5-8. No response necessary.
- I5-8 It is neither feasible nor appropriate for a programmatic level EIR covering 20,000 square miles to detail carefully articulated building standards as suggested in this comment. The Draft PEIR provides the potential aesthetics impacts, including cumulative impacts, to the

## 2. Response to Comments

- East Desert Region, and provides appropriate substantiation (including regulatory and policy detail) to conclude that the impact is less than significant.
- I5-9 The commenter references specific Caltrans requirements for evaluation of potential impacts to their designated scenic highways. As noted above and in this comment, the County has implemented its own requirements for viewshed analysis of potential impacts to County scenic highways. The detail regarding Caltrans criteria and process is not relevant to the Draft PEIR.
- I5-10 The commenter states that County Overlay Protections along certain routes may require strengthening for Caltrans compliance. Individual projects that could impact State-designated scenic highways and corridors would be subject to future CEQA review and analysis relative to Caltrans criteria. The County is not required to mirror the State's requirements.
- I5-11 This comment suggests that County Scenic Highway 247 is not adequately analyzed or protected by the Draft PEIR, particularly since this highway may be considered by Caltrans for State designation as a scenic highway. As noted, this highway has already been designated by the County as a scenic highway. As such, it is protected by CWP policies, and Development Code Section 82.19.040. Under the code provision, new development which could potentially affect scenic resources along this corridor would require a viewshed analysis in conjunction with CEQA review. The County believes that the Draft PEIR adequately addressed the potential scenic impacts to Highway 247.
- I5-12 Comment acknowledged. This comment does not relate to the adequacy of the Draft PEIR.
- I5-13 This comment recommends that the County work with local committees and stakeholders to ensure that development along scenic highway, including Highway 247, reflects existing structures and honors the unique history environment along respective scenic corridors. The comment provides a bullet list of specific actions and guidance that could be considered. The list also suggests that the Draft PEIR include the level of specificity described in the comment. As noted in previous responses, this kind of specificity is not feasible nor required for a programmatic level EIR, especially in the case of San Bernardino County, which encompasses 20,000 square miles of diverse regions. The planning recommendations are beyond the scope of CEQA and the Draft PEIR and are forwarded to decision-makers. This level of grassroots involvement by local stakeholders and residents, however, would seem appropriate to be incorporated into the Community Action Guides (see Response O1-7 regarding intent of CAGs).
- I5-14 This comment recommends that the Draft PEIR include language to reflect a high probability that Highway 247 will be designated as a State Scenic Highway. It is not the role of an EIR to speculate, and such speculation regarding Highway 247 would not alter the analysis or conclusions for potential CWP impacts.

## 2. Response to Comments

I5-15 The Development Code provision referenced in this comment has been added to the Draft PEIR. Please see Chapter 3, *Revisions to the Draft PEIR*, and refer to Response I5-3. The effort to designate Highway 247 as a State Scenic Highway and the related coordination with Caltrans is noted, but is not within the scope of the Draft PEIR.

I5-16 Please refer to Responses I5-2 through I5-15.

I5-17 The County of San Bernardino, County of Los Angeles, and the cities of Adelanto, Victorville, Apple Valley, Lancaster, and Palmdale have formed a Joint Powers Authority (JPA) to develop a new freeway/expressway from SR-14 to I-15. The High Desert Corridor (HDC) began as a proposed highway project connecting the counties of Los Angeles and San Bernardino. However, through the leadership of the HDC Joint Powers Authority together with Metro, SANBAG, and Caltrans, the HDC has evolved into a proposed multipurpose corridor that could connect Antelope Valley in Los Angeles County with Victor Valley in San Bernardino County. Consequently, the HDC study also considers how a high-speed rail connection, a bikeway, and green energy element may be integrated to create a truly sustainable project.

The High Desert Corridor is not a component of the CWP, and therefore is not addressed in the Draft PEIR. Potential environmental impacts related to implementation of the HDC were addressed the environmental clearance (CEQA and NEPA) for the project that was completed and certified in June 2016.

I5-18 As described in Draft PEIR Section 2.2.3, *Expanded Discussion of Scoping Comments*, the Renewable Energy and Conservation Element (RECE) was adopted in 2017 and is not being updated through the Countywide Plan. On February 28, 2019, the County of San Bernardino Board of Supervisors amended the RECE, placing further restrictions on development of utility-scale renewable energy projects.

The RECE will be incorporated in its entirety into the Countywide Plan after the Countywide Plan is adopted. Therefore, renewable energy developments are not part of this project and are not addressed in this PEIR. Individual, future renewable energy development projects, however, would be subject to environmental review under CEQA.

I5-19 Please refer to Response I5-18 and Response O1-3. The development of renewable energy projects are addressed in the RECE and are not part of the project description for the CWP and the CWP Draft PEIR. In accordance with the California Environmental Quality Act (CEQA), an Addendum to the Program Environmental Impact Report for the San Bernardino County General Plan Update (2007), including the Supplemental EIR for the Greenhouse Gas Reduction Plan (2011), was completed and approved for the RECE. The Addendum presented evidence to support the conclusion that no additional environmental analysis was required to adopt the RECE as a new element of the County General Plan, because none of the conditions specified in Section 15162 of the State CEQA Guidelines applied to the RECE.

## 2. Response to Comments

- I5-20 The Draft PEIR Chapter 3, *Project Description*, describes the proposed land use designation map and related land use designations, including RLM. This comment suggests that the RLM district would violate the intent of several proposed policies. The commenter, however, does not substantiate the reasons for this assertion. The County believes the policies are consistent with the proposal land use map and allowable uses, including the RLM district.
- I5-21 Please refer to previous responses to this letter, responses to the “Coalition” letter (Letter O2), and responses to the Letter A3 from the Attorney General (with respect to environmental justice issues and supplemental information provided in this FEIR).

## 2. Response to Comments

*This page intentionally left blank.*

## 2. Response to Comments

LETTER I6 – Sarah Kennington and Steve Bardwell (7 page[s])

I6

August 15, 2019

Jerry L. Blum, Countywide Plan Coordinator  
County of San Bernardino  
Land Use Services Department  
385 North Arrowhead Avenue, 1<sup>st</sup> floor, San Bernardino, CA. 92415-0187  
Sent to: [CountywidePlan@lus.sbcounty.gov](mailto:CountywidePlan@lus.sbcounty.gov); [Jerry.Blum@lus.sbcounty.gov](mailto:Jerry.Blum@lus.sbcounty.gov)

Re: San Bernardino County Countywide Plan Draft Environmental Impact Report  
(State Clearinghouse No. 2017101033 (June 2019))

Dear Mr. Blum:

Thank you for the opportunity to respond with comments to 2019 draft program Environmental Impact Report associated with the pending San Bernardino County Countywide Plan.

We are residents of Gamma Gulch, a neighborhood in the Pioneertown Communities of the Morongo Basin, in the County's East Desert Region. We have focused our comments in consideration of the potential environmental effects and protections the Countywide Plan and the Pioneertown Community Plan will have on our community, as well as the adjacent unincorporated communities in the Morongo Basin and the Homestead Valley. We appreciate all efforts to honor community values and preserve the Morongo Basin's quality of life in land use and development issues.

I6-1

**Table LU-3 Community Character** Key Characteristics and Features Rural Desert Communities

**Pioneertown**<sup>6</sup>, ( <sup>6</sup>Pioneertown includes: Gamma Gulch, Pioneertown, Pipes Canyon, Rimrock. )

- A rural lifestyle characterized by the predominance of large lots, limited commercial development, and the prevalence of the desert landscape and natural resources.
- Abundant views of open spaces, natural features, and dark skies.
- Scenic, natural, and/or recreational features that serve as the foundation of the community's local economy and attract tourists.
- Small businesses that serve local residents and visitors, compatible with the natural environment and surrounding uses.

**Concerns that PEIR projected "Project Build-out" & impacts "less than significant."**

Growth in San Bernardino 'overall' is forecast to be "substantial" and "could affect scenic vistas and specific scenic Resources" (5.1.5 Cumulative Impacts.) It is also noted that cumulative Impacts on the Scenic Vistas and Scenic Resources (5.5.5) notes that growth in County "would be substantial." However, the "Project Build-out" for the East Desert region states:

I6-2

[Threshold AE-3] Impact 5.1-3: The proposed Project would alter the visual appearance and character of some communities in the County. **Aesthetics / East Desert Region**

1

## 2. Response to Comments

Kennington Bardwell  
PEIR comments  
August 15, 2019

2

*The East Desert Region is not targeted for future growth. No area of the region is expected to experience a major change in community character or visual appearance under the Countywide Plan since most development capacity is in areas allowing very low-density residential uses (i.e., areas designated Rural Living (RL)). Nonresidential uses would generally be limited to areas that already feature nonresidential uses, such as parcels along SR-62 in the communities of Morongo Valley and Joshua Tree. For this reason, implementation of the proposed Project would not drastically change the visual appearance or character of East Desert communities. (5.1-18)*

16-2  
Cont'd

**5.1.5 Cumulative Impacts / Scenic Vistas and Scenic Resources** During the planning period of the Countywide Plan, growth in San Bernardino County would be substantial, as mentioned above (and shown in Table 3-3). **This growth could affect scenic vistas and specific scenic resources.** However, because growth allowed under the proposed Plan would be subject to goals, policies, and regulations that reduce impacts of the Countywide Plan on scenic resources to a less than significant level, the proposed Project's contribution to countywide impacts would not be cumulatively considerable. Cumulative impacts of the Countywide Plan related to scenic vistas and scenic resources are therefore considered **less than significant**.

16-3

### 5.1.4.2 IMPACT ANALYSIS / East Desert Region

Like the Mountain Region, the East Desert Region is not targeted for growth under the proposed Project. As shown in Table 3-3, land use designations in the region are projected to accommodate approximately 394 additional housing units and 65,050 square feet of nonresidential building space. The region does have numerous scenic vistas, including views across desert landscapes, toward mountains and ridgelines, and toward rock formations and outcroppings. **However, the region is not planned for substantial changes in development patterns, level of urbanization, or the types of development previously allowed. Therefore, existing views across desert landscapes and toward topographic features will largely be unaffected;** small, sparsely distributed development projects consistent with the proposed Project are not expected to result in significant adverse impacts on scenic views in the region.

Why is it that projects in the Mountain Region would be subject to project-level design review, including review of aesthetic impacts under CEQA, as "applicable." The Mountain or East Desert are not targeted for growth or expected to experience a major change in community character or visual appearance. However, project-level review is not a requirement in the East Desert Region. There are sensitive areas of the East Desert – especially those adjacent to Open Space Overlay areas near parks and recreational areas that warrant similar attention and scrutiny project-level design review. Project-level review in the Desert Regions is necessary and should be a conducted"

16-4

The Mountain Region is not targeted for growth, and future growth of unutilized development capacity in the region would continue to be severely limited .... **Moreover, any individual development project would be subject to project-level design review, including review of aesthetic impacts under CEQA, as applicable.**

### Rural Residential (RL) zoning

As LU-3 acknowledges, the natural scenic qualities and the undeveloped landscape are the prime drivers of our quality of residential life and the tourist economy – the PEIR and Countywide Policy Plan must do more, be more specific, to insure the scenic characteristics are preserved and protected.

16-5

2

## 2. Response to Comments

Kennington Bardwell  
PEIR comments  
August 15, 2019

3

**PEIR policies good: located, scaled, buffered, design: 2019 LU-2.1, 2.2, 2.3, 4.5**

For any new development, the Land Use Element contains requirements for development to be located, scaled, buffered, and designed in a comparable manner through Policies LU-2.1, Compatibility with existing uses, LU- 2.2, Compatibility with planned uses, LU-2.3, Compatibility with natural environment, and LU-4.5, Community identity.

RL zoning is low density by the County regions' urban standards. However, even RL-5 in and around our Pipes Canyon/Pioneertown residence opens the door to impactful future subdivision of existing parcels and future growth. Most parcels around Pioneertown in Pipes Canyon and Gamma Gulch are zoned RL-2.5 to RL-5. Many parcels forty acres and larger remain undeveloped which could encourage developers to consider subdivision. In the case of our residence's property alone (52015 Gamma Gulch Rd.) is 38 acres zoned RL-5 = subdivide potential: 7 parcels.

16-5  
Cont'd

If parcels are subdivided to 5-acres size, according to current zoning the area's Community Character (LU-3) and Community identify (LU-4.5) would be lost.

- A rural lifestyle characterized by the predominance of large lots, limited commercial development, and the prevalence of the desert landscape and natural resources.
- Abundant views of open spaces, natural features, and dark skies.

Policy LU-6.2 governs residential development governs development of one or more lots with lot sizes are 2.5 acres or less - on overall 40 or more acres. However what policies and regulations govern impacts of lot-by-lot development of individual "creep" of development by different lot owners? The cumulative impacts of incremental, slow-but-sure growth would be significant and damaging to the rural residential quality of life, and we fear this is likely. More must be done to mitigate this type of development that seems inevitable in the Pioneertown/Rimrock/Pipes/Gamma Gulch communities

RL zoning for large parcels – 40 acres and larger – should be down-zoned to R-10 to maintain appropriate "scale" and "buffer" (Table LU-3), and protect Community identity (LU-4.5)

Stronger measures are needed to mitigate the anticipated impacts of growth in the Pioneertown Communities in compliance with the Land Use Element requirements:

- Re-zone / lower RL density from 2.5 or 5 acres for parcels 40 acres and larger to RL-20, LR-40 or minimally to RL-10 in Scenic areas.

**We support completion of the Pioneertown Community Plan, as well as the other Community Plans and their incorporation into the Countywide Policy Plan. We reject the current strategy of 'Suggested Action Plans'.**

16-6

Our communities want to create a robust, strong and legally binding Community Plan. The "plans" consisting of "Action Items" without policy are not community

3

## 2. Response to Comments

Kennington Bardwell  
PEIR comments  
August 15, 2019

4

plans according to their formal definition under state law and we feel will not provide the community with legal recourse under CEQA.

Community plans must be incorporated into the Countywide Policy Plan to support the EIR decision-making framework and to establish operating rules for implementing community vision. This is necessary for legal enforcement of residents' specific goals and policy for local community land use under CEQA.

As stated in the 2007 Plan EIR, specific needs and circumstances in Community Plans are integral to customizing the Countywide Plan to meet our unique circumstances: *To facilitate consistency, the Community Plans build upon the goals and policies of each element of the General Plan. In addition, policies that are included within the Community Plans are regarded as refinements of the broader General Plan goals and policies that have been customized to meet the specific needs or unique circumstances raised by the individual communities.*

16-2

**We believe the 2019 PEIR must mand<sup>Cont'd</sup> use of science, utilize standard & otherwise recognized wildlife and plant corridors, maintain a forum for adaptive management to guide ongoing regional conservation planning, and enact incentives and regulations for wildlife-sensitive development.**

**Impact 5.10-3: The proposed Countywide Plan would not conflict with an adopted habitat conservation plan. Page 5.10-22 / [Threshold LU-3]**

The 2019 PEIR must provide greater assurance and mitigations where impacts to regional ecology occur.

The Countywide Land Use Map must incorporate wildlife linkage designs for effective decision-making. The EIR must accurately identify data relevant to the Desert Regions and beyond, with updated identification of key resources, including high priority conservation areas.

The Biotic Resources and Open Space map available on the LUS website lists only a small fraction of wildlife corridors and linkages found in the California desert. The County must fully integrate linkage designs to analyze and prevent fragmentation of existing species habitat and linkage design areas. All facets of San Bernardino County's planning, policies, and maps should utilize the following sources that should be referenced in the 2018 EIR:

- The Morongo Basin Conservation Priorities Report
- California Natural Diversity Database
- South Coast Wildlands'
  - A Joshua Tree - Twentynine Palms Connection
  - A Linkage Network for the California Deserts
- Apple Valley Linkage Design

16-6  
Cont'd

16-7

16-8

4

## 2. Response to Comments

Kennington Bardwell  
PEIR comments  
August 15, 2019

5

There are economic benefits to creating a protected, regional open space network that links “room to roam” for native plants and animals with quality neighborhood and commercial development. Wildlife corridors – within the Basin and connecting to the surrounding Mountain Region and East Desert Region - must be clearly called out and visible in GIS map overlays.

16-9

As envisioned in the 2007 EIR, the “specific and detailed wildlife corridor map for the County of SB to be included in the Open Space and Biological Resource Overlays and added to the General Plan and Policy CO. 2.2”, mapping capacity, long over-due, must finally be realized and relied upon in the 2019 EIR and added to the Countywide Plan as a Program and Policy.

The 2019 PEIR Biotic Resource Overlay should also recognize that some lands need to be to be preserved from development all together.

The San Bernardino County Environmental Element of the Countywide Vision has identified the East Desert as an area of concern in addressing impacts of development. Focal species – plants and animals – have been selected as “umbrella” and “indicators” of ecological health for the area. The 2019 PEIR should incorporate the findings of the Environmental Element to guide and assist future land use decisions.

**Great potential impact of RLM zoning to Habitats & RL – contradicts statement that CWP has no “negative impact”**

The impact the proposed addition of RLM zoning in the Desert Regions’ to replace RC zones would significantly impact habitat of plants and animal species during future development.

The Countywide Plan includes Policy NR-5.1, Coordinated habitat planning, which states that the County participates in landscape-scale habitat conservation planning and coordinates with existing or proposed habitat conservation and natural resource management plans. Policy NR-5.7, Development review, entitlement, and mitigation, reiterates the County of San Bernardino’s compliance with state and federal regulations regarding protected animal and plant species during future development entitlement procedures, including environmental review. There are no Countywide Plan policies that would result in a negative impact to adopted habitat conservation plans.

16-10

The PEIR did not consider any of the environmental impacts that would arise from the CWP’s designation of a new “RLM” zone as one in which utility-scale energy projects are deemed to be “Typical Uses.” We object to the re-zoning of Rural Conservation zoning into RLM zones. This is not in the spirit of RECE 4.10 that is intended to protect rural residents’ quality of life. The fugitive impacts of RLM industrialized zones would hugely impact residents of the East Desert. Why wasn’t this called out in the PEIR? RLM zones must not be introduced into the Desert regions

**We believe that the EIR must address Air Quality through local monitoring by Mojave Desert Air Quality Management.**

16-11

5

## 2. Response to Comments

Kennington Bardwell  
PEIR comments  
August 15, 2019

6

The 2007 EIR Air Quality Impact (AQ-2) correctly acknowledges that growth will expose residents to pollutants. Further, this would be particularly significant to sensitive populations.

The EIR goes on to state incentives to promote proper siting of new technologies, including renewable energy (AQ-9). These air quality mitigations are increasingly critical to the Desert regions in light of new understanding of dust impacts from renewable energy development and Sand Transport Paths.

2007 EIR Project Analysis IV-7 c. Desert Region: *“Due to the persistent winds that blow throughout the year, large portions of the desert surface have been modified into a mosaic of ground surfaces that consists of stones and cobbles known as desert pavement.”*

Residents in Desert Regions are “sensitive receptors” – downwind of increasingly common fugitive dust that affects lungs, occasionally reduces visibility to mere feet when driving, and impacts indoor environments of homes and public buildings. The increasing amount and longevity of wind driven dust events in the past 3-4 years is striking. However, alarmingly, San Bernardino County does not recognize STPs as emission sources.

Since 2013 three solar energy facilities, covering 350 acres, have been constructed in Morongo Basin communities. Construction required 100% grading of the surface and removal of all vegetation. All three emitted dust during construction and continue now, even after operation for 3+ years, to emit dust during high wind events.

PM10 levels must be monitored with properly placed equipment in the Morongo Basin to adequately collect data from dust transmission from the Sand Transport Path. At present, there is no monitoring equipment in the Morongo Basin for a PM10 baseline measure.

PM10 sources also include unpaved roads common in the Mojave desert residential communities, construction sites and other disturbed areas, and now must be recognized to include utility and industrial scale solar sites.

Current LUS requirements during the construction of renewable energy projects include requiring water, chemical stabilization and/or gravel covering for dust control. Additional research into the safety and effectiveness of these mitigations is necessary. Use of water for dust control has been documented to be excessive and far in excess of developers anticipated levels of consumption. The use of water for mitigation is not effective nor is it a good use of our limited water supplies (see 2007 Mitigation HWQ-2.)

We urge that the 2019 PEIR recognize the existence of STPs and the role they have in affecting air quality. More data is needed to map STPs, soil, and geology

I6-11  
Cont'd

6

## 2. Response to Comments

Kennington Bardwell  
PEIR comments  
August 15, 2019

7

for planners to make sound evaluations on how disturbance of the soil crust and the removal of desert vegetation affects erosion and the release sand/dust. The cumulative affect of projects must also be taken into consideration in evaluating new development in the desert regions.

I6-11  
Cont'd

Air pollution impacts are a social justice issue for County residents.

**The 2019 EIR must acknowledge and anticipate the effects of climate change.**

Climate change must be integral in the 2019 EIR and Countywide Policy Plan and evaluation of the effects and potential mediation strategies for climate change incorporated. Climate change is here, its effects ever more apparent and the urgency to address this issue continuing to grow. The vast areas of undeveloped lands in SB Co. have great potential for sequestering carbon and mitigating climate beyond County boundaries.

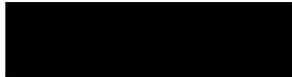
The Countywide Policy Plan must utilize sound science and current best-practices in planning. GIS mapping strategies are critical to proper analysis and implementation of policies. The 2018 Countywide Policy Plan EIR must recognize and anticipate the impacts of climate change through the use of adaptive and resilient techniques to ensure that the Countywide Vision is achieved and maintained for residents.

I6-12

We reference and have endorsed (with ur signatures) the thorough, thoughtful comment letter dated August 15, 2019 submitted by a coalition of individuals and groups. This is an environmental justice issue.

Sincerely,

Sarah Kennington and Steve Bardwell



Cc: Ms. Linda Mawby (By Email: [Linda.Mawby@lus.sbcounty.gov](mailto:Linda.Mawby@lus.sbcounty.gov))  
Senior Planner

7

## 2. Response to Comments

*This page intentionally left blank.*

## 2. Response to Comments

### I6. Response to Comments from Sarah Kennington and Steve Bardwell, dated August 15, 2019.

- I6-1 This comment is an introductory comment and no response is necessary.
- I6-2 This comment provides excerpts from the Draft PEIR but does not include a comment requiring a response.
- I6-3 This comment provides excerpts from the Draft PEIR but does not include a comment requiring a response.
- I6-4 This comment reproduces narrative from the Draft PEIR Section 5.1, *Aesthetics*, and questions why projects in the Mountain Region would be subject to project-level design review, but that this phrase is not included for Desert Region projects. Projects in both regions would be subject regulatory requirements and policies, as described in this Draft PEIR section. Each section of the Draft PEIR is structured to include a summary of regulatory requirements followed by proposed CWP policies, both of which would mitigate potential project impacts. The regions have not been treated differently, but the policies do recognize their unique characters. The comparable policies for the Desert Region and Mountain Region as reproduced in the *Aesthetics* section of the Draft PEIR are as follows:
- **Policy LU-4.1 Context-sensitive design in the Mountain/Desert regions.** We require new development to employ site and building design techniques and use building materials that reflect the natural mountain or desert environment and preserve scenic resources
  - **Policy M/H-1.2 Building design.** We require architecture and outside facades of residential development that are in keeping with the mountain character; use natural woods, wood composite materials, and masonry as much as practicable
- I6-5 This comment regards detailed zoning and density considerations for the Pioneertown area and does not comment specifically on the contents or conclusions of the Draft PEIR. No response necessary.
- I6-6 Comment acknowledged. Please see Response O1-7.
- I6-7 This comment states that the Draft PEIR must provide greater assurance and mitigation where impacts to regional ecology occur, must incorporate wildlife linkage designs, and must accurately identify data relevant to the Desert Region, including high priority conservation areas.

As stated in Draft PEIR Section 3.4, *Intended Uses of the EIR*, the Draft PEIR “is a Program EIR that examines the potential environmental impacts of the proposed Countywide Plan.” As stated in Section 5.4.4.1, *Methodology*, of Section 5.4, *Biological Resources*, “programmatic impacts are discussed in broad, qualitative terms of habitat types that

## 2. Response to Comments

could be impacted due to the buildout of the CWP. This assessment does not satisfy the need for project-level CEQA analysis for individual projects.”

The Draft PEIR Biological Resources section provides quantitative and qualitative analysis of direct and indirect impacts to biological resources in each of the county subregions and evaluates the potential significance of impacts based on Section 5.4.2, *Thresholds of Significance* (which reflect CEQA Guidelines Appendix G). Potential biological resource impacts associated with CWP implementation were evaluated based on the existing conditions inventory as included in Draft PEIR, Appendix D. This analysis of potential impacts in the PEIR was supported by a thorough biological resource environmental setting (Section 5.4.1) and biological resources existing conditions report (Draft PEIR Appendix D). Mitigation measures are provided for identified impacts to reduce impacts to less than significant.

The CWP includes policies specific to wildlife linkages and conservation areas, including: Policy NR-5.1, Coordinated Habitat Planning, which prioritizes landscape-scale habitat conservation planning; and Policy NR-5.2, Capacity for Resource Protection and Management, which includes coordination with public and nongovernmental agencies to seek funding and other resources to protect, restore, and maintain open space, habitat, and wildlife corridors.

I6-8 This comment states that the Biotic Resources and Open Space map lists only a small fraction of wildlife corridors and linkages, that the County must fully integrate linkage designs, and that the County should utilize specific sources listed in the comment.

As described in Section 3.4, Special Status Species, of Appendix D, Biological Resources Existing Conditions, of the DPEIR, a query of the CNDDDB was conducted and results are included as Appendix C of the Existing Conditions Report. As described in Section 3.2, Habitat Linkages and Corridors, of the Existing Conditions Report, the South Coast Wildlands Joshua Tree–Twentynine Palms Connection and Linkage Network for the California Deserts mentioned in the comment were included in the analysis. The Apple Valley MSHCP was also discussed in Appendix D, and this plan was not sufficiently developed to provide an analysis in the Draft PEIR. Please see response to comment O6-7 regarding the Morongo Basin Conservation Priorities Report.

I6-9 This comment states that wildlife corridors must be clearly called out and visible in GIS map overlays and that the 2019 PEIR Biotic Resource Overlay should also recognize that some lands need to be preserved from development altogether.

Policy Map NR-2, Parks & Open Space Resources, available at <http://countywideplan.com/policy-plan/beta/nr/> depicts modeled habitat linkages. Further details regarding mapped linkages are provided Appendix D to the Draft PEIR.

## 2. Response to Comments

The Land Use Map of the CWP includes lands that are designated Resource/Land Management and Open Space, which are defined by Table LU-1, Land Use Categories, as follows:

- Resource/Land Management:
  - Manage, preserve, and protect natural resources such as agricultural/grazing lands, watersheds, minerals, and wildlife habitat areas, as well as open space areas not otherwise protected or preserved.
  - Provide areas for military operations and training while minimizing impacts on and from surrounding civilian uses
  - Allow for limited rural development while minimizing the expansion of development outside of existing communities
- Open Space:
  - Provide and preserve publicly owned land for parks and open space and manage, preserve, and protect natural areas, habitats, and wildlife corridors.

Therefore, the CWP includes lands that would be preserved from development.

I6-10 This comment states that the addition of Resource Land Management (RLM) zoning in the Desert Regions to replace Rural Conservation zones would significantly impact habitats and that the PEIR did not consider environmental impacts that would arise in the RLM zone from utility-scale energy projects. The commenter objects to the rezoning of Rural Conservation zoning into RLM zones because it would not protect rural residents' quality of life, and the fugitive impacts of RLM industrialized zones would hugely impact residents of the East Desert.

As described in response to comment I6-9, the RLM includes a variety of land uses, including preserving natural resources, habitat areas, and open spaces as well as allowing for limited rural development. Although utility-scale energy projects are a component of RLM, Policy 4.10 of the Renewable Energy and Conservation Element prohibits utility-oriented renewable energy projects in the Rural Living land use districts and any land use district within the boundaries of multiple community planning areas. Upon adoption of the CWP, the RECE would be integrated into the CWP.

Please also see Response O1-3 regarding the potential for utility-scale renewable energy projects within the RLM district, and the environmental review conducted for the RECE.

I6-11 This comment provides information regarding wind-driven dust impacts in the Morongo Basin, and in particular the potential impact of renewable energy development and Sand Transport Paths (STPs). The commenter requests that the Draft PEIR recognize the existence of STPs and that more data is provided to map STPs, soil, and geology for

## 2. Response to Comments

planners to make sound evaluations on how disturbance of the soil crust and the removal of desert vegetation affects erosion and the release of sand/dust.

As explained in Section 2.2.3, *Expanded Discussion of Scoping Comments*, construction emissions of particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) are addressed in Section 5.3, *Air Quality*. Blow sand is a type of coarse particulate matter (PM<sub>10</sub>). At this programmatic phase of analysis, it is not possible to evaluate the potential impacts of STPs or blow sand at the level of specificity requested by this commenter. Moreover, the programmatic level impacts of renewable energy projects were addressed in the CEQA review of the RECE (see Response O1-3). Future, discretionary projects would require future environmental review to evaluate potential air quality impacts associated with site-specific development.

I6-12 The relevant background, regulatory requirement, existing conditions, and potential CWP impacts related to climate change are in Draft PEIR Section 5.7, *Greenhouse Gas Emissions*.

## 2. Response to Comments

LETTER I7 – Bryan Baker (2 page[s])

I7



August 15, 2019

Jerry L. Blum, Countywide Plan Coordinator  
County of San Bernardino  
Land Use Services Department  
385 N. Arrowhead Avenue, 1st Floor  
San Bernardino, CA 92415  
Email: [CountywidePlan@lus.sbcounty.gov](mailto:CountywidePlan@lus.sbcounty.gov)

RE: Comments on June 2019 Draft Environmental Impact Report – San Bernardino Countywide Plan  
(State Clearinghouse No. 20171011033)  
SUBMITTED VIA EMAIL

Dear Mr. Blum:

I am writing as an individual to comment on the June 2019 Draft Program Environmental Impact Report (PEIR) prepared for the San Bernardino Countywide Plan.

I would like to comment specifically on the sections of the Plan addressing greenhouse gas (GHG) emissions, which are principally in chapter 5.7 (Greenhouse Gas Emissions) but also addressed in 5.16 (Transportation and Traffic). As the Plan points out, the federal government has determined that GHG “threaten the public health and welfare of the American people” (p. 5.7-7). The California state government has made reduction of GHG a high priority via several laws and executive orders (AB 32, SB 375, etc.), and regional government (SCAG) has established goals as well.

The state actions have produced two large goal points: reduction of GHG in the state by 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050. As the Plan points out, meeting these goals “will require a fundamental shift to efficient, clean energy in every sector of the economy” (p. 5.7-9).

In response, the preferred Plan does recommend some actions to constrain GHG emissions, such as promoting “compact and transit-oriented development” and energy efficiency in new and upgraded buildings (p. 5.7-24).

However, the Plan as recommended does not meet the statewide goals. In fact, as proposed, the Plan does not make substantial effort to reach the goals. The statewide goals are not mere recommendations that the County is free to meet or not meet, depending on its perceived situation and preferences.

I7-1

## 2. Response to Comments

The Plan claims that it is reaching admirable levels by reducing GHG at all in light of expected increases in population. But the entire State of California will be experiencing population growth. Population growth cannot be an excuse for failing to meet GHG reduction goals. It is not legitimate to think that because the County is a small part of the problem that it can excuse itself from participating in needed GHG reductions; if that were the case, every individual County, and every individual political entity on Earth, could easily but tragically excuse itself from action.

17-1  
Cont'd

A couple of the alternatives considered (Limited Suburban Growth, Concentrated Suburban Growth) would reduce GHG slightly more than the preferred alternative, but none of them meets the GHG reduction goals. The County should have prepared a plan that includes at least one alternative that meets the statewide GHG goals.

The County needs to revise its Plan to include actions that will cause it to meet the statewide GHG reduction goals. If that requires further limits on growth in rural areas, or greater commitment to travel reduction, or greater commitment to conversion of fossil-fuel based vehicles to carbon-neutral transportation, then the County must attack those goals with vigor.

17-2

Climate change is a fact that is here today and is changing the planet's ecosystem and livability. Failing to reduce our emissions drastically within the next few decades is not an option. The County must do its part to keep our way of life from being irreparably damaged.

Sincerely,

Bryan Baker



## 2. Response to Comments

### I7. Response to Comments from Bryan Baker, dated August 15, 2019.

- I7-1 Comment acknowledged. As required by CEQA, the Draft PEIR evaluates the potential greenhouse gas (GHG) emissions impacts of implementation of the Countywide Plan and proposes feasible mitigation measures for an identified significant GHG impact. As noted by the commenter, Draft PEIR Section 5.16, *Transportation and Traffic*, also addresses GHGs relative to transportation-related emissions, as evaluated for vehicles with the vehicles miles traveled (VMT) evaluation metric. The analysis does conclude that the CWP would reduce GHG emissions in comparison to existing conditions, and also demonstrates consistency with the California Air Resources Board (CARB) 2017 Scoping Plan. Section 5.10, *Land Use and Planning*, demonstrate the CWP's consistency with the RTP/SCS. Nevertheless, GHG emissions would remain significant and unavoidable. As summarized in the following response (I7-2) and in Draft PEIR Section 5.7.8, *Level of Significance After Mitigation*, at this time, there is no plan past 2030 that achieves the long-term climate stabilization goal established under Executive Order S-03-05, and the state cannot meet the 2050 goal without major advancements in technology.
- I7-2 The County considered mitigation and alternatives to reduce GHG emissions impacts of the project. However, no alternative land use plan has been identified that would achieve the statewide GHG reduction goals; because, as stated in the Draft PEIR, achieving the carbon neutrality goals of the state will require a fundamental shift to clean energy in every sector of the economy. The primary sources of emissions in the unincorporated county are from energy use and on-road transportation sources. The transportation and electricity sectors in the state are transitioning to carbon-neutral sources in accordance with Senate Bill 100 and Executive Order B-55-18. However, for the foreseeable future, there will be blended technology in the transportation sector (i.e., fossil fuel cars and zero emissions vehicles).

## 2. Response to Comments

*This page intentionally left blank.*

## 2. Response to Comments

LETTER I8 – Susan V. Walker (1 page[s])

I8

**Susan V. Walker**



Aug. 15, 2019

Jerry L. Blum

Land Use Services Dept.

San Bernardino County

385 N. Arrowhead Ave. First Flr.

San Bernardino, CA 92415

Dear Land Use Services Dept.:

I am writing for the comment period on the General Plan. In the section #6, I am concerned about the impacts on Air quality, Biologic resources and Greenhouse Gas emissions (6.1, 6.2, & 6.3). These impacts should be minimized as much as possible.

I am specifically concerned about the Action Plan for Lake Arrowhead. I commend the work done on the Community Focus Statement A. I look forward to that being accomplished.

I am in favor of the items in the 2007 Community Plan that were carried forward into the 2019 Action Plan. Yes, we need Hwy 18 which is a state road designated as a scenic highway. The listed wild life corridors must be created and protected. In Rimforest on the Church of the Woods property the wildlife corridor must be protected. The same is true of SkyPark's wildlife corridor.

Thank you for the opportunity to comment.

Sincerely,

Susan V. Walker

I8-1

## 2. Response to Comments

*This page intentionally left blank.*

## 2. Response to Comments

### **I8. Response to Comments from Susan V. Walker, dated August 15, 2019.**

I8-1 The commenter states a general concern about the impacts on air quality, biological resources and greenhouse gases, referencing Draft PEIR, Chapter 6, *Significant Unavoidable Adverse Impacts*. The commenter notes that these impacts should be minimized as much as possible. As mandated by the California Environmental Quality Act, feasible mitigation measures have been included to reduce these impacts to the extent possible.

The remaining comments in this letter are related to the Lake Arrowhead Community Plan and Action Plan and do not relate to the Draft PEIR. The comments are acknowledged, but no response is required.

## 2. Response to Comments

*This page intentionally left blank.*

## 2. Response to Comments

LETTER I9 – Jane Hunt-Ruble (2 page[s])

19

To Jerry L. Blum - Countywide Plan Coordinator  
County of San Bernardino County  
Land Use Services Department

I didn't review the entire Plan due to its length of content and lack of time due to short access to computer/internet. I care about the entire Countywide Plan, but I'm focusing on the Valley regions Community Plans and Biological Resources/Environment. I live in Murcoy and want some clarification on the Community Action Guide's focus on community self-reliance and implementation of Goals, land use policies. All four components of the CWP will affect our community. The CPR and CBP components are of concern to me because of public safety and other services provided by the County for the unincorporated areas include the incorporated areas. Murcoy needs more public safety issues (Sheriff, noise, fireworks, code enforcement violations) need to be addressed and enforced. (5.12) Noise Environmental Analysis Table 5.12-4 Community Noise and Land Use Compatibility did not include noise from vehicular sound systems and fireworks which really impacts the community. are not addressed in the analysis. (5. Biological Resources Environmental Analysis) Policy LU.2.3 concerns me with the compatibility of new development with the natural environment because there will be conflicts between cities and ~~and~~ the counties land use policies.

19-1

19-2

## 2. Response to Comments

(Table 8-1 Impacts Found not to be Significant)

Aesthetics Impacts 5.1-1, 5.1-2, 5.1-3, 5.1-4 were found to be less than significant. How did you determine these impacts weren't significant? Impact 5.14-1 & 5.14-2 would create a need for more deputies in the Sheriff's Dept. because of population growth and more County fire personnel for fire protection services. (9.2)

19-2  
Cont'd

Growth-Inducing Impacts of the Proposed Project. Growth in all areas of the County is going to have a huge impact to Biological Resources, Air Quality, Public Safety, Traffic, Environmental Hazards (Wildfires), Noise and the Health & Wellbeing of the citizens of this County. I've participated in the Counties Trails Committee and the Environment Element Group. I hope the County truly cares about implementing policies that protect the environment which enhances a good quality of life and well-being of its residents.

19-3

Thankyou  
Jane Hunt-Ruble



## 2. Response to Comments

### I9. Response to Comments from Jane Hunt-Ruble, dated - undated.

I9-1 Comment acknowledged. Please also refer to Response O1-7 regarding Community Plans and Community Action Guides. Note also the detailed evaluation of the Muscoy community in the Environmental Justice Background Report (see Appendix D of this Final PEIR) and related environmental justice policies as summarized in Response A3-1.

I9-2 In this comment, the commenter lists several concerns regarding community issues, including safety issues and code enforcement. Public services, including fire and emergency, police, schools, and libraries, are addressed in the Draft PEIR, Section 5.14, *Public Services*. Issues regarding vehicle sound systems and fireworks are not environmental issues required to be analyzed in an environmental impact report. These issues would relate to the County's Development Code and related code enforcement.

The commenter inquires how impacts were determined to be less than significant for aesthetics and for sheriff and fire services. The impact analysis is detailed in the respective Draft PEIR sections, and conclusions regarding significance are compared to the *Thresholds of Significance*, which are defined in each topical section.

I9-3 Comment acknowledged.

## 2. Response to Comments

*This page intentionally left blank.*