

## SECTION 4: ERRATA

The following are revisions to the Revised and Recirculated Draft Environmental Impact Reports (RRDEIRs), referred to as RRDEIR No. 1 and RRDEIR No. 2. These revisions are minor modifications and clarifications and do not change the significance of any of the environmental issue conclusions within the RRDEIRs. The revisions are listed by page number. RRDEIR text that is shown is indented underneath explanatory information. All additions to the text are underlined (underlined) and all deletions from the text are stricken (~~stricken~~).

### 4.1 - Revisions or Additions to the Text of RRDEIR No. 1 and RRDEIR No. 2

#### 4.1.1 - Revisions or Additions to RRDEIR No. 1

##### Section 1.5 – Determination of the Lead Agency and Responsible Agencies

###### Page 1-10

Additional Responsible agency added to the bullet list provided:

- California Department of Forestry & Fire Protection (CAL FIRE)—Timber Harvesting Plan approval.

##### Section 4.2.12—Construction Mitigation

###### Page 4.2-31

Detail added to Mitigation Measure AQ-1.

- AQ-1** Prior to construction of the project, the project proponent will provide a Fugitive Dust Control Plan that will describe the application of standard best management practices (BMPs) to control dust during construction. The Fugitive Dust Control Plan shall be submitted to the County and SCAQMD for approval and approved prior to construction. Best management practices will include, but not be limited to:
- For any earth moving which is more than 100 feet from all property lines, conduct watering as necessary to prevent visible dust emissions from exceeding 100 feet in length in any direction.
  - For all disturbed surface areas (except completed grading areas), apply dust suppression in a sufficient quantity and frequency to maintain a stabilized surface; any areas which cannot be stabilized, as evidenced by wind driven dust, must have an application of water at least twice per day to at least 80 percent of the unstabilized area.
  - For all inactive disturbed surface areas, apply water to at least 80 percent of all inactive disturbed surface areas on a daily basis when there is

evidence of wind-driven fugitive dust, excluding any areas that are inaccessible due to excessive slope or other safety conditions.

- For all unpaved roads, water all roads used for any vehicular traffic once daily and restrict vehicle speed to 15 mph.
- For all open storage piles, apply water to at least 80 percent of the surface areas of all open storage piles on a daily basis when there is evidence of wind-driven fugitive dust.
- Mass grading activities shall be limited to a maximum of 5 acres per day.

#### **Page 4.2-31, 4.2-32**

Mitigation Measure AQ-2 has been revised.

**AQ-2** To reduce emissions from the construction equipment within the project site, the construction contractor will:

- ~~To the extent that equipment and technology is available and cost effective, the contractor shall~~ Use catalyst and filtration technologies on mobile construction equipment.
- All diesel-fueled engines used in construction of the project shall use ultra-low sulfur diesel fuel containing no more than 15-ppm sulfur, or a suitable alternative fuel.
- All construction diesel engines, which have a rating of 50 hp or more, shall meet the Tier II California Emission Standards for off-road compression ignition engines, ~~unless certified by the contractor that such engine is not available for a particular use. In the event that a Tier II engine is not available, Tier I compliant or 1996 or newer engines will be used preferentially. Older engines will only be used if the contractor certifies that compliance is not feasible.~~
- Heavy-duty diesel equipment will be maintained in optimum running condition.

#### **Section 4.4, Hydrology**

##### **Page 4.4-1**

A detail has been added.

In addition, the discussion of groundwater and water supply is based on the Recommendations for Groundwater Monitoring, prepared by Geoscience Support Services, Inc., September 2004 (Appendix G.5), the Final Feasibility Study to Serve the Proposed Moon Camp Residential Development (TTM No. 16136), March 2007, Prepared by ALDA Engineering, Inc., as amended by 2011 update (Appendix G.2); the Moon Camp Well FP-Z Report, August 2008, prepared by California Collaborative Solutions, August 2008 (Appendix G.3); the “Water Supply Analysis,” February 2009,

prepared by California Collaborative Solutions (Appendix C.5); and the “Water Supply Report,” May 2009, prepared by California Collaborative Solutions (containing the Thomas Harder Groundwater Consulting Analysis and Big Bear DWP correspondence letter, May 2009) (Appendix C.6).

**Page 4.4-8**

A Water Quality Control Board Order number has been revised.

**WQMP Requirements**

The Santa Ana Regional Water Quality Control Board Order Number ~~R8-2002-0012~~ R8-2010-0036, NPDES Permit No. CAS618036 (Permit) requires post-construction BMPs to be implemented for new development and significant redevelopment projects, for both private and public agencies. A WQMP is then used to guide the development and implementation of a program to minimize the detrimental effects of urbanization on the beneficial uses of receiving waters, including effects caused by increased pollutants loads and changes in hydrology.

**Page 4.4-9**

Text has been amended to reflect an update in project circumstances with regard to MS4 permit.

~~The deadline for the Regional Board’s update to the MS4 permit is February 29, 2008; however, as noted in Implementation Task 3.1, changes to the MS4 permit may not be necessary to address TMDL issues.~~

On January 29, 2010, the Regional Board adopted Order No. R8-2010-0036 (NPDES Permit No. CA5618036) as the new MS4 permit for San Bernardino County and incorporated municipalities therein. This permit expired on January 29, 2015. On August 1, 2014, San Bernardino County submitted a Report of Waste Discharge in compliance with the terms of the MS4 permit.

**Page 4.4-10**

Detail added with regard to the project’s low impact design goals.

**Site Design**

Lots in the Proposed Alternative Project are proposed to be low density with stem wall construction, thereby reducing the area of construction. This criterion in planning reduces the overall footprint of construction and minimizes the imperviousness of each lot. The Proposed Project Alternative also proposes to include 5.73 acres of dedicated open space. Maximizing open space thereby minimizing impervious development will retain optimum on-site precipitation and

supplement natural recharge to the site's two ground water basins. These are important concepts guiding the projects low impact design goals.

## Section 4.9, Utilities

### Page 4.9-2

Text amended to describe update in circumstances with regard to water service provider.

~~Although DWP has completed a Water Feasibility Study (Alda, 2007) and provided a conditional will serve letter to the Applicant. DWP will be the water provider to the project site. Because the majority of the project site, is outside of the DWP authorized service area as well as the City's Sphere of Influence. As a result, DWP cannot provide water service without first complying with the provisions of Government Code Section 56133, which requires that cities receive Local Agency Formation Commission (LAFCO) annexation approval to provide new or extended services outside their jurisdictional boundaries, but within their spheres of influence, DWP and County CSA 53C entered into an Outside Service Agreement for Potable Water Service dated November 17, 2015, to allow DWP to serve the project. San Bernardino County LAFCO approved the Agreement at its November 18, 2015 meeting.~~

### Page 4.9-4 through 4.9-6

Text has been amended to reflect changes to water service alternatives.

#### 4.9.4 - Water Service Alternatives

~~Although water service is not presently provided to the project site, the site is immediately adjacent to the jurisdiction of the DWP and annexation to the DWP's authorized service area is one of three possible water service alternatives. DWP has conducted a Water Feasibility Study (Alda, 2007), and provided a conditional will serve letter to the Applicant. However, the majority of the project site is outside of the DWP authorized service area as well as the City's Sphere of Influence. DWP cannot provide water service without first complying with the provisions of Government Code Section 56133, which pertains to the LAFCO annexation process. In order for the DWP to provide water service to the project site and to own and operate the Proposed Alternative Project's water system, LAFCO would have to approve an expansion of the City of Big Bear Lake's Sphere of Influence (SOI) to include the entire existing DWP Water Service Area in Fawnskin as well as the entire project site. The developer would be required to construct the on-site and off-site facilities as described in the DWP's Water Feasibility Study (Alda, 2007). This is Water Service Alternative #1 (see below~~

~~for details), existing DWP water distribution facilities currently providing potable water service to portions of the Fawnskin community.~~

~~Water Service Alternative #2 (see below for details) would not require LAFCO's approval and would not create the expansion of the City's Sphere of Influence around Fawnskin and the project site. Instead, County Service Area 53C (CSA 53C) would own and operate the water facilities within the project site and contract with the DWP for a water interconnection to the existing Fawnskin water system. The developer would be required to construct the same on-site and off-site facilities as described in the DWP's Water Feasibility Study (Alda, 2007).~~

~~Water Service Alternative #3 (see below for details) would not require LAFCO's approval and would not create the expansion of the City's Sphere of Influence around Fawnskin and the project site. Alternative #3 would involve the developer constructing an independent water system completely within the project site. The developer would construct the same on-site water lines as in Water Alternatives #1 and #2, and, in addition the required water reservoir and water booster station would be constructed by the developer on the project site (rather than constructing the off-site water facilities identified in the DWP's Water Feasibility Study). CSA 53C would own and operate this independent water system.~~

### **Water Service Alternative #1**

According to the Water Feasibility Study prepared by Alda Engineering Inc. (Appendix G.2), water service to the project site could be provided from the DWP's Upper Fawnskin pressure zone (Water Feasibility Study, Appendix G.2, Alternative B). HoweverBecause the project site is located outside of the DWP Service area and sphere of influence, DWP and County CSA 53C entered into an Outside Service Agreement for Potable Water Service dated November 17, 2015, whereby DWP and CSA 53C agreed that, due to the lack of potable water facilities operated by CSA 53C in the Fawnskin area, it was not economical for CSA 53C to be the water provider for the Moon Camp property and that it was more appropriate for DWP to be the water purveyor. LAFCO approved the Agreement at its November 18, 2015 meeting. However, for DWP to serve the project, significant transmission improvements in the Fawnskin system would be needed to provide fire flow to the project site. The closest DWP pipeline within the Upper Fawnskin system is a single six-inch-diameter pipeline located near the intersection of Flicker Road and Chinook Road, approximately 2,000 feet from the westerly boundary of the project site.

The Upper Fawnskin pressure zone has an operating hydraulic grade of 7,113 feet set by the high water level of the existing 0.25 million-gallon Raccoon Reservoir. Based on this hydraulic elevation, static pressures within the project site would range from a low of 71 psi at the highest point in Lot 18 to 157 psi near the lake. Therefore, individual pressure regulators would be required for all lots with static pressures exceeding 80 psi. The future homeowners would install and fund the individual pressure regulators as required for specific lots.

The Water Feasibility Study provides two options (A and B) for expanding the existing Fawnskin Water System infrastructure. Option B has been chosen by DWP and the Applicant as the preferred Water Feasibility Study alternative for Water Service Alternative #1. In either case, the Applicant would install all common infrastructures, including fire hydrants, and would also install the water main lines within the project site. The water improvements will primarily be constructed within the rights-of-way of existing or proposed paved roads. The water service infrastructure required is as follows:

- 900 ft of 12-inch pipeline along Ridge Road from the intersection of Raccoon Drive south to tie to an existing 8-inch PVC pipeline on a private easement.
- 200 ft of 12-inch pipeline along private easement to connect Fawnskin Drive and Canyon Road.
- 650 ft of 12-inch pipeline along Canyon Road to Chinook Road.
- 600 ft of 12-inch pipeline along Chinook Road to Flicker Road.
- 500 ft of 12-inch pipeline along Flicker Road to Mesquite Drive.
- 400 ft of 12-inch pipeline along Mesquite Road to North Shore Drive.
- 250 ft of 12-inch pipeline along North Shore Drive to development westerly boundary.
- Refurbishing existing Cline Miller pump station to augment pumping capacity to approximately 300 gmp.
- 50 KW on-site emergency generators at the Cline Miller Reservoir.

#### **Page 4.9-7 through 4.9-8**

Text revisions with regard to the two options (Option A and B) have been provided in the Water Feasibility Study, and former Option 2 and Option 3 have been removed.

Currently there are three groundwater wells on-site (constructed by the project's property owner and developer), Wells FP2, FP3 and FP4. ~~Alternative #1 involves~~ As a

condition of obtaining water service to the project site, the project proponent will deed title to the wells FP2, FP3, and FP4 being deeded to the DWP at the time the tract map is recorded.

The Water Feasibility Study provides two options (A and B) for expanding the existing Fawnskin Water System infrastructure. Option B has been chosen by DWP and the Applicant as the preferred Water Feasibility Study alternative for Water Service Alternative #1. In either case, the Applicant would install all common infrastructures, including fire hydrants, and would also install the water main lines within the project site. The water improvements will primarily occur within existing paved roads. Nearby residents are not required to tie into the proposed DWP water system. The impacts related to the installation of the off-site and on-site water improvements would be temporary and are considered less than significant. See Exhibit 2-6 for the proposed water facilities and improvements.

### **~~Water Service Alternative #2~~**

~~This Alternative assumes the City does not wish to expand its Sphere of Influence, or that LAFCO does not approve an expansion of the City of Big Bear Lake's Sphere of Influence to include the entire existing DWP Water Service Area in Fawnskin as well as the entire project site (Water Service Alternative #1). The existing County Service Area 53C (CSA 53C) is authorized to own and operate water systems, and currently CSA 53C encompasses the entire project site. No LAFCO action would be required for CSA 53C to own and operate the Proposed Alternative Project's Water System. Alternative #2 would include the developer constructing the on-site and off-site water facilities contained in the DWP's Water Feasibility Study (Alda, 2007); CSA 53C owning and operating the Proposed Alternative Project's On-site Water System (the three water wells and the water main lines); DWP owning and operating the water facilities constructed by the developer within the DWP's Fawnskin Water System; and CSA 53C contracting with the DWP for a water interconnect between the DWP's existing Fawnskin Water System and the Proposed Alternative Project's On-site Water System.~~

~~All of the water demand calculations for the Proposed Alternative Project, water system descriptions, and the Water Feasibility Study Option B described in Water Service Alternative #1, apply to Water Service Alternative #2.~~

The water improvements for Water Service Alternative #2 would primarily occur within existing paved roads. The impacts related to the installation of the off-site

and on-site water improvements would be temporary and are considered less than significant. See Exhibit 2-6 for the proposed water facilities and improvements.

### **Water Service Alternative #3**

Instead of constructing the off-site water facilities (within the Fawnskin Water System) identified in the DWP's Water Feasibility Study Option B (Alda, 2007, which is the basis for Water Service Alternatives #1 and #2, above), the Proposed Alternative Project's developer would construct an on-site reservoir (238,600 gallons) and an on-site booster station capable of providing the daily water supply flow and the required 1,750 gallons per minute fire flow. The reservoir and booster station would be sized based upon the same demand calculations contained in the Water Feasibility Study and Water Service Alternatives #1 and #2:

- Average Day Demand (ADD) = 8.68 gpm.
- Maximum Day Demand (MDD) = 15.27 gpm;
- Fire Flow = 1,750 gpm with a 2-hour duration;
- Operational Storage = 30% of MDD (15.27 gpm) = 6,600 gallons;
- Emergency Storage = 100% of MDD (15.27 gpm) = 22,000 gallons;
- Fire Flow Storage for 1,750 gpm (2-hour duration) = 210,000 gallons; and
- Total Storage Requirement per the Alda Water Feasibility Study = 238,600 gallons.

The developer would also construct the same on-site (within the project site) water facilities (water main lines, fire hydrants, etc.) identified in the Alda Water Feasibility Study. Existing water wells FP2 and FP4 would be connected to the on-site water system and pump their water into the 238,600-gallon on-site reservoir. The on-site booster station would produce the Average and Maximum Daily Demand flows (8.68 gpm and 15.27 gpm) and the Fire Flow of 1,750 gpm for the 2-hour duration. The booster station would include an emergency electrical generator to allow the station to operate during a power outage.

The water improvements for Water Service Alternative #3 will primarily occur within the Proposed Alternative Project's paved roads and at the Proposed Alternative Project's reservoir site. The construction of the reservoir would include grading an approximately 75-foot-diameter pad for the reservoir. The impacts related to the installation of the on-site water improvements would be temporary and are considered less than significant.



**Page 4.9-15**

Clarification has been provided on DWP as water purveyor in Mitigation Measure U-1b and U-1c.

- U-1b** Pumping and extraction of groundwater shall be limited to 9 acre-feet per year for Well FP-2, 0 acre-feet per year for Well FP-3, and 5 acre-feet per year for Well FP-4. If ~~the water purveyor~~ DWP desires to extract groundwater from Well FP-2 in excess of 9 acre-feet per year, the purveyor shall conduct an independent environmental analysis and consider potential impacts at that time.
  
- U-1c** The grant deeds transferring ownership of Wells FP-2, FP-3 and FP-4 shall include the pumping and extraction limitations included in Mitigation Measure U-1b. The grant deeds shall also state that ~~the water purveyor~~ DWP, on January 1<sup>st</sup> of each year, shall report the amount of the prior year’s annual groundwater production from Wells FP-2, FP-3 and FP-4 to the County Planning Department and the County Health Department.

**Section 5: Cumulative Impacts**

**Page 5-2**

Table 5-1, Cumulative Project List was updated.

**Table 5-1: Cumulative Project List**

<u>Project Type</u>	<u>Name/Area</u>	<u>Description</u>	<u>Number of Units/Size</u>	<u>Population</u>
<b><u>County of San Bernardino</u></b>				
<u>Marina Point</u>	<u>Okovita</u>	<u>SFR</u>	<u>120</u>	<u>276</u>
<u>TT 17670</u>	<u>Sobczyk/Fawn</u>	<u>SFR</u>	<u>22</u>	<u>51</u>
<u>TT 17217 &amp; TT17022</u>	<u>Stinson, Lisa A Moonridge</u>	<u>SFR</u>	<u>53</u>	<u>122</u>
<u>TPM 19262</u>	<u>Musto/Baldwin</u>	<u>SFR</u>	<u>4</u>	<u>9</u>
<u>TT 18806</u>	<u>Burtner/Erwin</u>	<u>SFR</u>	<u>18</u>	<u>41</u>
<u>Conv Store/Gas Station/Residence</u>	<u>Munem Maida</u>	<u>Conv Store/Gas Station/Residence</u>	<u>1</u>	<u>2</u>
<b><u>Total (County of San Bernardino)</u></b>			<b><u>218 SFR</u></b>	<b><u>501</u></b>
<b><u>City of Big Bear Lake</u></b>				
<u>CUP 2000-52</u>	<u>The Club</u>	<u>Timeshare</u>	<u>61</u>	<u>140</u>
<u>TT 16611</u>	<u>Shadow Mtn</u>	<u>SFR</u>	<u>8</u>	<u>18</u>
<u>TT 18580</u>	<u>Morgan Pines</u>	<u>SFR</u>	<u>23</u>	<u>53</u>
<u>CUP 2008-319</u>	<u>Bay Meadows</u>	<u>Conf Center</u>	<u>11,500 s.f.</u>	<u>—</u>

**Table 5-1 (cont.): Cumulative Project List**

<b>Project Type</b>	<b>Name/Area</b>	<b>Description</b>	<b>Number of Units/Size</b>	<b>Population</b>
<u>Relocation</u>	<u>Moonridge Zoo</u>	<u>Animal Park</u>	<u>—</u>	<u>—</u>
<u>618 Pineknot</u>	<u>N.P. Fudge</u>	<u>2 apartments</u>	<u>2</u>	<u>5</u>
<b><u>Total (City of Big Bear Lake)</u></b>			<b><u>94 SFR</u></b>	<b><u>216</u></b>
<b><u>TOTAL</u></b>			<b><u>312 SFR</u></b>	<b><u>717</u></b>

If approved and constructed, these projects could introduce an additional 866 residents to the Big Bear area. This is down significantly from the 2,210 residents and transient population that would have been introduced to the area under the cumulative project list utilized for the environmental analysis of the Project. The cumulative impacts analysis in the Project EIR actually overstates cumulative impacts but was not revised despite the revised cumulative project list.

**4.1.2 - Revisions or Additions to RRDEIR No. 2**

**Section 1: Project Description**

**Page 1-10**

Additional information regarding Alternative Project Characteristics has been added.

The 2011 Alternative Project proposes 6.2 acres of open space/conservation/Neighborhood Lake Access within the Project site. The 2011 Alternative Project also includes a 55-slip marina. The marina parking lot also includes some open space for the preservation of existing trees; however, because of the development of the parking lot, the lot would not be considered Open Space. The main differences between the 2010 Alternative Project and the 2011 Alternative Project that is the subject of this Revised and Recirculated Draft EIR No. 2 and are summarized below:

- Redesigned Residential Lot Layout. The 2011 Alternative Project still reflects development of 50 residential lots on approximately 62.43 acres. The 2011 Alternate Project does not increase development intensity but merely proposes a revised lot configuration. Lots 1-3, which were located north of Street A on the western-most portion of the Project site have been shifted east and will be located in an area previously occupied by a portion of Lot A which was designated as Open Space Conservation Easement. (Please see Exhibit 1-4)
- Creation of Open Space Lot H. To compensate for the loss of a portion of Lot A, previously designated as Open Space Conservation Easement, and in response to

the Supplemental Focused Special Status Plant Species Survey (August 29, 2010) which identified significant occurrences of Ashy-Gray Indian Paintbrush in the area previously designated for development, a 1.98 acre portion of the Project site previously occupied by Lots 1-3 will now become lettered Lot H which, like Lot A, is designated Open Space/Conservation Easement. Lot A and Lot H together comprise 4.84 acres of occupied Ashy-Gray Indian Paintbrush that will be preserved in perpetuity.

### **Page 1-15**

Information with regard to water service options and infrastructure has been edited.

### **Water Service Options and Infrastructure**

~~There are currently three (3) separate water service options for the 2011 Alternative Project. Under Alternative #1, significant improvements to Water Service for the Project site would be provided by the Big Bear Department of Water and Power (DWP). Although the project site is partially located outside of the DWP Service area and sphere of influence, the DWP and County CSA 53C entered into an Outside Service Agreement for Potable Water Service dated November 17, 2015, whereby the DWP and CSA 53C agreed that, because of the lack of potable water facilities operated by CSA 53C in the Fawnskin area, it was not economical for CSA 53C to be the water provider for the Moon Camp property and that it was more appropriate for the DWP to be the water purveyor. LAFCO approved the Agreement at its November 18, 2015 meeting. For the DWP to provide potable water to the project site, significant improvements to the upper Fawnskin pressure zone are necessary. to provide water service to the site. The three ground water production wells located within the Project site would be deeded to the DWP at the time the tract map is recorded. Annexation to the DWP's authorized service area is required for DWP to be the water service provider. DWP has conducted a Water Feasibility Study (Alda 2007), and provided a conditional will serve letter to the Applicant. However, the majority of the Project site is outside of the DWP authorized service area as well as the City's Sphere of Influence. DWP cannot provide water service without first complying with the provisions of Government Code Section 56133, which pertains to the Local Area Formation Commission (LAFCO) annexation process. In order for the DWP to provide water service to the Project site and to own and operate the 2011 Alternative Project's water system, LAFCO would have to approve an expansion of the City of Big Bear Lake's Sphere of Influence to include the entire existing DWP Water Service Area in Fawnskin as well as the entire Project site. The developer would be required to construct the on-site and off-site facilities as described in the DWP's Water Feasibility Study (Alda 2007), as amended by the 2011 update, as discussed below.~~

**Page 1-16**

Information with regard to water service options and infrastructure has been edited.

~~Water Service Alternative #2 (see Section 4.9 of the Revised and Recirculated Draft EIR No. 1 for details) would not require LAFCO's approval and would not create the need for expansion of the City's Sphere of Influence around Fawnskin and the project site. Instead, County Service Area 53C (CSA 53C) would own and operate the water facilities within the project site and contract with the DWP for a water interconnection to the existing Fawnskin water system. The developer would be required to construct the same on-site and off-site facilities as described above.~~

~~Under Water Service Alternative #3 (see Section 4.9 of the Revised and Recirculated Draft EIR No. 1 for details), instead of constructing the off-site water facilities (within the Fawnskin Water System) identified in the DWP's Water Feasibility Study Option B (Alda, 2007, which is the basis for Water Service Alternatives #1 and #2, above), water service would be provided entirely from an onsite water supply, storage and distribution system. Water would be extracted from the onsite water wells; the 2011 Alternative Project would require construction of an on-site aboveground water tank (238,600 gallons) and an on-site booster station capable of providing the daily water supply flow and the required 1,750 gallons per minute fire flow. The water tank and booster station would be sized based upon the same demand calculations contained in the Water Feasibility Study and Water Service Alternatives #1 and #2. Water Service Alternative #3 would not require LAFCO's approval and would not require the expansion of the City's Sphere of Influence around Fawnskin and the project site. The developer would also construct the same on-site (within the Project site) water facilities (water main lines, fire hydrants, etc.) identified in the Alda Water Feasibility Study necessary to transmit water to the developed lots within the 2011 Alternative Project. Existing water wells FP2 and FP4 would be connected to the on-site water system and pump their water into the 238,600 gallon on-site reservoir. The on-site booster station would produce the Average and Maximum Daily Demand flows (8.68 gpm and 15.27 gpm) and the Fire Flow of 1,750 gpm for the 2-hour duration. The booster station would include an emergency electrical generator to allow the station to operate during a power outage. The water improvements for Water Service Alternative #3 will primarily occur within the 2011 Alternative Project's paved roads and at the 2011 Alternative Project's water tank site. The construction of the water tank would include grading of an approximately 75-foot-diameter pad for the reservoir. CSA 53C would own and operate this independent water system.~~

## Section 2, Biological Resources

### Page 2-1

Additional bullet point added:

- Survey of Ashy-Gray Indian Paintbrush Moon Camp Tentative Tract 16136, Timothy Krantz Environmental Consulting (2016) (2020 Final EIR Appendix K)

### Page 2-16

A spelling error has been corrected.

As outlined within Table 2-2, eighty-one (81) special status plant species are known to occur in the Project region, 30 of which occur or have a moderate or higher potential to occur on the Project site. In addition, six of these special status plant species have been observed on the Project site. A brief description of these special status plant species are described ~~below~~below:

### Page 2-17

Detail has been added with regard to ashy-gray Indian paintbrush habitat, conservation areas, and habitat preservation.

Findings and conclusions of the Supplemental Focused Special Status Plant Species ~~Survey~~ Surveys conducted by Dr. Krantz (June 29, 2008) (August 29, 2010) as confirmed by his June 27, 2016 update (2020 Final EIR Appendix K) with respect to the Ashy-Gray Indian Paintbrush at the Project site are described below. Altogether, the 2010 Krantz Survey concluded there were 7.71 acres of Ashy-Gray Indian Paintbrush habitat located within the boundaries of the project site, 4.84 acres of which are located within the Lot A and Lot H Conservation Areas.

#### *Open Space Lot A*

Krantz conducted a discrete count of the Ashy-Gray Indian Paintbrush occurrences on Lot A by systematically walking the surrounding area of the knoll at this location. Altogether, a total of approximately 230 individual Ashy-Gray Indian Paintbrush occurrences were identified within the boundaries of Lot A, a 3.40-acre open space area.

#### *Open Space Lot H*

The newly-proposed Lot H Open Space Conservation Easement was created to protect the high densities of Ashy-Gray Indian Paintbrush occurring in this area. Lot H is approximately 1.98 acres in area. The highest concentration of these plants extends in a broad opening in the Jeffrey pine woodland, in association with Wright's matting buckwheat. A total of approximately 4,665 Ashy-Gray Indian Paintbrush occurrences were estimated to occur in this area based on a combination of discrete counts and a

belt transect through the middle of the highest density area. Altogether, a total of 5,567 Ashy-Gray Indian Paintbrush plants were estimated to occur on the Moon Camp property. Permanent protection of Lot H results in preservation of 84 percent (4,665 plants of 5,567 plants) of the total Ashy-Gray Indian Paintbrush plants on-site. Combined, Lot A and Lot H comprise a total of 4.84 acres of occupied Ashy-Gray Indian Paintbrush habitat that will be permanently preserved.

**Page 2-19**

Detail has been added with regard to ashy-gray Indian paintbrush habitat, conservation areas, and habitat preservation.

Redesign of the lot layout, as reflected in the 2011 Alternative Project, results in a significant increase in Ashy-Gray Indian Paintbrush conservation. On an acreage basis, the project will impact approximately 2.87 acres of the 7.71 acres of habitat. Creation of Lot A and Lot H preserves 4.84 acres of habitat, resulting in an on-site mitigation ratio of 1.68:1. With permanent preservation of the 10-acre Dixie Lee Lane Property mitigation for impacts to Ashy-Gray Indian Paintbrush habitat is 5.04:1. Of the 5,567 Ashy-Gray Indian Paintbrush plants determined to occur on site through the updated plant surveys, 4,895 plants will be permanently protected within Lot A and H, representing 88 percent of the total number of Ashy-Gray Indian Paintbrush plants within the proposed Project site. Of the remaining Ashy-Gray Indian Paintbrush plants on private Lots, plants within Lots 1, 47, 49, and 50 are all within the rear Lot building setbacks, as well as 20 plants on Lot 4, for a total of 127 plants.

Table 2-3 has been replaced as follows:

**Table 2-3: Summary of Ashy-Gray Indian Paintbrush Occurrence on the Moon Camp Site**

Lot Number	Total Plants
Lot 1	45
Lot 2	150
Lot 3	175
Lot 4	90
Lot 5	30
Lot 47	50
Lot 49	9
Lot 50	3
Lot A	230
Lot F	80

**Table 2-3 (cont.): Summary of Ashy-Gray Indian Paintbrush Occurrence on the Moon Camp Site**

Lot Number	Total Plants
Road ROW*	40
Lot H	4,665
Total	5,567

Source: Supplemental Focused Special Status Plant Species Survey (August 29, 2010).

\* ROW = Right of Way.

**Table 2-3: Summary of Ashy-Gray Indian Paintbrush Occurrence, Impacts, and Conservation on the Moon Camp Site**

Lot Designation	Habitat (acres)	Number of Plants	Impacts		Conservation	
			Acres	Individual Plants	Acres	Individual Plants
Lot H/A	4.84	4,895	-	-	4.84	4,895
Roadway	0.5	40	0.5	40		
Lot F	0.14	80	0.14	80		
Lots 1-5	2.00	490	2.00	490		
Lot 47/48	0.11	50	0.11	50		
Lot 49	0.01	9	0.01	9		
Lot 50	0.11	3	0.11	3		
Dixie Lee Lane	-	-	-	-	10.0	21
<b>Totals</b>	<b>7.71</b>	<b>5,567</b>	<b>2.87</b>	<b>672</b>	<b>14.48</b>	<b>4,916</b>

Source: ELMT. 2018. Technical Review of the Biological Database for the Moon Camp Project Site. May 23, 2018. Attachment A (2020 Final EIR Appendix I).

**Page 2-44, 2-45**

Detail about soil conditions has been added.

**Special Status Plant Species Known to Occur on the Project Site**

One Federally-listed Threatened and CNPS List 1B species, Ashy-Gray Indian Paintbrush; and five CNPS List 1B species, Parish’s rock cress, Big Bear Valley woollypod, silver-haired ivesia, purple monkeyflower, and Bear Valley phlox, were observed on the Project site during the 2002, 2007, 2008, and 2010 and 2016 (see 2005 Final EIR Appendix 15.6; RRDEIR No. 1 Appendix B; RRDEIR No. 2 Appendix A; and 2020 Final EIR Appendix J, K) Supplemental Focused Special Status Plant Species Survey. The surveys identified an herbaceous layer of Wright’s matting buckwheat

(in the western half of the Project site) and found inclusions of Ashy-Gray Indian Paintbrush and Parish's rock cress throughout an approximate 18.01-acre area of open Jeffrey pine forest. Silver haired ivesia was found to be concentrated entirely within the Project site's mapped pebble plain ~~habitat-like soil conditions~~. Bear Valley woollypod was found in patches scattered throughout Jeffrey pine forest habitat on the Project site. Purple monkeyflower was found to be widely distributed on the pebble plain-like soils conditions in the conservation area, with a small portion of the population extending down the draw to the east into the southern half of proposed Lot 50. Finally Bear Valley phlox was found to be distributed in the open black oak woodland and under Jeffrey pines.

Development of the 2011 Alternative Project has the potential to significantly impact the aforementioned special status plant species. The majority of occurrences of these species exist in the western portion of the project site. In addition to protecting the most exemplary and best quality habitat on-site (located within Lot A and the newly-proposed Lot H Open Space Conservation Easement), all five of the CNPS List 1B status species observed on-site will be protected through implementation of Mitigation Measures (MMs) BR-1b, BR-1d and BR-12, which provide for the establishment and management of a Conservation Area that encompasses the location of these plants. Additionally, the 10-acre Dixie Lee Lane parcel provides additional habitat for these species.

### **Page 2-45**

Information about ashy-gray Indian paintbrush preservation with open space creation has been added.

#### ***Ashy-Gray Indian Paintbrush***

As concluded within the Supplemental Focused Special Status Plant Species Survey (August 29, 2010), there are approximately 7.71 acres of Ashy-Gray Indian Paintbrush habitat on the project site, of which 4.84 acres would be permanently protected through the creation of open space Lot A and Lot H. On an occurrence basis, there are approximately 5,567 Ashy-Gray Indian Paintbrush occurrences are located within the proposed Project site. Of the 5,567 occurrences, 4,895 will be permanently protected within the Open Space Conservation Easement of Lot A and H, representing 88 percent of the total occurrences of Ashy-Gray Indian Paintbrush within the proposed Project site. Of the remaining Ashy-Gray Indian Paintbrush plants within the boundaries of private Lots, plants within Lots 1, 47, 49, and 50, are all within the rear Lot building setbacks, as well as 20 plants on Lot 4, for a total of 127 plants.



**Page 2-45**

Detail with regard to Ashy-Gray Indian Paintbrush has been added.

The new Lot 3 contains approximately 175 plants. Lot 4 contains approximately 70 plants to the front-center of the Lot, and another 20 plants to rear of the Lot, within the required building setback, for a total of approximately 90 plants; and Lot 5 contains approximately 30 plants and another approximately 40 Ashy-Gray Indian Paintbrush plants are in the road right-of-way across the front of Lot 5. Well Site Lot F and the associated access road contain approximately 80 plants. In total, the 2011 Alternative Project will impact approximately 672 occurrences of Ashy-Gray Indian Paintbrush occupying approximately 2.87 acres. Based on the foregoing, the reconfiguration of the 2011 Alternative Project and creation of permanent conservation easements covering the areas designated as Lot H and Lot A will permanently conserve approximately 88 percent of the Ashy-Gray Indian Paintbrush occurrences on the Project site (4,895 occurrences conserved, compared to 672 impacted occurrences). This onsite conservation of Ashy-Gray Indian Paintbrush occurrences results in mitigation for 2011 Alternative project impacts at more than a 7:1 ratio. On an acreage basis, the project will mitigate impacts to the Ashy-Gray Indian Paintbrush on-site at a 1.68:1 ratio.

Additionally, Mitigation Measure BR-1a requires permanent conservation of the 10-acre, off-site, Dixie Lee Lane parcel that acts as further mitigation for impacts to the ashy-gray Indian paintbrush. These 10 acres of pebble plain are private land located at the northern terminus of Dixie Lee Lane in the Sugarloaf area of Big Bear Valley. The 10 acres are fenced and exhibit very high densities of the two indicator species (*Arenaria ursina* and *Eriogonum kennedyi austromontanum*). Implementation of Mitigation Measure BR-1a will conserve the high quality pebble plain that is one of the best remaining examples of pebble plain habitat in private ownership and will protect the high density of pebble plain soil conditions. As indicated in the Supplemental Focused Special Status Plant Species Survey (August 29, 2010) performed by Dr. Krantz, the 10-acre parcel comprises habitat that can support the Ashy-Gray Indian Paintbrush and, in fact, during the survey, multiple occurrences of this plant species were observed. Accordingly, in addition to formal conservation of 88 percent of the Ashy-Gray Indian Paintbrush occurrences on the Project site, through conservation easements covering Lot H and Lot A, permanent preservation of the 10-acre Dixie Lee property will provide further mitigation for impacts to the Ashy-Gray Indian Paintbrush species. With the preservation of the Dixie Lee Lane property, the 2011 Alternative Project will permanently set aside 14.48 acres of

Ashy-Gray Indian Paintbrush occupied habitat. ~~On an acreage basis~~ With the inclusion of the Dixie Lee Lane property, the 2011 Alternative Project is mitigating impacts on an approximately ~~10:1~~ 5:1 basis.

The on-site preservation of 88 percent of Ashy-Gray Indian Paintbrush occurrences and over 60 percent of the habitat acreage as well as implementation of Mitigation Measures BR-1a through BR-1d will reduce impacts to the Ashy-Gray Indian Paintbrush to less than significant levels.

### **Page 2-47**

Additional detail added for Special Status Plant Species occurring on the Project Site.

According to the Supplemental Focused Special Status Plant Species Survey conducted by Dr. Krantz (2008), ~~no endangered threatened, or five~~ special status plant species were identified on the Moon Camp property, ~~and the potential for any occurrence of such species is considered to be extremely low. In addition, impacts to CNPS List 1B or 2 species special status plants, not listed as threatened or endangered (Section IV. B.4) do not meet the County's CEQA threshold for a potentially significant impact.~~ Special status plant species found by Dr. Krantz on the project site included: Parish's rock cress, Bear Valley phlox, purple monkeyflower, and fuzzy rat-tail. The other potentially four occurring Pebble Plain special status plant species (Bear Valley sandwort, southern mountain buckwheat, San Bernardino Mountains dudleya, and Baldwin Lake linanthus) were not observed despite favorable conditions during both surveys and are presumably absent.

None of the five listed or special status Montane meadow plant species were identified on-site. The shoreline habitat was determined to be highly disturbed and ruderal in nature. The area did not support a viable Montane meadow habitat capable of supporting listed or special status plant species.

A search of the yellow pine habitat, particularly areas with rocky soils or outcrops, identified one of the three CNPS List 1B plant species (Bear Valley Woollypod) as occurring on the Project site. The other two potentially occurring special-status plant species (Big Bear Valley milkvetch and southern yellow jewelflower) were not observed and are presumed absent.

The majority of special-status species observed on-site are confined to the western portion of the Project site. The creation of the Conservation Areas (Lot A and Lot H) provide conservation of occurrences and habitat for these species. Additionally,

implementation of Mitigation Measure BR-1a will permanently preserve an additional 10 acres of habitat for the special status species. Therefore, impacts in this regard will be less than significant.

**Page 2-47**

Additional detail added regarding Bald Eagles.

**Bald Eagle.** The bald eagle was taken off the federal list of threatened species, but remains on the State endangered species list. Small wintering populations of bald eagle often occur in scattered mountain locations in the region. Big Bear Lake supports the largest wintering population of bald eagle in southern California and may include as many as 30 individuals in peak years. The bald eagle was observed using several trees on the Project site for perch and roost locations. A records search also demonstrated that some of the most utilized perch and roost trees on the north shore of the lake are located on the Project site. Seven of the identified perch trees are adjacent to the Big Bear Lake’s shoreline. Perch trees are used for resting, for monitoring their territories for predators or other eagles, and for hunting. Steenhof (1978) investigation into bald eagle perch determined that proximity to a food source is most important factor in diurnal perch selection by bald eagles. Optimal perch trees are typically tall with an open growth structure that provide line-of sight-opportunities and that are near water (Steenhof, 1978 and Stalmaster and Newman 1979). In their study they also found that bald eagles used artificial perch trees more than would be expected from occurrence alone. In their study, the artificial perch trees provided the closer proximity to water, were generally taller than the native trees and had a greater open growth structure for line-of-site opportunities. Given artificial and native trees that provided comparable characteristics, bald eagle, are using artificial and native trees similarly. The study’s conclusion was that artificial perch trees may be an effective tool as both a mitigation measure and a management strategy. For Moon Camp, the use of artificial perch trees that proximate the existing perch trees in terms of size, structure and proximity to the shoreline would compensate for the loss of native perch trees. It is recommended that the existing perch trees be surveyed for their overall health and expected longevity and that a plan for replacement be developed from this information. Replacement trees would be installed in advance to the projected loss of a perch tree to ensure there is no loss of perching opportunities.

It is also important to note that bald eagle populations have expanded in recent years, even as increasing human presence and activity near nesting and perching

sites has increased. Bald eagle populations have increased in face of increasing human recreation and development along shorelines within prime eagle habitat. This combined growth in eagle populations and human populations have resulted in more frequent interactions with humans (Johnsgard 1990). Due to this increasing overlap with human populations and human activities, bald eagles have habituated to presence of humans. Observations of eagle populations suggest that many eagles are more accepting of eagle activities near nests and wintering sites (Watson et al. 1999, Anthony 2001, and Millsap et al. 2004). A recent newspaper article in The Wash Post by Gregory Lee Sullivan (February 29, 2016) quoted Kevin McGowan of the Cornell Lab of Ornithology as saying “the main thing is that they (bald eagles) just don’t really care as much about people anymore” and are now found nesting in residential areas. He concluded that changes in the behavior of the bald eagle are the results of laws that protect the bird and have helped the species recover after nearly dying out in the early 1960s. The number of bald eagles breeding pairs in the lower 48 contiguous states has increased from a low of 487 in 1963 to 9,789 in 2006. As indicated above, the species was removed by USFWS from the endangered species list in 2007. Given that the Moon Camp area is not used by nesting pairs and only supports overwintering eagles and given the proposed mitigation measure for maintaining perch trees, the presence of 50 new homes in rural residential community of Fawnskin will not adversely affect foraging behavior or other roosting behavior of the overwintering bald eagles. ~~Given the limited distribution of wintering populations of bald eagles in southern California, removal of these trees and/or construction of uses in proximity to trees are considered a significant impact. Therefore,~~ However, any construction activities in proximity to the identified perch and most trees are considered by the County as a significant impact under CEQA. Two pair of bald eagles were documented nesting at Big Bear during Spring/Summer 2007. As the bald eagle has recently nested at Big Bear, ongoing surveys of the Project site during breeding season is recommended to verify the continued absence of nesting bald eagles on the Project site.

Mitigation measures BR-4, B-6 and B-7 will reduce identified impacts to the bald eagles potentially occurring on the Project site. Although Mitigation Measures BR-4, B-6 and B-7 will reduce impacts to the bald eagle, implementation of the 2011 Alternative Project will directly impact eagle perch locations. Based on the County of San Bernardino criteria for determining impacts to bald eagles, any removal of perch trees or human activity resulting in light and/or noise impacts are considered a significant impact under CEQA. This threshold is so restrictive that there is no reasonable configuration to the 2011 Alternative Project that could avoid a

significant impact to the bald eagle. Therefore, further project modifications would not avoid or substantially reduce the identified impacts to bald eagles. Therefore, impacts in this regard will remain significant and unavoidable.

### **Page 2-56**

Discussion of cumulative impacts to Special Status Plant Species is added.

Six listed threatened or endangered species could potentially occur on the Project site. These include bird's foot checkerbloom (endangered), San Bernardino bluegrass (endangered), California dandelion (endangered), Big Bear Valley sandwort (threatened), southern mountain buckwheat (endangered), Ashy-Gray Indian Paintbrush (threatened) and slender-petalled thelypodium (endangered). In addition, 26 CNPS List 1B or 2 species could potentially occur on the Project site. According to the Supplemental Focused Special Status Plant Species Survey conducted by Dr. Krantz (2008), only the Ashy-Gray Indian Paintbrush was observed on-site. no endangered, threatened, or special status plant species were identified on the Moon Camp property, and the potential for any occurrence of such species is considered to be extremely low. Special status plant species found by Dr. Krantz on the project site included: Parish's rock cress, Bear Valley phlox, purple monkeyflower, and fuzzy rat-tail. The other potentially four occurring Pebble Plain special status plant species (Bear Valley sandwort, southern mountain buckwheat, San Bernardino Mountains dudleya, and Baldwin Lake linanthus) were not observed despite favorable conditions during both surveys and are presumably absent.

None of the five listed or special status Montane meadow plant species were identified on-site. The shoreline habitat was determined to be highly disturbed and ruderal in nature. The area did not support a viable Montane meadow habitat capable of supporting listed or special status plant species.

A search of the yellow pine habitat, particularly areas with rocky soils or outcrops, identified one of the three CNPS List 1B plant species (Bear Valley woollypod) as occurring on the Project site. The other two potentially occurring special-status plant species (Big Bear Valley milkvetch and southern yellow jewelflower) were not observed and are presumed absent.

All but one, Bear Valley phlox, of the observed special-status species are confined to the western portion of the Project site. In addition, impacts to CNPS List 1B or 2 species special status plants, not listed as threatened or endangered ~~endangered~~ (Section IV. B.4.) would generally not meet the CEQA threshold for mandatory

findings of significance. As indicated previously, on-site and off-site mitigation is sufficient to mitigate impacts to the Ashy-Gray Indian Paintbrush to less than significant levels both on a Project specific and cumulative basis. Impacts to other special status plant species is similarly reduced to less than significant levels. ~~Therefore, impacts in this regard will be less than significant.~~ When considered in connection with the development of the cumulative projects, the impacts of the 2011 Alternative Project on special status plant species are less than significant.

### **Page 2-57**

Additional detail for Mitigation Measure BR-1a (Special Status Plants and Plant Communities) has been added.

#### ***Special Status Plants and Plant Communities***

**BR-1a** Prior to the initiation of clearing or grading activities on the Project site, a conservation easement shall be placed upon the 10-acre Dixie Lee Lane property. The conservation easement shall be in favor of a ~~qualified~~ California Department of Fish and Wildlife approved conservation entity and shall be recorded in the San Bernardino County Recorder's Office. The easement shall provide for the continued protection and preservation of the property through development of a Long-Term Management Plan (LTMP). The LTMP shall provide for the preservation, restoration, and enforcement of the Conservation Areas so that each area is maintained, and restored where needed, to its natural condition. The LTMP will also include documentation of baseline conditions, any needed site preparation, anticipated restoration/enhancement activities, a biological monitoring program, the creation of a set of success criteria for managing the site, anticipated maintenance activities, an annual reporting process, and a set of contingency or adaptive management measures to be implemented in case success criteria are not being met; to ensure that the implementation of the LTMP is fully funded, a Property Action Report (PAR) will be prepared that will document costs for site security, maintenance activities, site preparation, restoration/enhancements activities, biological monitoring, contingency measure and annual reporting. The costs identified in the PAR will be used to develop a non-wasting endowment that will ensure all costs will be available to establish the site, conduct any needed restoration and enhancements, and to fund reoccurring annual cost needed to manage the site in perpetuity. The easement shall, at a minimum, restrict all use of the property that has the potential to impact the quality of pebble plain soils

and other valuable biological habitat, including the occurrences of the Federally Threatened Ashy-Gray Indian Paintbrush. The property shall be fenced and signs shall be placed on the fencing indicating the sensitive nature of the property habitat and warning that any entry would be prosecuted as a trespass. Project proponent shall also create a perpetual, non-wasting endowment for the management and preservation of the mitigation property. The management entity will be approved by the CDFG.

**Page 2-57**

Additional detail for Mitigation Measure BR-1b has been added.

**BR-1b** Prior to the initiation of clearing or grading activities on the Project site, the 9.1 5.38-acre on-site conservation easements covering Lots A, B, C, D and H (including Lot A and Lot H) shall be established. The conservation easement shall be in favor of a California Department of Fish and Wildlife approved qualified conservation entity and shall be recorded in the San Bernardino County Recorder's Office. The easement shall provide for the continued protection and preservation of the property American Bald Eagle and Rare Plant habitat through development of a Long-Term Management Plan (LTMP). The LTMP shall provide for the preservation, restoration, and enforcement of the Conservation Areas so that each area is maintained, and restored where needed, to its natural condition. The LTMP will also include documentation of baseline conditions, any needed site preparation, anticipated restoration/enhancement activities, a biological monitoring program, the creation of a set of success criteria for managing the site, anticipated maintenance activities, an annual reporting process, and a set of contingency or adaptive management measures to be implemented in case success criteria are not being met; to ensure that the implementation of the LTMP is fully funded, a Property Action Report (PAR) will be prepared that will document costs for site security, maintenance activities, site preparation, restoration/enhancements activities, biological monitoring, contingency measure and annual reporting. The costs identified in the PAR will be used to develop a non-wasting endowment that will ensure all costs will be available to establish the site, conduct any needed restoration and enhancements, and to fund reoccurring annual cost needed to manage the site in perpetuity. The easement shall, at a minimum, restrict all use of the property that has the potential to impact Bald Eagle perch trees, the quality of pebble plain soils and other valuable biological habitat, including the

occurrences of the Federally Threatened ashy-gray Indian paintbrush. The property shall be fenced and signs shall be placed on the fencing indicating the sensitive nature of the property habitat and warning that any entry would be prosecuted as a trespass. ~~The easement shall provide for the continued protection and preservation of the property. The easement shall, at a minimum, restrict all use of the property that has the potential to impact the occurrences of the Federally Threatened Ashy-Gray Indian Paintbrush. Project proponent shall also create a perpetual, non-wasting endowment for the management and preservation of the mitigation property. The management entity will be approved by the CDFG.~~

### Page 2-57

Additional detail added to Mitigation Measure BR-1c.

**BR-1c** The Project Applicant shall take the following actions to further ensure the permanent preservation of the Conservation Areas: ~~(Lot A and Lot H):~~

- Except for access by residents to Lot B & C between April 1 and December 1, Restrict access by pedestrians and motor vehicles to the Conservation Areas. The Conservation Areas shall be secured through installation of fencing or other barriers to prevent access to Conservation Areas. Barriers shall be installed prior to commencement of any construction activities on-site. The Project Applicant shall also include provisions in the CC&Rs for the Project instituting penalties to residents who violate the restrictions and cause any damage to the protected plant habitat: and Bald Eagle perch trees.
- Include enforcement provisions in the CCR's ~~allowing~~ requiring the Homeowner's Association, individual resident within the project, the Conservation Entity, and/or County of San Bernardino to enforce any violation of the provisions intended for the protection of sensitive plant species located within Lot A and Lot H.
- Install appropriate signage identifying Conservation Areas and the sensitive nature of such areas on the Project site and that access is prohibited. The Conservation Areas shall be monitored on a regular basis by the Conservation Entity.
- Prohibit use of invasive plant species in landscaping. Each lot owner shall be given a list of prohibited invasive plant species upon purchase of lot with the parcel. Landscape plans for individual parcels shall be approved by the County prior to development to ensure no inappropriate plant material is incorporated into the design of any individual lot or common area which may compromise the quality of the Conservation Areas.



- Development may not change the natural hydrologic conditions of the Conservation Areas. All grading plans shall be reviewed by the County to ensure hydrologic conditions of the conservation lands are not adversely changed by development.
- The Project Applicant or aAppointed eConservation eEntity shall monitor Conservation Areas on a periodic basis to ensure invasive, non-native species are not present. All non-nature invasive plant species shall be removed from Conservation Areas.
- Fuel modification zones and programs shall not be implemented in Lots A and H.
- The Conservation Entity shall prepare an annual biological monitoring report identifying the current status of the rare plant species and any necessary actions to further enhance and protect the habitat.
- The Conservation Entity shall conduct routine monitoring of rare plant resources on Lot A and H. The occurrence of non-native species outbreaks, or other examples of ecological disturbance as a result of indirect impacts of development in and around Lots A and H shall be reported in the annual biological monitoring reports and remedial action shall be recommended and implemented by the Conservation Entity.

**Page 2-58**

Mitigation Measure BR-3 has been updated.

**BR-3** ~~The project proponent shall have a biologist qualified with San Bernardino flying squirrel (SBFS) as a monitor during tree removal. Minimize the number of trees, snags, and downed wood removed for project implementation. Compensating the removal of snags containing cavities; this would be achieved by constructing and erecting two nest boxes and one aggregate box per snag removed. Appendix A of this Revised and Recirculated Draft EIR No. 2 provides the specifications of the nest and aggregate boxes (Flying Squirrels 2007). These boxes should be located on the adjacent U.S. Forest Service (USFS) land (with their permission) and the locations marked with a global positioning system. The locations of the boxes shall be provided to the USFS so that their biologists could monitor the boxes for occupation by SBFS.~~

~~Provide new homeowners with a flyer that would provide information on the biology of SBFS and how they are susceptible to depredation by cats. The flyer would also outline steps that homeowners could take to reduce their urban edge effects.~~

Given the negative results of on-site surveys and the available technical and peer reviewed literature, negative effects to the San Bernardino flying squirrel are not expected. However, because marginal foraging habitat was found on-site, the following mitigation measures will be implemented in the lots with densely forested areas and snags. These mitigation measures are to be implemented to avoid and minimize impacts to San Bernardino flying squirrels:

- The Project Applicant shall have a qualified biologist as a monitor just prior to and during all tree removal on-site.
- Minimize the removal of large coarse woody debris (>10cm diameter), which provide microhabitat for the growth of hypogeous fungi.
- Limit removal of standing snags (>25cm dbh) and large trees (>25cm dbh), which provide both structural complexity and potential nesting habitat.
- Prioritize the retention of large trees and snags with visible potential cavity nesting structures, which are associated with higher densities of northern flying squirrels.
- Minimize the loss of continuous canopy closure, especially in the drainages, which provides protection from predators while foraging and may play an important role in maintaining habitat connectivity.
- The Project Applicant must compensate for the removal of suitable habitat through construction and erection of two nest boxes and one aggregate box per snag removed.
- The Project Applicant is required to provide homeowners with information on the biology of the flying squirrel and suggest steps that homeowners can take to reduce their urban-edge effects.
- All subsequent home developers must comply with these provisions which shall be enforced by the County of San Bernardino through implementation of the Mitigation Monitoring and Reporting Program as mandated by CEQA.

If the monitoring biologist observes a flying squirrel during pre-construction and/or construction monitoring, the biologist will immediately halt work until the occupied tree can be vacated prior to felling the tree; however, if the work is during the nesting season (generally March through May), when baby squirrels could be present, the nest will not be vacated until after the nesting season ends (June 1<sup>st</sup>), as cleared by the monitoring biologist.

**Page 2-59**

Detail added to Mitigation Measure BR-4 has been added.

- BR-4** Eagle perch trees identified in the 2002 Bonterra Consulting Bald Eagle Survey for Tentative Tract 16136, Moon Camp, Fawnskin, San Bernardino County, California, (see Appendix A of the Revised and Recirculated Draft EIR No. 2) and the Long Term Management Plan shall be preserved in place upon project completion. If any of the designated perch trees should become hazardous and need to be taken down, replacement will be either (1) at a 5:1 ratio with the creation of artificial perch trees along shoreline designated open space within the Conservation Areas or by enhancing other trees by trimming and limbing to make suitable for eagle perching. The exact method of perch tree replacement shall be made after consultation with a certified arborist. Prior to commencement of construction activity, the applicant shall have a qualified consultant survey all trees on-site to determine the location of all perch trees to be preserved. Any development that may occur within the Project site and in the individual lots must avoid impacts to trees larger than 24 inches dbh and their root structures to the maximum extent feasible. If any additional non-perch trees on-site larger than 24 inches dbh are removed, then a replacement ratio of 2:1 shall be required and replacement trees shall be 24-inch box trees or larger. Whenever an eagle perch tree or other non-perch tree larger than 24 inches dbh is removed, the Homeowner's Association shall retain a qualified consultant to oversee removal and compliance with the replacement requirement. All construction or landscaping improvements, including irrigation, will be prohibited on or around the exposed root structures or within the dripline of these trees. These restrictions on development of the individual lots must be clearly presented and explained to any potential prospective developers and/or homeowners prior to assumption of title and close of escrow. This measure shall be identified as a Note on the Composite Development Plan.

**Page 2-59**

Date range for Mitigation Measure BR-6 has been corrected.

- BR-6** Seven days prior to the onset of construction activities, a qualified biologist shall survey within the limits of project disturbance for the presence of any active raptor nests. Any nest found during survey efforts shall be mapped on the construction plans. If no active nests are found, no further mitigation would be required. Results of the surveys shall be provided to the ~~CDFG~~ CDFW.

If nesting activity is present at any raptor nest site, the active site shall be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. Nesting activity for raptors in the region of the Project site normally occurs from February 1 to ~~June~~ July 31. To protect any nest site, the following restrictions on construction are required between February 1 and ~~June~~ July 31 (or until nests are no longer active as determined by a qualified biologist): (1) clearing limits shall be established a minimum of 300 feet in any direction from any occupied nest and (2) access and surveying shall not be allowed within 200 feet of any occupied nest. Any encroachment into the 300/200-foot buffer area around the known nest shall only be allowed if it is determined by a qualified biologist that the proposed activity shall not disturb the nest occupants. Construction during the nesting season can occur only at the sites if a qualified biologist has determined that fledglings have left the nest.

**Page 2-60**

Detail range for Mitigation Measure BR-7 has been corrected.

Vegetation removal, clearing, and grading on the Project site should be performed outside of the breeding and nesting season (between February 1 and ~~June 30~~ July 31), when feasible, to minimize the effects of these activities on breeding activities of migratory birds and other species. If clearing occurs during breeding season, a 30-day clearance survey for nesting birds shall be conducted. Any nest found during survey efforts shall be mapped on the construction plans. If no active nests are found, no further mitigation would be required. Results of the surveys shall be provided to the ~~CDFG~~ CDFW. If nesting activity is present at any nest site, the active site shall be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code.

**Page 2-62**

Detail with regard to conservation of Ashy-Gray Indian Paintbrush has been added.

The Supplemental Focused Special Status Plant Species Survey (August 29, 2010) concluded that Project site contained 7.71 acres of habitat for the Ashy-Gray Indian Paintbrush, of which 4.84 acres will be permanently preserved on-site. This results in mitigation of project impacts on a 1.68:1 ratio (with inclusion of the Dixie Lane property it is 5.04:1). On an occurrence basis, the project site contains 5,567 occurrences of Ashy-Gray Indian Paintbrush with 84 percent, or 4,665 of the occurrences, located in the area now classified as Lot H. An additional 230 Ashy-Gray

Indian Paintbrush occurrences are located in the remainder portion of Lot A after redesign of the subdivision. In total, approximately 88 percent of the ashy gray Indian paintbrush occurrences on the Project site will be protected through permanent conservation easements burdening both lettered Lots A and H.

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