



Stop Wonder Inn Project

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February 22, 2023

Attn: Azhar Khan, Planner
County of San Bernardino
Land Use Services Department, Planning Division
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San Bernardino, CA 92415
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Sent via email and US Postal Service

Re: Wonder Inn Hotel/Resort (Twentynine Palms), PROJ-2021-00163

Dear Mr. Khan,

Thank you for the opportunity to comment on the Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Wonder Inn Hotel/Resort (Project).

The undersigned comprise a mix of residents, homeowners, property owners, and small-business owners in Wonder Valley, with residency going back as long as 30 years. We are profoundly interested in the well-being and future of Wonder Valley. As such, we have been working together to exercise our rights and duties as citizens to understand the implications of the Project and to use the tools of education and advocacy to make our findings known to our neighbors and to decision-makers in San Bernardino County.

Our review of the IS/MND reveals numerous deficiencies, indicating further study is needed to adequately evaluate potential significant impacts on the Wonder Valley community, environment, and resources. Substantial evidence demonstrates that impacts from the Project are individually and cumulatively significant.

Accordingly, the County must prepare a complete, certified Environmental Impact Report (EIR) addressing these impacts, in full compliance with the California Environmental Quality Act (CEQA), before it can approve the Project.

Further, while we are following the County's process and commenting in credible detail, **we request that the rezoning applied for in the Conditional Use Permit and the amendment to the General Plan should be denied.**

In addition to responding to the IS/MND, we want to clearly state here that we and many members of our community, as reflected by the many comments that have been sent to Land Use Services (LUS) regarding this project over the past year since we learned of the Conditional Use Permit (CUP) application, and most recently in specific objection to it, are completely opposed to this project being built. Even taking account all of the developer's studies as laid out in the Appendices and the Substantiations and Mitigations documented in the IS/MND, and which we are providing our comments to in credible and extensive detail, we strongly believe that, given the existing rural/residential environment, the Project's conflict with the Goals stated in the Land Use Elements of the Countywide Plan that apply to Wonder Valley, and the fact there is *nothing* of this type of major development in existence in Wonder Valley, a hotel/resort of this type is anomalous, inappropriate and undesired. It would establish an unacceptable precedent in the Wonder Valley area that would likely open the door to further highly undesired development.

We present our detailed comments ("Response Comments") divided into two parts.

Part One is "General Areas of Concern", addressing issues that apply across the entire IS/MND.

1. **Description of the Setting Is Inadequate.** The built and cultural environment is not included in the IS/MND, failing to establish the baseline physical conditions and to comply with County Policy as required by CEQA and preventing a proper evaluation of the potential for significant environmental impacts.
2. **Environmental Justice.** Wonder Valley is a Disadvantaged Unincorporated Legacy Community, but Environmental Justice is not addressed at all in the IS/MND as required by CEQA.
3. **Size, Scope, and Piecemealing.** Inconsistencies throughout the IS/MND prevent a full understanding of the actual size of the Project, and the discovery of an undisclosed plan for a luxury housing development on adjacent acreage owned by the developers *already in promotion* but not included in the Project description raise serious questions of piecemealing which is prohibited by CEQA.

Part Two includes response to the individual environmental factors in the CEQA checklist. Some issues of particular concern include:

- **I: Aesthetics.** Significant impacts on scenic vistas and County scenic route; numerous new sources of lighting cumulatively significantly impacting Dark Night Skies, a community designated valued asset.
- **II: Air Quality.** Significant increase in traffic-related air pollution, including PM10 and PM2.5 related to traffic on dirt roads, not fully analyzed.
- **IV: Biological Resources.** Omission of evidence of presence of the threatened desert tortoise, serious issues with extremely opposed data, and lack of a valid focused survey.
- **V: Cultural Resources.** Failure to properly evaluate property and district historical resources.
- **VI: Energy.** Failure to adequately evaluate potential for overload of already strained power grid.

- **VII: Geology/Soils.** No evidence of completion of percolation test for septic system; assessment needed of potential for damage from near-by active faults.
- **VIII: Greenhouse Gas Emissions.** No solar power included in project plans.
- **IX: Hazards and Hazardous Materials.** Inadequate evaluation of potential soil contamination with PCBs and mining waste products, and of potential for asbestos and lead in pre-1970 building.
- **X: Hydrology/Water Quality.** Unsupported claims of water potability; potential pollution of groundwater supplies from contaminated soils; insufficient assessment of water table and projected water use; questions of compliance with regulations on hauled water, well improvement permits, and Drought Emergency Proclamations; and appropriateness of transient non-community water system classification.
- **XI: Land Use/Planning.** Failure to adequately evaluate Project's use of land in accordance with the Principles and requirements of the San Bernardino Countywide Plan, the Wonder Valley Community Action Guide, and CEQA.
- **XIII: Noise.** Failure to fully evaluate noise impacts from special events, from increased traffic including off-road vehicle use, and from increased air traffic. Inadequate noise study.
- **XIV: Population and Housing.** Unplanned and unsupported population growth; gentrification and displacement in a disadvantaged community.
- **XV: Public Services.** Inadequate evaluation of increased burden on already insufficient services including Fire, Paramedic and Sheriff, with potential increased demand over 20%.
- **XVII: Transportation.** Failure to fully evaluate increased traffic including from special events, impacts from advertised off-highway vehicle tours and guest exploration of neighborhood, impacts to Gammel Road between Amboy Road and Highway 62, hazardous road condition created by rise on Amboy Road in front of property, and inadequate details on road modifications.

We appreciate Land Use Services taking the following comments into consideration, as well as the many other substantive comments that have been submitted from other members of the community.

A note on style: These comments were generated by a grassroots group of concerned neighbors, not experts. There are a variety of styles, including different ways each person may have expressed their concerns and/or highlighted their questions.

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PART 1:

General Areas of Concern

DESCRIPTION OF THE SETTING IS INADEQUATE

INTRODUCTION

In order for the potential for significant environmental impacts from a Project to be assessed, the existing environmental setting must be described so as to determine the baseline physical conditions. The Initial Study/Mitigated Negative Declaration (IS/MND) has failed to adequately describe the setting throughout the volumes, specifically not acknowledging the built and cultural environment beyond the single, recurring, and misleading word *undeveloped*. There is essentially no mention of the existence of a community anywhere in the volumes, or that the Project would be centrally located in that community. This does not meet the requirements of the California Environmental Quality Act (CEQA) or the Countywide Plan and interferes with the adequate assessment of potential significant environmental impacts as discussed throughout these Response Comments. That assessment cannot be made without a full study of the environment including the setting, and therefore a complete, certified Environmental Impact Report (EIR) is essential.

PROJECT SETTING NEEDS TO BE DESCRIBED

CEQA requires the setting of the Project to be described:

15063. INITIAL STUDY (d): Contents. An Initial Study shall contain in brief form:

- (1) A description of the project including the location of the project;
- (2) An identification of the environmental setting

Also to meet the requirements of CEQA, the IS/MND must note potential impacts due to any conflict with land use policy:

b) [Would the project] cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (p.62)

However, the IS/MND fails to do either. The San Bernardino Countywide Plan Land Use Element requires that new development “be consistent with and reinforce the physical and historical character and identity of our unincorporated communities.”

Policy LU-4.5 Community identity

We require that new development be consistent with and reinforce the physical and historical character and identity of our unincorporated communities, as described in Table LU-3 and in the values section of Community Action Guides. In addition, we consider the aspirations section of Community Action Guides in our review of new development. Refer to Aspirations statement above and the Table below as it relates to Rural Desert Communities.

In order to have consistency with and reinforcement of the “physical and historical character and identity of “the unincorporated communities, that character and identity must be known and described. The IS/MND does NOT discuss compliance or conflict with Policy LU-4.5 or even mention the existence of the Wonder Valley Community Action Guide, *where the setting for the Project in terms of the physical and historical character and identity of the unincorporated community of Wonder Valley is described.*

WONDER VALLEY AS PART OF THE SETTING IS NOT DESCRIBED

The IS/MND contains essentially no description of the setting that includes the physical and historical community character and identity.

Page 7 of the Cultural Resources Assessment does include some older history of the greater Twentynine Palms area but utterly fails to mention or address the Small-Tract Act of 1938, the single greatest influence on the historical and modern face of Wonder Valley as community and as built, cultural, natural, and regulated environment. (See section “V. Cultural Resources”, “Small-Tract Act Homestead District”, in these Response Comments for discussion of the history, the importance, and the historical significance of the Small Tract Act in Wonder Valley.)

Throughout the IS/MND the recurring description of the setting is as follows:

The Project Site is located within an unincorporated area of the County and has a zoning designation of Rural Living and is not subject to a Community Plan. The Project vicinity is primarily an unincorporated, undeveloped area, approximately 4.5 miles east of the City of Twentynine Palms and approximately 9 miles south of the Bullion Mountains. The Project Site is located within an area that is primarily vacant for approximately 1 mile on the north, south, east and west. Large-lot rural residential land uses exist primarily on Goodwin Road to the east and Mojave Road to the west.

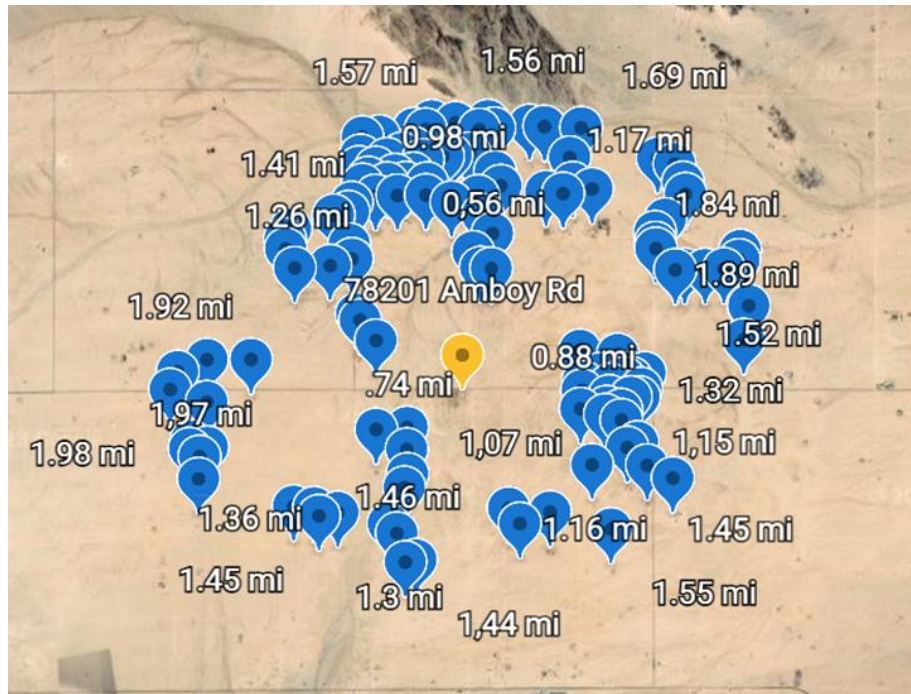
This description, or any other appearing in the IS/MND, is not adequate to establish the environmental setting constituting the “baseline physical conditions by which a lead agency determines whether an impact is significant” as required by CEQA 15125. ENVIRONMENTAL SETTING (a). Therefore, in order to determine the potential for significant impacts on the environment from the Project, a full study in the form of a complete, certified EIR is necessary.

WONDER VALLEY AS SETTING

So, let’s give Wonder Valley a face, and the Project a setting. What *is* the physical and historical character and identity of Wonder Valley?

Despite the recurring description as “undeveloped”, Wonder Valley is not “undeveloped” but rather is developed in an idiosyncratic manner consistent with its historical origins in the Small Tract Act of 1938. (See section “V. Cultural Resources”.) Residences are scattered irregularly and sparsely across a broad, open desert basin, interspersed with tracts of public lands and tending to blend into the landscape. But, though almost invisible in this immense natural environment, the residents ARE there, and they add up to a community.

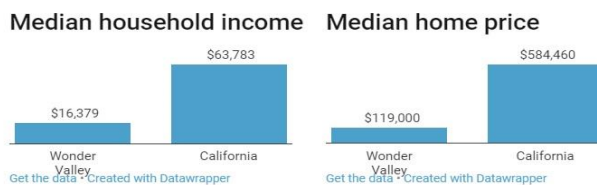
The map below pins residences (blue) in Wonder Valley within a two-mile radius of proposed Wonder Inn (yellow pin). (Courtesy Google Earth)



The 1019 residents (2020 Census) of Wonder Valley are spread across 147 square miles. Residents are mostly older (average age 59.3) and poorer, with a median income of \$16,379 (Source below).

Older and poorer

People in Wonder Valley tend to be older and have a lower household income compared to the California median. Additionally, the cost of living in the region is much cheaper than the rest of the state, as is evident in real estate prices.



Median age



Sources: U.S. Census Bureau, Redfin and the California Association of Realtors
 Charts: Robert Hopwood, The Desert Sun

Source: Desert Sun 2018 [desertsun.com](https://www.desertsun.com)

The physical and historical character and identity of Wonder Valley may best be described by the residents themselves in the Wonder Valley Community Action Guide (WVCAG), part of the

Countywide Plan. https://countywideplan.com/wp-content/uploads/sites/68/2020/07/34_Wonder-Valley_CAG_2020.pdf Quotes following are from the WVCAG.

Physically, “Wonder Valley consists of single-family residential dwellings, primarily single story, located on 5-acre parcels. Many of the old homestead cabins have been updated for use as first or second homes. The main thoroughfare in Wonder Valley is Highway 62 (Twentynine Palms Highway), a paved two-lane highway with one lane of travel in each direction. Amboy road is located parallel to the north of Highway 62, and is another main road through the community. Local roads are mainly dirt. There are no pedestrian or bicycle facilities in the area. The closest commercial uses are located within the city limits of Twentynine Palms.”

What do the residents value? From the WVCAG, the following word cloud was created during a community survey done in 2018 and highlights the values of this community. The size of the words are indicators of how often that word was mentioned in the survey



Per the WVCAG, “As a community, Wonder Valley values:

- **Rural Atmosphere.** The large lots and space between properties give residents room to breathe. Wide open spaces allow residents to appreciate and maintain the solitary, laid-back lifestyle of this area.
- **Natural Desert Beauty.** Residents value the beautiful sunrises and sunsets, the dark and starry night skies and the desert views and wildlife.
- **Community Spirit.** Wonder Valley is a tight-knit community whose residents value self-reliance and neighborly support. The people have a respect for nature, freedom, privacy, and each other. Here, residents work together but also enjoy their independence and being left alone in solitude.

Finally, “As a community, Wonder Valley aspires to maintain the Rural Atmosphere: Wonder Valley provides residents with a rural lifestyle on large lots with dark night skies.”

Wonder Valley residents originally came here with these values and aspirations, and for 80 years they have maintained them.

And they make sacrifices to live here. The community has challenges, including a harsh environment and especially lack of public services. (See “XV: Public Services” in these Response Comments.) A current challenge the community is facing, due mostly to larger social and economic trends, is the accelerating growth of short-term rentals (STR), which, on the one

hand, bring money and opportunity into the community, but, on the other hand, can put pressure on housing stock, already stressed public services, and the cost of living, and can introduce other disruptions and nuisances.

This, taken together, is the setting for the proposed Wonder Inn Project - a setting whose description was available and *required by the Countywide Plan to be considered* in the IS/MND, yet was ignored.

CONCLUSION

Essentially, the Wonder Inn Project would create a shiny Castle on the Hill, dense, vertical, and dominant above a broad, flat, wild desert basin scattered with the small, dusty cottages of a disregarded community that is invisible in the IS/MND.

Issues related to the particular setting of Wonder Valley are found throughout these Response Comments, coming up again and again. The lack of description or even acknowledgement of the specifics and peculiarities of the setting – *the baseline physical conditions* - render much of the evaluation in the IS/MND inadequate and its determinations unreliable. An evaluation of the potential for significant environmental impacts cannot be made without a full study of the environment *including the setting*, and therefore a complete, certified EIR is essential.

ENVIRONMENTAL JUSTICE IS NOT ADDRESSED

What is environmental justice, and how does it apply to this Project?

“Low-income communities and communities of color often bear a disproportionate burden of pollution and associated health risks when compared to their more affluent neighbors. This inequity can be addressed through environmental justice, which is defined by California law as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.” (Gov. Code, § 65040.12, subd. (e).)”
from Comments by Attorney General Xavier Becerra on the San Bernardino Countywide Plan Draft EIR, August 2019

Per the office of current Attorney General Rob Bonta, State of California Department of Justice,

“CEQA requires government agencies in California to consider potentially significant environmental impacts on communities already burdened with pollution when reviewing and permitting new projects. The Attorney General is particularly concerned that land use planning and permitting decisions consider and address any additional burdens on environmental justice communities.” (<https://oag.ca.gov/environment/justice>)

Yet there is no mention of environmental justice or the Wonder Valley community, or any description whatsoever of the community, in the Initial Study/Mitigated Negative Declaration (IS/MND) and the 895 pages of analysis, reports, and information included in the Appendices. (See section “Description of Setting Is Inadequate” in these Response Comments.) This reflects poorly upon the project applicants. One might conclude that they have neither interest in, nor concern about our Wonder Valley community - or their impact upon it.

The California Environmental Quality Act (CEQA) requires Environmental Justice be included in the CEQA studies, which it appears may not have been done for this project. Therefore, a complete Environmental Impact Report (EIR) must be done to include this vital area of study.

Per former California Attorney General Kamala Harris,

Human beings are an integral part of the ‘environment.’ An agency is required to find that a ‘project may have a ‘significant effect on the environment’ if, among other things, ‘the environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly. (<https://oag.ca.gov>)

Indeed, people are part of the environment and this project will have significant impacts upon our rural and underserved community, especially for the people who live here full time. At minimum, the character of our community will be significantly impacted and devalued by the addition of this large, luxury hotel and event space. Our quality of life will be dramatically changed. And, at worst, our safety will be at risk, and lives and property may be lost due to the increasing demand upon Public Services in this already underserved community.

What are some of the environmental justice requirements of the County of San Bernardino?

From the San Bernardino County Policy Plan 2020: **Safety & Security Section, Hazards Element**

Principles: We believe:

- A safe environment is necessary to build and maintain a sustainable and prosperous county.
- The County is proactive in lessening risks from natural and human-generated hazards.
- Reduction in the loss of life, injury, private property damage, infrastructure damage, economic losses, and social dislocation can be achieved through planning and preparedness.
- Emergency response and recovery efforts contribute to a resilient county, given unavoidable emergencies and natural disasters.
- Those who live in unincorporated disadvantaged communities should not be burdened with elevated exposure to pollution risks and reduced access to public facilities and services.

COMMENT: As discussed in Section “XV: Public Services”, these goals have not been met.

From the San Bernardino County Policy Plan 2020: **Safety and Security Section | Hazards Element** September 2022 - County Policy Plan Adopted 9/27/22:

Policy HZ-3.17 **Community stakeholders.** We identify and coordinate with key community stakeholders through advisory committees or other methods to increase public awareness and obtain timely community input concerning potential funding opportunities, conditional use permits, changes in zoning, and amendments to the Policy Plan in or adjacent to environmental justice focus areas.

COMMENT: Who, in our community of Wonder Valley, has been involved in the zoning and conditional use applications for this Project as a ‘stakeholder’? Who, in our community, has been identified as a ‘stakeholder’? As residents and community members, we are unaware of any such effort and therefore have had no ‘voice’ in participating in community input on this Project, other than responding to this CEQA IS/MND.

Also from the San Bernardino County Policy Plan 2020: **Safety and Security Section | Hazards Element:**

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

- document to the County’s satisfaction how an applicant will address environmental justice concerns potentially created by the project; and
- present a plan to conduct at least two public meetings for nearby residents, businesses, and property owners to obtain public input for applications involving a change in zoning

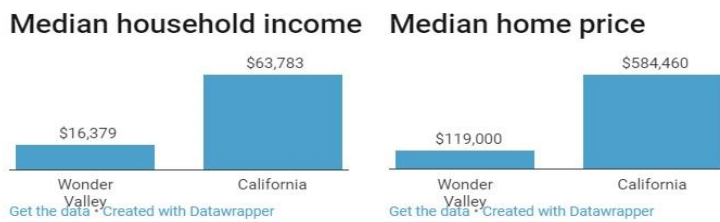
or the Policy Plan. The County will require additional public outreach if the proposed project changes substantively in use, scale, or intensity from the proposed project presented at previous public outreach meeting(s).

Have the requirements of Policy HZ-3.18 been met? Let's see:

Wonder Valley is a poor unincorporated area:

Older and poorer

People in Wonder Valley tend to be older and have a lower household income compared to the California median. Additionally, the cost of living in the region is much cheaper than the rest of the state, as is evident in real estate prices.



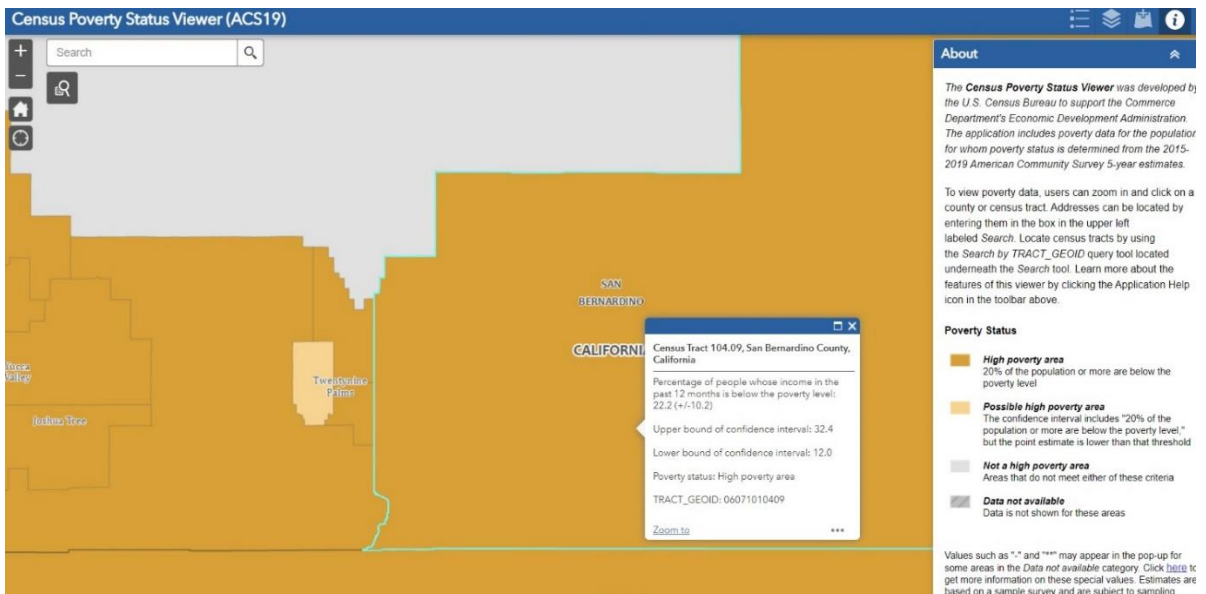
Median age



Sources: U.S. Census Bureau, Redfin and the California Association of Realtors
Charts: Robert Hopwood, The Desert Sun

Source: Desert Sun 2018 [desertsun.com](https://www.desertsun.com)

Wonder Valley is in a High Poverty area:



Wonder Valley was included in the Legacy Community Study Areas as a Disadvantaged Unincorporated Legacy Community in the Final EIR for the Countywide Plan:

Table 1-2 Legacy Community Study Areas

Valley Region	
There are no unincorporated communities that match the criteria set forth in California Government Code Section 65302.10.	
Mountain Region	
Bear Valley area: Big Bear City, Fawnskin (Northshore), Moonridge, and Sugarloaf	Lake Arrowhead area: Twin Peaks
Crest Forest area: Cedarpines Park, Crestline (Lake Gregory), and Valley of Enchantment	Additional communities with areas that match the criteria: Agua Fria, Blue Jay, Crest Park, Lake Arrowhead, Rimforest, and Skyforest
Forest Falls	Wrightwood
Hilltop area: Arrowbear and Running Springs	
Desert Region	
Baker	Phelan
El Mirage	Pinon Hills
Havasu Lake*	Pioneertown area: Gamma Gulch, Pioneertown, Pipes Canyon, and Rimrock
Homestead Valley area: Flamingo Heights, Johnson Valley, Landers, Yucca Mesa	Red Mountain
Joshua Tree	Ridgecrest area*
Lucerne Valley	Searles Valley
Morongo Valley	Trona
Newberry Springs*	Wonder Valley
Oro Grande	Yermo

* The entire community does not match the criteria set forth in state law as a disadvantaged unincorporated legacy community, but portions of the community area do match the criteria.

COMMENT:

- When can we expect the County to share this information with us, the community?
- This project proposes to change zoning on 24 acres, and includes a CUP. To date, the applicants have not conducted a public meeting.
- NO official or properly noticed public meetings have been held or scheduled, and this Initial Study is the FIRST opportunity that the public has had to comment on or offer any input on.

Again, the San Bernardino County Policy Plan 2020: Safety and Security Section | Hazards Element:

Goal HZ-3 Environmental Justice

Policy HZ-3.2 **Studying and monitoring.** We coordinate with state and regional regulatory entities to monitor pollution exposure, publicize pollution data, and identify solutions in unincorporated environmental justice focus areas. We work with state and regional regulatory entities to pursue grant funding to study cumulative health risks affecting such areas.

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

COMMENT: To our knowledge, no studies have been done of our community. IF any studies have been done, kindly tell us where we can access these reports.

These are a few of the many reasons why we are requesting that a complete, certified Environmental Impact Report per the requirements of CEQA be done to fully address the significant numerous adverse impacts upon this Disadvantaged Unincorporated Legacy Community. It is our belief that this full study will reveal the many reasons why this project is not suitable for this area.

References

https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/ej_fact_sheet.pdf

<https://www.desertsun.com/story/news/2018/05/24/wonder-valley-life-threatened-nature-authorities-and-tourists/612176002/>

SIZE, SCOPE, AND PIECEMEALING

The size and scope of the Project are not clear, and we have serious concerns that the Project applicant may be involved in “piecemealing,” or segmenting, which is prohibited by the California Environmental Quality Act (CEQA).

What is piecemealing, or segmenting?

Per CEQA Portal (Association of Environmental Professionals

<https://ceqaportal.org/tp/CEQA%20Project%20Description%202020%20Update.pdf>):

The CEQA Guidelines define a project under CEQA as “the whole of the action” that may result either directly or indirectly in physical changes to the environment. This broad definition is intended to provide the maximum protection of the environment.

Piecemealing or segmenting means dividing a project into two or more pieces and evaluating each piece in a separate environmental document, rather than evaluating the whole of the project in one environmental document. This is explicitly forbidden by CEQA, because dividing a project into a number of pieces would allow a Lead Agency to minimize the apparent environmental impacts of a project by evaluating individual pieces separately, each of which may have a less than-significant impact on the environment, but which together may result in a significant impact. Segmenting a project may also hinder developing comprehensive mitigation strategies.

CEQA prohibits piecemealing. Again, per CEQA Portal:

CEQA case law has established the following general principles on project segmentation for different project types:

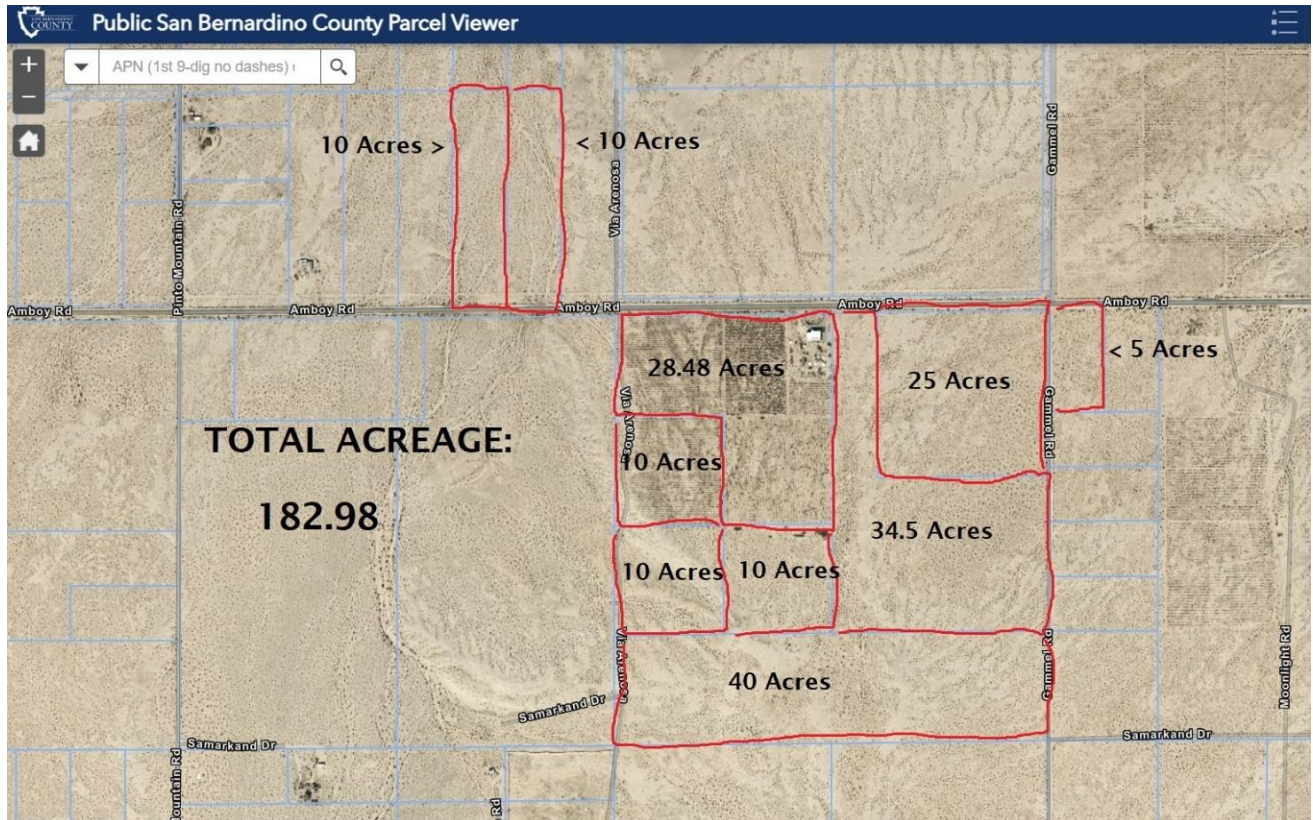
- For a phased development project, even if details about future phases are not known, future phases must be included in the project description if they are a reasonably foreseeable consequence of the initial phase and will significantly change the initial project or its impacts. *Laurel Heights Improvement Association v Regents of University of California* (1988) 47 Cal. 3d 376.

CONCERN: SIZE AND SCOPE

The Project size and scope is not clear. The Wonder Inn Project applicants have given us a broad stroke view of their project, but there is much information missing. We have many questions regarding the total acreage of the multiple parcels currently owned by the Project applicants and how this land will be used.

There are gross inconsistencies in descriptions of the size and scope of the Project. Full discussion of these inconsistencies is contained in section “XI: Land Use and Planning” of these Response Comments and is hereby incorporated into the concerns in this section.

Further, the proposed Wonder Inn Project is to be situated on **24.4** acres of the 132.98 acres mentioned in the Proposal. It is unclear what is planned for the remaining 130.58 acres mentioned in the proposal. In 2021 the proponents of the Project purchased an additional 50 acres, for a total of **182.98** acres. It is also unclear what is planned for these additional acres. (Please see map below.)



QUESTION: Why were 4 of these parcels, purchased in 2021, not included in the project description?

QUESTION: What future development or land use is planned for the remaining 158.58 acres owned by the project developers?

CONCERN: POSSIBLE INTENTION TO EXPAND PROJECT ONTO ADDITIONAL ACREAGE WITH LUXURY HOUSING

A simple Google search for Wonder Inn / Wonder Valley Inn reveals two links which are of great concern.

First: **Modly – Joshua Tree** ([modly.com/community/joshua-tree](https://www.modly.com/community/joshua-tree)) promoting “Wonder Valley Villas”. Note the similar description of “106 bungalow suites, restaurant and bar...”. This description mentions 24 private homes on 5 acres each, on a 160-acre site. (Note that various areas of the

Morongo Basin, including Wonder Valley, are sometimes referred to by the catch-all “Joshua Tree” in promotional literature. In fact, Joshua Tree is a different unincorporated community located around 20 miles to the west.)



Homes developed within Joshua Tree's newest luxury resort

A truly one-of-a-kind resort named Wonder Valley Inn is in development in the heart of Joshua Tree, California just 10-minutes away from the North entrance of the National Park. The resort will feature 106 bungalow suites, a spa with fitness facilities, an expansive oasis swimming pool with adjacent hot tubs and a full-service restaurant & bar. On the 160 acre site, we will be constructing 24 private villa homes, each sitting on a private 5-acres site. Each contemporary home will consist of 4 bedrooms and 3 bathrooms with all the amenities you'd expect including a swimming pool, hot tub, outdoor showers, fire pits, solar panels and an electric car charger. Homeowners can occupy the homes year-round or they can opt-in to have the hotel manage the homes for guests to rent them out at \$1,000 Average Daily Rate. This is a fantastic opportunity to own a second home which pays for itself. Residents can move into their Wonder Valley Villas by Q4, 2024.

Lot prices will be starting at approximately \$150,000.

Second: **Bain Hospitality** ([bainhospitality/the-wonderinn](https://bainhospitality.com/the-wonder-inn)), which includes this description: “The Wonder Inn is set to become Joshua Tree's first full-service resort, sitting on 160 acres of majestic desert landscape. Consisting of 106 design-forward guestrooms, **20 branded residences**, a three-meal restaurant, and 90-foot wide oasis style pool, a serene health and wellness center, and a full-scale event space.”



Based on review of the websites listed above, it appears that the next phase(s) of the Wonder Inn Project may indeed be already known.

One is obligated to question if the Project developers' plan to begin with this hotel/resort with the many amenities mentioned, then expand into a luxury home development of 20-24 homes, each on 5 acres, each with swimming pool, hot tub, outdoor showers and fire features – each requiring a well, and each home adding to the already over-stressed Public Services.

In light of these promotions and the additional acreage belonging to the applicants adjoining the Project, the possibility of piecemealing is clearly a concern and must be addressed before further consideration of this Project.

Further, the lack of full disclosure of these plans in the currently submitted Project application seems deceptive. It is already being advertised as available, but the first application for the core of the project has not yet been approved and there is no evidence of application for permits yet on the second phase. (Is it legal to sell homes / properties and solicit deposits to reserve them for which there have been no Land Use Services permits filed?)

It is unfair to the community who have extensively examined and responded to the IS/MND in detail to not have access to the developers' complete intent for development, as applied for, fully disclosed so that both the County and the community have the opportunity to respond to the impacts that would be entailed. This is contrary to the intent of CEQA.

Again, it is not possible to effectively evaluate the impact this project would have upon the Wonder Valley environment and community resources without a complete description of the Project. There are environmental factors addressed throughout the IS/MND and these Response Comments where the potential for impacts could change considerably depending on what the size and scope of the Project *actually is*. The possibility for cumulative impacts is clearly significant and must be fully considered. We must have a full Environmental Impact Report to assess this, and any question of piecemealing must be fully examined.

PART 2:

Environmental Factors I - XXII

I. AESTHETICS



The California Environmental Quality Act (CEQA) asks:

- a) *(Would the project) Have a substantial adverse effect on a scenic vista?*

From the developer:

“The CEQA Guidelines do not provide a definition of what constitutes a “scenic vista” or “scenic resource” or a reference as to from what vantage point(s) the scenic vista and/or resource, if any, should be observed. Scenic resources are typically landscape patterns and features that are visually or aesthetically pleasing and that contribute affirmatively to the definition of a distinct community or region such as trees, rock outcroppings, and historic buildings. A scenic vista is generally identified as a public vantage viewpoint that

provides expansive views of a highly valued landscape for the benefit of the general public. Common examples may include a public vantage point that provides expansive views of undeveloped hillsides, ridgelines, and open space areas that provide a unifying visual backdrop to a developed area.” (p.15 of Initial Study/Mitigated Negative Declaration)

Comment: Regarding the highlighted area above: The developers are describing in detail just what Wonder Valley is – a scenic vista and scenic resource.

The developers continue by describing the proximity to various landmarks, measurements to geological locations and describe physical attributes of their development, which has nothing to do with the CEQA question.

Comment: The developers did NOT answer this question.

Here’s also what the developers give for the answer to question a):

“The hotel rooms consist of pre-manufactured structures, two-stories high, (approximately 20 feet high), and are generally placed in groups of two (four rooms total) in various areas of the Project Site, primarily centering around the approximately 6,300 SF circular swimming pool. The existing commercial building is 18 feet high, and most other structures are approximately 20 feet high. The tallest structures on site include the existing geodesic domes, which are approximately 22 feet high, and the proposed water tower, which would be approximately 31 feet high. The planned support structures would be 12 feet high, stucco buildings.”



Photo of proposed Wonder Inn from Atelier Eyster Architecture

“Because of the open design concept, it is anticipated that when viewed from a distance, the Proposed Project would blend into the surrounding area similar to the scattered large-lot residences. Therefore, the impact to scenic areas would be less than significant, and no mitigation measures are required.”

-How can this new commercial development spread upon 28 acres, with all described above and more, “blend into the surrounding area similar to the scattered large-lot residences?”

-How can this two story, high occupancy proposed hotel/resort blend in or even be compared to be in relation aesthetically to the residences?

-How does a resort of this size, sprawled upon 25-28 acres with a 210-space paved parking lot, compare in relation to and be seen as similar to a 400 square foot home on 5 acres?

a) (Would the project) Have a substantial adverse effect on a scenic vista?

Comment: Based on their own description of the project, with numerous tall structures, the stacked hotel rooms, the amount of site acreage used, the proposed Wonder Inn would have an adverse effect on the scenic vista of Wonder Valley, and would NOT “blend into the surrounding area similar to the scattered large-lot residences.”

The landscape of an area defines its cultural, natural, and historic heritage. Scenic routes, special landscape features and vistas of all kinds contribute to a community’s character and aesthetic quality. They can also provide tourism-related economic opportunities for our local owned small businesses. Poorly planned development, such as the Wonder Inn Development, will impact and undermine these resources.

Consequently, growth-related problems can have negative effects on communities by threatening their scenic areas and setting a precedent. Preserving the integrity of scenic vistas requires consideration of both the area being viewed (the vista) and the point(s) from which it is seen (the viewing area). This development will alter and degrade the integrity of the scenic vista that is Wonder Valley.

b) (Would the project) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Comment: Amboy Road is a County scenic route, but is not a designated State scenic route; however, the existing commercial building (the “Pink Building”) does hold historical value to the community. See section “V: Cultural Resources” in these Response Comments for more information in regards to the historical value of the Pink Building.

Comment: This project would substantially damage scenic resources. Visual character and scenic resources have direct economic impacts. Property values, individual well-being, use of recreation areas and small businesses are harmed by degradation of visual quality.

From the American Society of Landscape Architects:

“Visual character’ refers to characteristics and elements that make a specific environment distinctive and cohesive. ‘Scenic quality’ is often used to refer primarily to natural features; however, many definitions include cultural elements, as well as experiences and perceptions of both the individual and the larger community. At the turn of the 20th century, John Muir, Theodore Roosevelt, and others campaigned for scenic beauty as part of the growing conservation movement. While they first fought for protection of untouched wilderness and sites of unique scientific conditions, ‘scenic

resources' soon grew to encompass agricultural lands, transportation corridors, cultural landscapes, viewsheds, and many other landscapes, both rural and urban.

"The National Environmental Quality Act of 1969 mandated consideration of visual as well as ecological impacts, thus proposed federal projects had to assess potential impacts to historic and scenic properties--and to the experiences of people who view those environments. In the 1994 amendment, this was made clearer, stating the act's purpose was to "assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings" (National Environmental Policy Act 1994). This federal mandate spurred systematic assessment of landscape visual quality in the latter half of 20th century and was instrumental in development of numerous planning, design, and management strategies at federal, state and local levels, such as Context Sensitive Design for transportation, Bureau of Land Management Visual Resource Management System, scenic easements, scenic highway programs, signage and landscape ordinances, and building codes to protect and enhance visual character." (ASLA, "Visual Character and Scenic Resources")

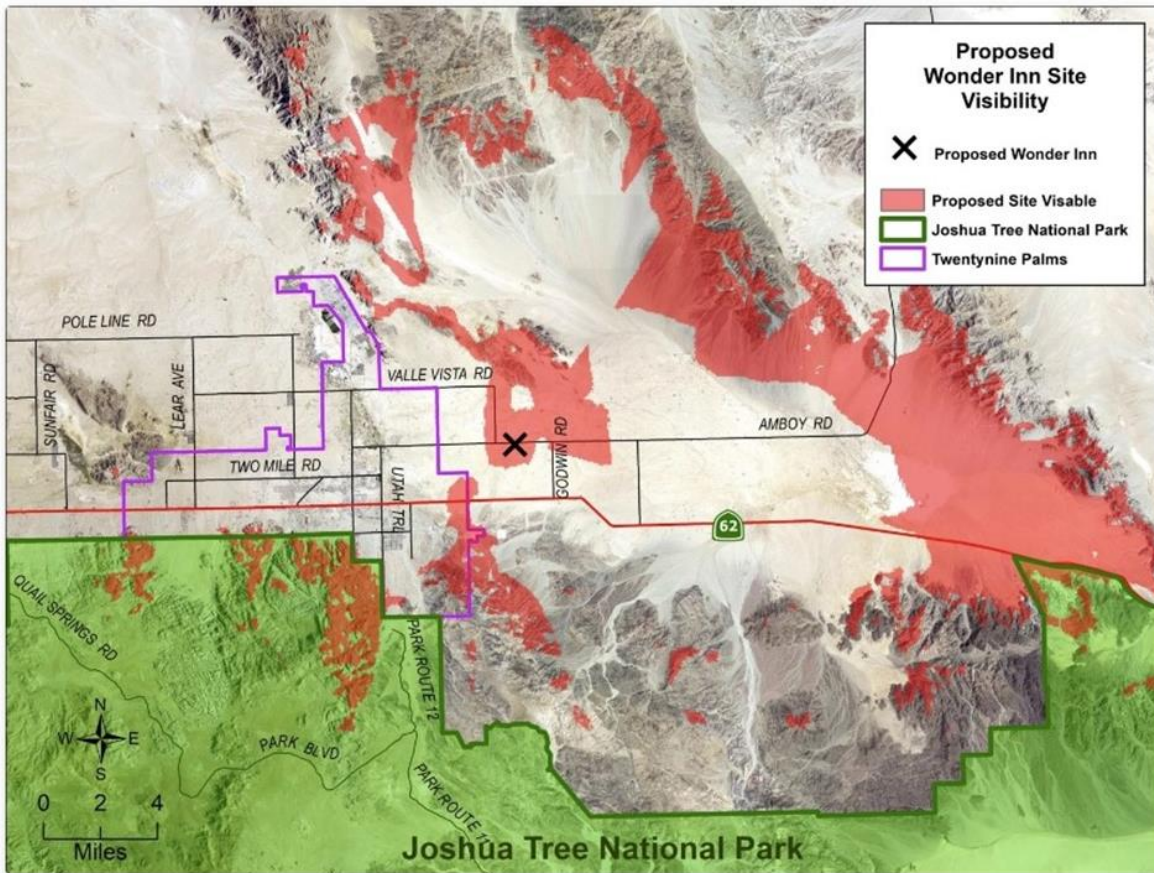
Would the project:

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

From the Developers:

"The Project Site is located in a non-urbanized area within the East Desert Region of San Bernardino County. The site would be visible from Amboy Road, which is a County Scenic Route. The Proposed Project is the development of a destination resort hotel with an open concept over 28 acres, and it would therefore change the existing visual character of the site. Under the Rural Living Zone, all structures proposed for development of the Proposed Project cannot exceed 35 feet. Compliance with this height limit would minimize potential obstruction of views of the surrounding mountains and other public views. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Maps Showing Impact Of The Proposed Wonder Inn Project (via Morongo Basin Conservation Association)



Visibility of Wonder Inn To Surrounding Areas - Light Shed At Night Will Be Visible To An Even Larger Area

COMMENT: (Criterion “c”)

Again, reading the developers response, they do not answer the question.

However, when the developers conclude that the impact to the scenic areas would be less than significant, this is in contradiction to their own explanation that *it would in fact* change the existing visual character of the site (see yellow highlighted area above). This large occupancy Hotel/Resort would not only change and degrade the existing visual character of the specific site, but also significantly change and degrade the existing and visual character of the surrounding areas and beyond as this development would be seen for miles, including from vantage points in Joshua Tree National Park.

Valued for the expansive scenic mountain and valley views, extensive open space and absence of urban infrastructure, the community values the scenic qualities; Rural Atmosphere, Natural Desert Beauty and Community Spirit as stated in the San Bernardino Countywide Plan and

Wonder Valley Community Action Guide. The Community Action Guide must be considered in relation to this development and the effect it will have on the visual character and qualities impacting the areas surrounding this proposed development in Wonder Valley.

-Why are the developers ignoring the San Bernardino Countywide Plan and the Wonder Valley Community Action Guide?



COUNTYWIDE PLAN
Wonder Valley Community Action Guide

Values and Aspirations

Values Statement

The Values are those shared assets, principles, standards, mores, and in the judgement of the community, what is important in the lives of its residents and businesses. A community's values are an important consideration in shaping its aspirations, focus and actions.

As a community, Wonder Valley values:

Rural Atmosphere. The large lots and space between properties give residents room to breathe. Wide open spaces allow residents to appreciate and maintain the solitary, laid-back lifestyle of this area.

Natural Desert Beauty. Residents value the beautiful sunrises and sunsets, the dark and starry night skies and the desert views and wildlife.

Community Spirit. Wonder Valley is a tight-knit community whose residents value self-reliance and neighborly support. The people have a respect for nature, freedom, privacy, and each other. Here, residents work together but also enjoy their independence and being left alone in solitude.

Aspirations Statement

The Aspirations Statement is a written narrative illustrating how the community desires to look and function once the Community Focus Statements and Action Statements are accomplished. This is a long term view of 10 to 20 years. The Aspirations Statement serves as a foundation for developing Community Focus Statements and Action Statements.

As a community, Wonder Valley aspires to:

Better Communication and Services.

The community offers family-oriented activities, community health services including mental health services, services for the disadvantaged, improved public transportation, a local fire station and locally based Sheriff's response.

Maintain the Rural Atmosphere.

Wonder Valley provides residents with a rural lifestyle on large lots with dark night skies.

Comment: The developers conclude the area surrounding the proposed development is primarily "vacant". Wonder Valley residents, homeowners and visitors define areas such as these as "wide open spaces and "room to breathe." A thriving community, residents, homeowners, and small businesses that depend on these valued assets, surround this prospective site.

From the San Bernardino County, CA Code of Resources, Development Code

§ 82.19.040 Development Criteria within Scenic Areas.

(a) Applicability. The criteria below shall be used to evaluate a land use proposed within a scenic area in an Open Space Overlay and shall apply to:

- (1) Areas with unique views of the County's desert, mountain and valley areas or any other aesthetic natural land formations.

Comment: One of the attractions of Wonder Valley is its wide-open spaces, scenic views of mountains all around, expansive desert landscape and natural land formations. The proposed development would only detract from the open space.

- (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.

Comment: Amboy Road is a designated Scenic Route and is identified as such in the Countywide Policy Plan.

-Will the proposed project follow this criterion (2) noted above?

- (b) Report. **A special viewshed analysis shall be required if it is determined through the preparation of an Initial Study pursuant to the California Environmental Quality Act (CEQA) that the proposed project may have a significant negative impact on the scenic values of the subject parcel. This analysis shall identify mitigation measures designed to reduce or eliminate potentially significant impacts to the viewshed.**

Comment: Based on the Development Criteria within Scenic Areas, (b) Report, a special viewshed analysis IS required based on CEQA and that this proposed project WILL have a significant negative impact on the scenic values in Wonder Valley as described by this Development Criteria.

I am formally requesting a special viewshed analysis for the proposed Wonder Inn as required by the San Bernardino County Development Code.

- (c) Building and Structure Placement. Structure placement and style shall be compatible with and shall not detract from the visual setting or obstruct significant views.

Comment: As previously noted, there are numerous structures over 20 feet high and above, up to 35 feet high, including a water tank, geodesic domes, parking light poles, event center, statues, hotel rooms and more, all spread upon 25 acres. This proposed project WILL detract from the visual setting AND obstruct significant views.

-Why is this resort/hotel being considered for construction when it is NOT compatible with the environment and Wonder Valley?

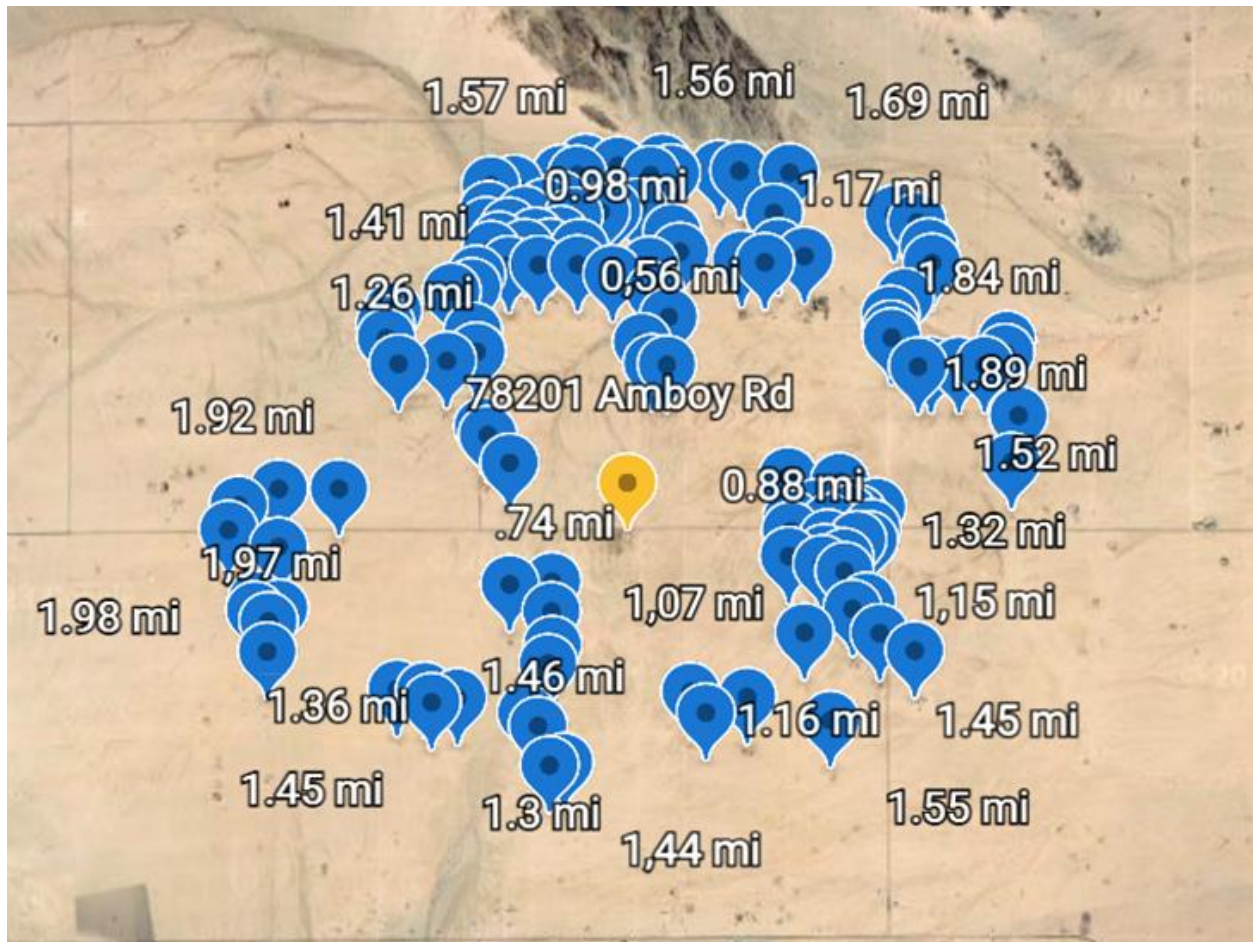
- (d) Review Area. Land development proposals, including but not limited to residential facilities, commercial activities and mobile home parks/manufactured home land-lease

communities, shall be designed to blend into the natural landscape and maximize visual attributes of the natural vegetation and terrain. The design of development proposals shall also provide for maintenance of a natural open space parallel to and visible from the right-of-way.

Comment: The proposed project upon 25 acres does NOT blend into the natural landscape. It does NOT maximize visual attributes of the natural vegetation and terrain.

-How can a proposed project of this size and scope blend into the natural desert landscape at all?

-Does the proposed project provide maintenance of a natural open space parallel to and visible from the right-of-way?



Residences surround the proposed project. (Map source: Google Earth)

Comment: As shown on the above map, the proposed Wonder Inn sits in the center of a rural community and would certainly not meet this Countywide Plan Values Statement:

“Rural Atmosphere. The large lots and space between properties give residences room to breathe. Wide open spaces allow residences to appreciate and maintain the solitary, laid-back lifestyle of this area.”

-Why are the developers ignoring the existence of a rural residential community here?

Comment: Open space is a valued aesthetic element that connects our homes and land and is part of our community’s identity. Although the residences are spread out, we consider this area to be a tight-knit community, as described in the Values Statement above. This is also a community that values land stewardship and aims to protect the viability of natural resources and open spaces as valuable aesthetic and economic assets. Aesthetics are an economic value for locals who own and operate short term rentals on their property and they depend on the income generated by tourism to this area for economic survival.

-How would this development affect the locally owned Short-Term Rentals (STR) for those residents who depend on this income?

-Would tourists frequent the local owned STR’s if a development of this size takes away from the community’s aesthetic values?

As stated in the San Bernardino Countywide Plan Goals and Policies - Goal LU-4 Community Design: **“Preservation and enhancement of unique community identities and their relationship with the natural environment”** is followed by this:

Policy LU-4.5 Community identity

“We **require** that new development be consistent with and reinforce the physical and historical character and identity of our unincorporated communities, as described in Table LU-3 and in the values section of Community Action Guides. In addition, we consider the aspirations section of Community Action Guides in our review of new development. Refer to Aspirations statement above and the Table below as it relates to Rural Desert Communities.”

Table LU-3. Community Character

Community Category	Key Characteristics and Features
Valley Communities Bloomington, Mentone, Muscovy, San Antonio Heights	<ul style="list-style-type: none"> ▪ A suburban lifestyle characterized by a mix of lot sizes and/or land uses in proximity to urban services and facilities. ▪ Views of canyons and hills within the community planning area (Mentone and San Antonio Heights). ▪ Economic activity that benefits local residents and/or serves the local economy.
Mountain Communities Angelus Oaks, Bear Valley ¹ , Crest Forest ² , Hilltop ³ , Lake Arrowhead ⁴ , Lytle Creek, Mt Baldy, Oak Glen, Wrightwood	<ul style="list-style-type: none"> ▪ A rural lifestyle characterized by low density neighborhoods oriented around commercial or recreational nodes, and the prevalence of the forest and mountain landscapes and natural resources. ▪ Abundant views of open spaces, natural features, and dark skies. ▪ Scenic, natural, and 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.
Rural Desert Communities Baker, El Mirage, Homestead Valley ⁵ , Lucerne Valley, Morongo Valley, Newberry Springs, Oak Hills, Pioneertown ⁶ , Phelan/Pinon Hills	<ul style="list-style-type: none"> ▪ 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. ▪ Mining of mineral resources with minimal negative impacts on local residents.
Desert Village Communities Daggett, Helendale, Joshua Tree, Oro Grande, Yermo	<ul style="list-style-type: none"> ▪ A rural context with clusters of housing in proximity to commercial development and public facilities, and larger lots farther from the commercial core. ▪ Abundant views of open spaces, natural features, and dark skies especially outside of clustered development. ▪ 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. ▪ Mining of mineral resources with minimal negative impacts on local residents (Oro Grande and Yermo).

Notes:

1. Bear Valley includes: Baldwin Lake, Big Bear City, Erwin Lake, Fawnskin/Northshore, Lake Williams, Moonridge, Sugarloaf.
2. Crest Forest includes: Cedarpines Park, Crestline, Lake Gregory, Valley of Enchantment.
3. Hilltop includes: Arrowbear, Green Valley Lake, Running Springs.

4. Lake Arrowhead includes: Agua Fria, Blue Jay, Cedar Glen, Crest Park, Deer Lodge Park, Lake Arrowhead, Rimforest, Skyforest, Twin Peaks.
5. Homestead Valley includes: Flamingo Heights, Johnson Valley, Landers, Yucca Mesa.
6. Pioneertown includes: Gamma Gulch, Pioneertown, Pipes Canyon, Rimrock.



Policy LU-4.7 Dark Skies:

We minimize light pollution and glare to preserve views of the night sky, particularly in the Mountain and Desert regions where dark skies are fundamentally connected to community identities and local economies. We also promote the preservation of dark skies to assist the military in testing, training, and operations.

Questions for the Developers Regarding Aesthetics (c):

-Why did the developer fail to engage with or take into consideration the Wonder Valley Community, homeowners, and residents for input on how this high occupancy Commercial Hotel/Resort may potentially change the valued visual characteristics of the rural desert neighborhood?

-Why are the developers ignoring the existence of a vibrant rural residential community here?

-Why are the developers ignoring Table LU-3 in relation to Rural Desert Communities?

Would the project:

d) Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?

The developers answer:

In their statement to meet the Dark Sky Ordinance, the developers only address the type of bulbs used and the shielding requirements. There is no mention how the overall artificial illumination of the resort and the light viewshed of the expansive area will affect the dark night sky in Wonder Valley.

They mention “all outdoor lighting will be extinguished by 11:00p.m.”

Here are some questions for the developers and the County:

-Will there be lights on the 35-foot-tall water tower?

-Will there be lights on the tents, the domes, the signage?

-Will there be light emanating from the pool? How many pool lights will they have?

-How many parking light poles will there be?

-How tall are the parking lot poles?

-How much more additional artificial lighting will there be for the weddings and other events they plan to have?

-Will there be artificial lighting on any of the additional RL-5 parcels that are noted in the Initial Study?

-How much additional artificial lighting will there be from the increased traffic with regular and high beam headlights during the darkened hours?

-How much additional artificial lighting will there be from the increased traffic going to and from the weddings and other events?

-Do any applicable codes allow for parking lot lights to be extinguished at all for a 24-hour business operation? Are motion sensors allowed on all parking lot lights?

These are just some of the questions the developers failed to answer in the Initial Study.

Comment: All these additional lights add up. They will be high and low and all over the site. Pathway lights, signage lights, pool lights, hotel room lights, landscaping lights, parking lot lights. All of this does not add up to a desert dark night sky.

And here's their answer to CEQA question d):

“The Proposed Project would be designed to adhere to these lighting standards, to ensure that the Project does not create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area. Demonstration of compliance

would be required prior to issuance of a building permit. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.” (p.19)

We disagree with this assumption. If the Wonder Inn gets built it will significantly cause a new source of substantial artificial light, skyglow or glare and would definitely affect the day and nighttime views in Wonder Valley.

Comment: Question **d)** is in relation to the Dark Night Sky. Dark Night Sky is mentioned often in the Countywide Plan, Land Use Services, and our own Wonder Valley Community Action Guide in relation to **Zoned Rural Living**. A designated valued asset by our community, **Dark Night Sky** is listed in both the “Values Statement” and “Aspirations Statement” in the Community Action Guide.

Comment: Currently, at night while driving home from the west along Amboy there is only an exterior light and an interior light that shines from the old pink building. If this resort were to be built, the amount of additional light pollution is extreme and would be highly significant and adversely affect the daytime and nighttime views of Wonder Valley.

Comment: 29 Palms Astronomy Club is adjacent to this proposed development. Dark night sky is an economic value for this local small business who depends on the dark sky and tourism to this area for economic survival. There are small businesses that would be negatively impacted by this proposed development.

Many questions are left unanswered in AESTHETICS, and in order to make an adequate determination of significant impacts this must be addressed with further study, and I request that a full, certified Environmental Impact Report per CEQA requirements should be completed for the project and project site of the proposed Wonder Inn.

III. AIR QUALITY

The criteria characterized in the Initial Study/Mitigated Negative Declaration (IS/MND) are not consistent with the criteria required to characterize according to the California Environmental Quality Act (CEQA).

Initial Study	CEQA Checklist
a) Conflict with or obstruct implementation of the applicable air quality plan?	a) Conflict with or obstruct implementation of the applicable air quality plan?
	b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
c) Expose sensitive receptors to substantial pollutant concentrations?	d) Expose sensitive receptors to substantial pollutant concentrations?
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	e) Create objectionable odors affecting a substantial number of people?

Criterion b) from the actual CEQA checklist is not addressed in the IS/MND. Not adhering to the CEQA criteria as such is a procedural omission that by itself must lead to further evaluation and an Environmental Impact Report. The elements left out are indicative of the project's disregard for the wellbeing and aspirations of the Wonder Valley residents.

REVIEW AND COMMENTS ON THE ACTUAL CEQA CRITERIA

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

Windy dusty days have increased in the desert; they are also longer. Windblown dust, also called fugitive dust and Particulate Matter, is hazardous to human health and the environment. PM 2.5 can enter the lungs and bloodstream. Sources of particulate matter include unpaved roads, construction sites, disturbed soil areas, and vehicle pollution.

The Mojave Desert is in nonattainment for PM10 under both federal and state standards. The Mojave Desert Air Quality Management District (MDAQMD, the District) monitors air pollutants. They have an air monitoring station in 29 Palms. But for monitoring construction sites County planners use the Victorville station's readings. This is not useful for the PM10 baseline for the Morongo Basin. Fugitive dust control plans are regulated by the District's Rule 403.2 adopted in 1996. Guidance on suggested mitigation methods are not provided with the rule. They rely on neighbor alerts in rural areas, but this is not a proven, effective strategy for monitoring and enforcement of fugitive dust violations.

Per the Mojave Desert Air Quality District, the Morongo Basin is not in compliance with Federal EPA or State Standards. Every project has to follow how to mitigate dust standards; the suggestion is to use water to mitigate dust. But these mitigation standards have never worked in the desert.

The Mojave Desert Air Quality Management District uses data related to construction in Victorville. The Victorville monitor is on concrete. The basic wind direction in Wonder Valley is from the west not from the east.

Traffic is another source of particulate pollution. The IS/MND on page 23, paragraph 2, line 8 states: "An example of a non-conforming project would be one that increases the number of trips, and/or increases the overall vehicle miles traveled in an affected area (relative to the applicable land use plan)." The Project is estimated to generate 604 trips per day. That is an increase already and likely underestimated, especially given the events that are planned to take place and the driving around in the Wonder Valley area, on and off-road, legal and illegal, that will result from the project. None of this has been addressed or analyzed.

Comment on the statements in the IS/MND: Are the values listed in "Table 2 Regional Significance - Construction Emissions (pounds/day)" accurate with the actual emissions they will be emitting? Are these accurate numbers given all the vehicles, work trucks, waste disposal trucks, deliveries (i.e., food delivery, laundry- which will be done offsite, supplies, etc.), guests, restaurateurs, employees, visitors, etc.? How do we verify the accuracy of the numbers they provide? The air quality, dust, topsoil disturbed during construction while digging the pond, the paths, the footings, the sunken garden, land scraping, etc...

PROPOSAL: Environmental Impact Report is needed.

Would the project:

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

This criterion is not fully addressed and researched in the IS/MND.

From Appendix to the IS/MND:

2.0 Air Quality Regulatory Setting

Air pollutants are regulated at the national, state, and air basin level; each agency has a different level of regulatory responsibility. The United States Environmental Protection Agency (EPA) regulates at the national level. The California Air Resources Board (ARB) regulates at the state level. The Mojave Desert Air Quality Management District (MDAQMD) regulates at the air basin level.

2.0.1 National and State

The EPA is responsible for global, international, and interstate air pollution issues and policies. The EPA sets national vehicle and stationary source emission standards, oversees approval of all State Implementation Plans, provides research and guidance for air pollution programs, and sets National Air Quality Standards, also known as federal standards. There are six common air pollutants, called criteria pollutants, which were identified from the provisions of the Clean Air Act of 1970.

- Ozone
- Nitrogen Dioxide
- Lead
- Particulate Matter (PM10 and PM2.5)
- Carbon Monoxide
- Particulate Matter
- Sulfur Dioxide

The federal standards were set to protect public health, including that of sensitive individuals; thus, the standards continue to change as more medical research is available regarding the health effects of the criteria pollutants. Primary federal standards are the levels of air quality necessary, with an adequate margin of safety, to protect the public health.”

And:

“In accordance with the CEQA requirements, the County does not, however, have the expertise to develop plans, programs, procedures, and methodologies to ensure that air quality within the County and region will meet federal and state standards. Instead, the County relies on the expertise of the SCAQMD and MDAQMD and utilizes the SCAQMD CEQA Handbook and MDAQMD California Environmental Quality Act (CEQA) And Federal Conformity Guidelines (depending on the location/jurisdiction of the project) as guidance documents for

the environmental review of plans and development proposals within its jurisdiction.”

The EPA announced on January 6, 2023, its proposed decision to revise the primary health-based) annual PM_{2.5} standard from its current level of 12.0 µg/m³ to within the range of 9.0 to 10.0 µg/m³. This decision must be considered in relation to how it impacts the Proposed Project on the Wonder Valley community.

As it stands now, per the Mojave Desert Air Quality District (known as “The District”), the Morongo Basin is not in compliance with Federal EPA or State Standards. Every project has to follow how to mitigate dust standards, the Project’s suggestion is to use water to mitigate dust. But these mitigation standards have never worked in the desert.

The Appendix refers to these two rules from The District

“Rule 402 (Nuisance). This rule specifies that a person may not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

Rule 403.2 (Fugitive Dust Control for the Mojave Desert Planning Area). This rule requires owners or operators of a construction or demolition fugitive dust source to implement the fugitive dust control measures listed in Rule 403.2. These measures include periodic watering for short-term stabilization of disturbed surface area to minimize visible dust emissions, stabilization of graded surfaces if no development is planned within 30 days, reducing non-essential earth moving activity under high wind conditions, and more. In addition, for sites over 100 acres such as the proposed project, the control measures in Rule 403.2 must also be implemented. The additional control measures include preparing and submitting a dust control plan to the MDAQMD prior to commencing earth-moving activities. The dust control plan must describe all applicable dust control measures that will be implemented at the project site. Other additional control measures to minimize visible fugitive dust for sites over 100 acres include stabilizing access routes, maintaining natural topography to the extent possible, and constructing paved roads and parking lots first where feasible.”

Please note in the Appendices the Project is said to be over 100 acres.

The project will likely increase PM₁₀ and PM_{2.5} particles (or dust). This increase will no doubt result from hotel vendors and/or guests driving on dirt roads. There are 178 dirt roads in Wonder Valley. Guests will be driving around on nearby dirt roads, neighborhood “exploring” including using off-road vehicles, which the Project advertises will be available for guest use. Wonder Valley residents know the impact of these vehicles not staying on dirt roads but driving across pristine desert.

Not mentioned or commented upon is the increased PM_{2.5}, PM_{10.5} exposure from disturbing the desert crust, scraped land/exposed soil when winds blow. Research has shown the building

to be used in the Project formerly was used for industry that included hazardous materials including PCBs.

Here are some highlights of what EPA has to say about PCBs:

- PCBs have been demonstrated to cause a variety of adverse health effects.
- PCBs were domestically manufactured from 1929 until manufacturing was banned in 1979.
- Commercial uses of PCBs (some listed here but not all):
 - Transformers and capacitors
 - Electrical equipment including voltage regulators, switches, re-closers, bushings, and electromagnets
 - Cable insulation
- Release and Exposure of PCBs (some listed here but not all):
 - Leaks or releases from electrical transformers containing PCBs
 - Illegal or improper dumping of PCB wastes
- PCBs do not readily break down once in the environment.
- PCBs can accumulate in the leaves and above-ground parts of plants and food crops. They are also taken up into the bodies of small organisms
- They can remain for long periods cycling between air, water, and soil.

The existing commercial building to be part of the Project was used by the Desert Electric Cooperative. A reasonable conclusion is that any former (or current) electrical company storage yard is presumed contaminated with PCBs until a site survey with multiple PCB tests using scientifically based sampling protocols proves otherwise. Indications are that Desert Electric Cooperative stored both vehicles and equipment onsite and the potential of PCBs at the proposed site demands a full Environmental Impact Report! Disturbing and scraping the soil runs the risk of releasing PCBs.

PROPOSAL: an Environmental Impact Report is needed.

Would the project:

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

No mention of likely increased PM10 and PM2.5 resulting from hotel guests and possibly hotel vendors driving on dirt roads (like Gammel, south of Amboy, which is a north-south pathway to Hwy 62 and could be used as a “shortcut” to Joshua Tree National Park, or vendors coming from town), or guests driving around nearby dirt road neighborhoods “exploring.”

Additionally, what is planned for the remaining 130 acres of this project? Is there a possibility of guest ORV activity on the 130 acres or nearby? Was the impact of such activity studied?

There will be increased PM10 and PM2.5 exposure resulting from scraped land / exposed soil when winds blow. There is no mention of this in IS/MND report.



Dust blowing in Wonder Valley

- Top left: Gammel and Amboy as viewed from 1 mile north
- Top right: Sunfair Dry Lake, west of Copper Mountain College
- Bottom: dust blowing from OHVs in Wonder Valley
- On fugitive dust: <https://desertreport.org/scraped-earth-and-desert-winds/>
- On fugitive dust and Sand Transport paths: “Where the topography inhibits the sand flow, such as at the **Bullion** and Sheep Hole Mountains, sand ramps form against the mountain slopes...This Sand Transport Path, like others in the east Mojave, is stabilized by the omnipresent creosote bush-galleta grass plant community.² When its tangle of stabilizing roots is removed, the sand and dust become fugitive with the wind.” Source: <https://desertreport.org/the-perfect-dust-storm-fugitive-dust-and-the-morongo-basin-community-of-desert-heights/>
- On how PM10’s are measured and reported by developers: “When estimating dust emissions for construction projects, **county planners rely on the District’s directive to use the Victorville station’s readings** and meteorological data for long term ambient baseline measurements. Calculated emission estimates guide the mitigation plans designed to protect the affected population from fugitive dust. The Victorville station is located on asphalt and is 300 feet from a road with an average annual daily traffic count of 1000 vehicles. The station monitors a 0.3 to 3.5 square mile area with a relatively uniform land use. Victorville’s monitoring records show zero (0.0) days above the 24-hour federal and state PM10 standards. **Emission readings, for an area 72 miles north of the Sand Transport Path, with different wind speeds and directions, is not a valid long term PM10 baseline for the Morongo Basin.....**The District’s approved monitoring station for substitute records is in Victorville. **Without monitoring stations in the Sand Transport Path, it is impossible to establish accurate emission estimates¹⁴ that support responsible planning.**” Source: <https://desertreport.org/the-perfect-dust-storm-fugitive-dust-and-the-morongo-basin-community-of-desert-heights/>

The IS/MND, on page 23 paragraph 3, line 9 states: “therefore, as the Project is a residential use, the Proposed Project is not anticipated to exceed the Attainment Plan assumptions for the Project Site.” That is contradicted by the fact that a non-conforming project is defined as one that “increases the gross number of dwelling units, increases the number of trips, and/or increases the overall vehicle miles traveled in an affected area all of which this Project will do.

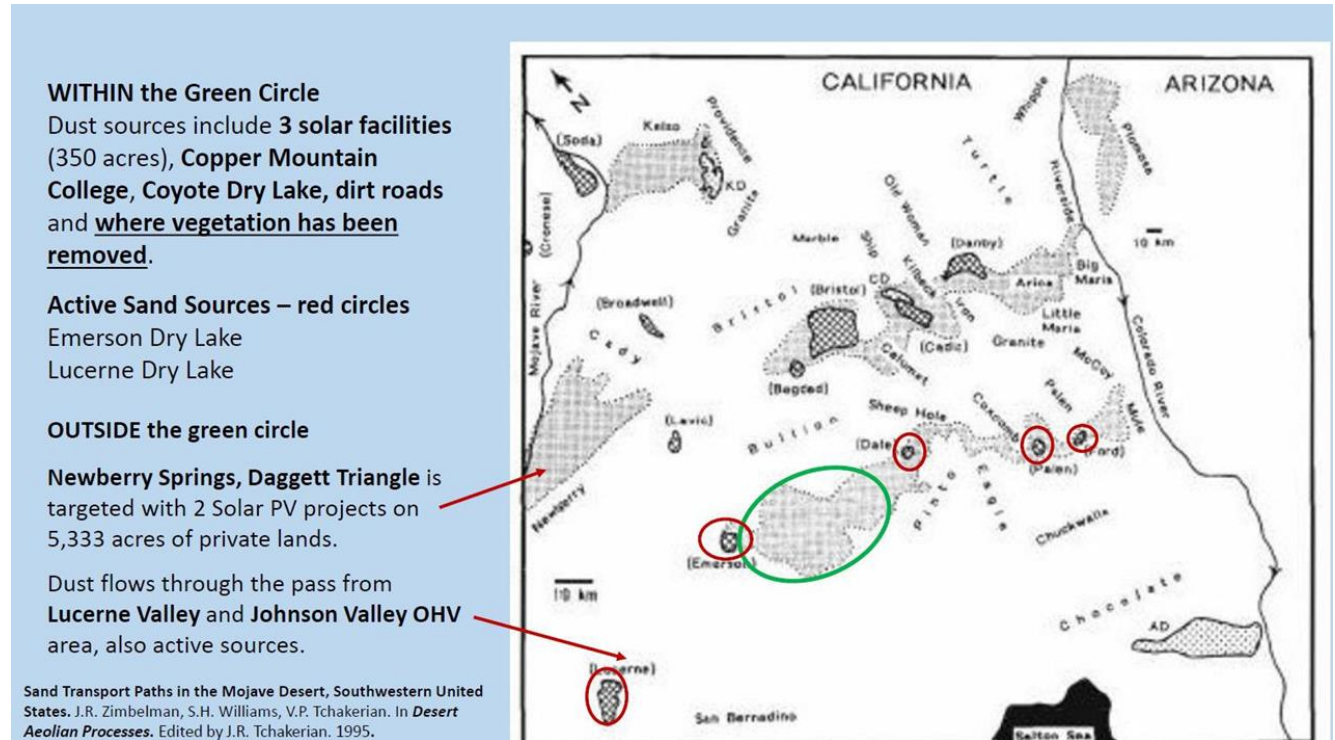
Would the project:

d) Expose sensitive receptors to substantial pollutant concentrations?

Sensitive Receptors in the report are defined as land uses or other types of population groups that are more sensitive to air pollution than others. Sensitive Receptors are defined as: children, the elderly, the acutely and chronically ill, those with cardio-respiratory diseases. Residences could be a sensitive receptor location. In the IS/MND they say a sensitive receptor would be a location where a sensitive individual could remain for 24-hours or longer. Most residents who will be impacted by this Project stay in their homes for longer than 24-hours.

In the IS/MND, the statement is made that the Project would be a major receptor, but this would not be a problem, as “the project is not near a major transportation route.” It is claimed that only residences 1,700 feet northwest across Amboy Road are existing sensitive receptors. Of course, there are residents East of the project and the wind is Westward primarily. Wonder Valley has 178 dirt roads, why would the impact be limited 1,700 feet northwest from the Project Site? Ask the residents who have medical issues and live close by. Additionally, increased traffic means increased pollution from vehicles and those of the residents that are Sensitive Receptors, including ones with respiratory issues, know that will negatively impact our health, in particular by the 2.5 particulate pollution. It seems the only mention of residents in the report is by reference to the “sensitive receptors”. All residents of WV could be vulnerable to developing respiratory or heart problems etc. from pollution resulting from this project.

According to an article in the *Desert Report* on Fugitive Dust by Pat Flanagan the following is the case: windy dusty days have increased in the desert; they are also longer. Windblown dust, also called fugitive dust and Particulate Matter is hazardous to human health and the environment. Sources include unpaved roads, construction sites, disturbed areas. Maps of sand transport paths are available (see immediately below). The Mojave Desert Air Quality Management District (MDAQMD) monitors air pollutants, fugitive dust control plans are regulated by the District’s Rule 403.2 adopted in 1996 and since updated but guidance on suggested mitigation methods, are not provided with the rule. They rely on the Victorville monitoring station or phone calls.



The Initial Study does not address any Environmental Justice elements.

On May 8, 2012, the California Attorney General’s office released a report entitled “Environmental Justice at the Local and Regional Level – Legal Background” which interprets existing law to impose environmental justice obligations that local governments must consider when approving specific projects and planning for future development. “Environmental justice” is defined in the Government Code as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.” “Fairness” means that “the benefits of a healthy environment should be available to everyone, and the burdens of pollution should not be focused on sensitive populations or on communities that already are experiencing its adverse effects.”

Population Characteristics Results

Tract 6071010409

Population Characteristics Percentile: 60

Asthma:	34
Low Birth Weight:	62
Cardiovascular Disease:	100
Education:	51
Linguistic Isolation:	25
Poverty:	80
Unemployment:	76

Wonder Valley CSA 70M maintains, for a \$50 service fee on 4,634 parcels, 178 miles of dirt roads, very attractive to adventure seeking tourists.

Special Districts

Facts

CSA 70 M WONDER VALLEY was established by an act of the San Bernardino County Board of Supervisors on August 14, 1972 to provide road maintenance for 178.41 miles of road to the community of Wonder Valley. This road zone is located 10 miles east of Twenty-Nine Palms and receives a \$15 service charge currently billed on 4,634 parcels of land to fund its maintenance service. This zone has a Board appointed Advisory Commission and utilizes the Wonder Valley Community Center for meetings.

District Boundary

Major dust and road problems come from adventure seeking tourists. 4WD is not required to get up close to the beckoning mountains.

Residents with asthma and cardiovascular conditions suffer from dust. The regulated speed to keep the dust down and preserve the road grading is 15 to 25 mph.



The Proposed Project involves the construction of 106 hotel rooms and would be considered to be a sensitive receptor. However, the Project is not considered a major transportation project and is greater than 10,000 feet north of the nearest major road, State Route 62, which has 18,900 average daily vehicle trips. The closest existing sensitive receptors (to the Project Site) is the residential land use located approximately 1,700 feet northwest across Amboy Road.”

- There are several elderly residents near this proposed site, including people with health issues. Was this considered at all?
- Amboy Road has a very similar volume of traffic as Hwy 62. Why is the comparison not done for Amboy?
- What is northwest, 1,700 feet? Do they mean west? Or, north? (In looking at the map, a residence to the northwest is not visible.)
- On sensitive receptors: “It is time that I, my neighbors, and in fact all residents (including students, asthmatics, and the elderly living east of Joshua Tree Basin) start thinking of ourselves in a new way. We are “sensitive receptors.” Source: <https://desertreport.org/the-perfect-dust-storm-fugitive-dust-and-the-morongo-basin-community-of-desert-heights/>

Would the project:

e) Create objectionable odors affecting a substantial number of people?

The IS/MND states:

“Potential sources that may emit odors during the on-going operations of the Proposed

Project would include odor emissions from vehicular emission trash storage areas. As the Project is a destination hotel rather than an industrial use which would be associated with odors, the Project would be designed to the latest County standards with respect to trash enclosures, and the nearest sensitive receptors are located approximately 1,700 feet from the Project boundaries, no significant impact related to odors would occur during the on-going operations of the Proposed Project. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.”

Trash and odors will not be limited to “on-site;” visitors and guests to the Project will wander off-site and leave trash.

Why would the impact from odors be limited to 1.700 feet from the Project’s boundaries and is that distance by itself even validated?

In conclusion:

Given all above, an environmental impact report is urgent, must be prepared and made available to the community for comment before the BOS takes any vote on the project.

Air Quality Additional from Appendices (Page 15 of PDF)

Table 2: Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards ¹		National Standards ²			
		Concentrations ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷	
Ozone (O3)	1-Hour	0.09 ppm	Ultraviolet Photometry	--	Same as Primary Standard	Ultraviolet Photometry	
	8-Hour	0.070 ppm		0.070 ppm (147 µg/m ³)			
Respirable Particulate Matter (PM10) ⁸	24-Hour	50 µg/m ³	Gravimetric or Beta Attenuation	150 µ/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	20 µg/m ³		--			
Fine Particulate Matter (PM2.5) ⁸	24-Hour	--	--	35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis	
	Annual Arithmetic Mean	12 µg/m ³	Gravimetric or Beta Attenuation	12 µg/m ³			15 µg/m ³
Carbon Monoxide (CO)	1-Hour	20 ppm (23 µg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 µg/m ³)	--	Non-Dispersive Infrared Photometry (NDIR)	
	8-Hour	9.0 ppm (10 µg/m ³)		9 ppm (10 µg/m ³)			
	8-Hour (Lake Tahoe)	6 ppm (7 µg/m ³)		--			--
Nitrogen Dioxide (NO ₂) ⁹	1-Hour	0.18 ppm (339 µg/m ³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m ³)	--	Gas Phase Chemiluminescence	
	Annual Arithmetic Mean	0.030 ppm (357 µg/m ³)		0.053 ppm (100 µg/m ³)			Same as Primary Standard
Sulfur Dioxide (SO ₂) ¹⁰	1-Hour	0.25 ppm (655 µg/m ³)	Ultraviolet Fluorescence	75 ppb (196 µg/m ³)	--	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)	
	3-Hour	--		--			0.5 ppm (1300 mg/m ³)
	24-Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (for certain areas) ¹⁰			--
	Annual Arithmetic Mean	--		0.130ppm (for certain areas) ¹⁰			--
Lead ^{11,12}	30 Day Average	1.5 µg/m ³	Atomic Absorption	--	--	High Volume Sampler and Atomic Absorption	
	Calendar Qtr	--		1.5 µg/m ³ (for certain areas) ¹²			
	Rolling 3-Month Average	--		0.15 µg/m ³			
Visibility Reducing Particles ¹³	8-Hour	See footnote 13	Beta Attenuation and Transmittance through Filter Tape	No National Standards			
Sulfates	24-Hour	25 µg/m ³	Ion Chromatography				
Hydrogen Sulfide	1-Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence				
Vinyl Chloride ¹⁴	24-Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography				

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above $150 \mu\text{g}/\text{m}^3$ is equal to or less than one. For PM2.5, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to

6.0 Cumulative Regional Air Quality Impacts

Cumulative projects include local development as well as general growth within the project area. However, as with most development, the greatest source of emissions is from mobile sources, which travel well out of the local area. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and when wind patterns are considered, would cover an even larger area. Accordingly, the cumulative analysis for the project's air quality must be generic by nature.

8. On December 14, 2012, the national annual PM2.5 primary standard was lowered from $15 \mu\text{g}/\text{m}^3$ to $12.0 \mu\text{g}/\text{m}^3$. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at $35 \mu\text{g}/\text{m}^3$, as was the annual secondary standard of $15 \mu\text{g}/\text{m}^3$. The existing 24-hour PM10 standards (primary and

secondary) of $150 \mu\text{g}/\text{m}^3$ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.

9. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
10. On June 2, 2010, a new 1-hour SO₂ standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO₂ national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.

11. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
12. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard ($1.5 \mu\text{g}/\text{m}^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
13. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

IV. BIOLOGICAL RESOURCES

a) *(Would the project) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Here's what the developers stated on p.32 of the Initial Study/Mitigated Negative Declaration (IS/MND):

Sensitive Wildlife

Desert Tortoise. The Desert Tortoise is a State- and federally listed threatened species. There are no documented Desert Tortoise occurrences on site or directly adjacent to the Project Site. Per the USFWS Desert Tortoise Critical Habitat overlay, the Project Site is not within any USFWS-designated Desert Tortoise Critical Habitat. The undeveloped portions of the project site are dominated by creosote bush scrub plant communities that have the potential to provide suitable habitat for desert tortoise. Despite a systematic search of the Project Site, no live tortoises, suitable burrows or signs were observed on the project site during the site investigation. Based on the results of the field investigation and lack of suitable burrows and no observed sign, desert tortoise was determined to have a low potential to occur onsite.

ELMT Consulting, Inc. prepared the Habitat Assessment of 134 acres for Wonder Inn Joshua Tree (?) in July of 2021. The above **Desert Tortoise** paragraph was taken from ELMT Habitat Assessment section 4.7.2, page 21.

Initial Study PROJ-2021-00163
Wonder Inn, 78201 Amboy Road, Twentynine Palms, 92277
 APNs: 0625-071-04, -05, -07, -08, -09, -10
 January 2023

Table 4
Summary of Sensitive Species and Potential to Occur

Common Name	Scientific Name	Potential To Occur
Burrowing Owl Fed: None State: SSC	<i>Athene cunicularia</i>	<i>Low</i> The project site provides line-of-site opportunity favored by burrowing owls. However, the site not support suitable burrows (>4 inch diameter).
Palid Bat Fed: None State: SSC	<i>Antrozous pallidus</i>	<i>Low</i> Suitable foraging habitat is present within the Project Site. On-site structures provide marginal roosting opportunities.
Spotted Bat Fed: None State: SSC	<i>Euderma maculatum</i>	<i>Low</i> Suitable foraging habitat is present within the Project Site. On-site structures provide marginal roosting opportunities.
Le Conte's thrasher Fed: None State: SSC	<i>Toxostoma lecontei</i>	<i>Low</i> <i>Marginal habitat is present within the project site</i>
Prairie Falcon Fed: None State: Watch List	<i>Falco mexicanus</i>	<i>Low</i> <i>The open area in the southern portion of the site offers suitable foraging habitat. The Bullion Mountains to the north and Pinto Mountains to the south provide suitable nesting opportunities.</i>
Loggerhead Shrike State: SSC	<i>Lanius ludovicianus</i>	<i>Moderate</i> <i>Suitable habitat is present within the project site.</i>
Desert tortoise Fed: Threatened State: Threatened	<i>Gopherus agassizii</i>	<i>Low</i> <i>The uninterrupted creosote bush scrub in the southern portion of the Project Site provides suitable foraging habitat for this species; however, soils on-site are very rocky and tend to be unsuitable for burrow construction.. No desert tortoises or sign (i.e. scat, burrows, carapaces) were observed on-site.</i>

In table 4 of the ELMT Consulting Habitat Assessment, the proposed Project developers also include that no tortoise scat, burrows or carapaces were observed on the site, along with no tortoises.

What the Wonder Inn developers failed to include was a study *they* commissioned to be done on 40 acres of the project site by Circle Mountain Biological Consultants, Inc (CMBA). This study was done in April of 2020.

**Focused Survey for Agassiz's Desert Tortoise,
Habitat Evaluation for Burrowing Owl, and
General Biological Resource Assessment for a
40-acre± Site (APN 0625-071-04 & 09) in the Community of Wonder Valley,
San Bernardino County, California**

(U.S. Geological Survey 7.5' Dale Lake quadrangle, Township 1 North, Range 10 East, a
portion of the Northwest ¼ of the Northeast ¼ of Section 20, S.B.B.&M.)

Job#: 20-012

Prepared by:

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I hereby certify that the statements furnished herein, including attached exhibits, present the data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. Field work conducted for this assessment was performed by me or under my direct supervision. I certify that I have not signed a nondisclosure or consultant confidentiality agreement with the project applicant or applicant's representative and that I have no financial interest in the project.



Circle Mountain Biological Consultants, Inc.
Author and Field Investigator: Edward L. LaRue, Jr.

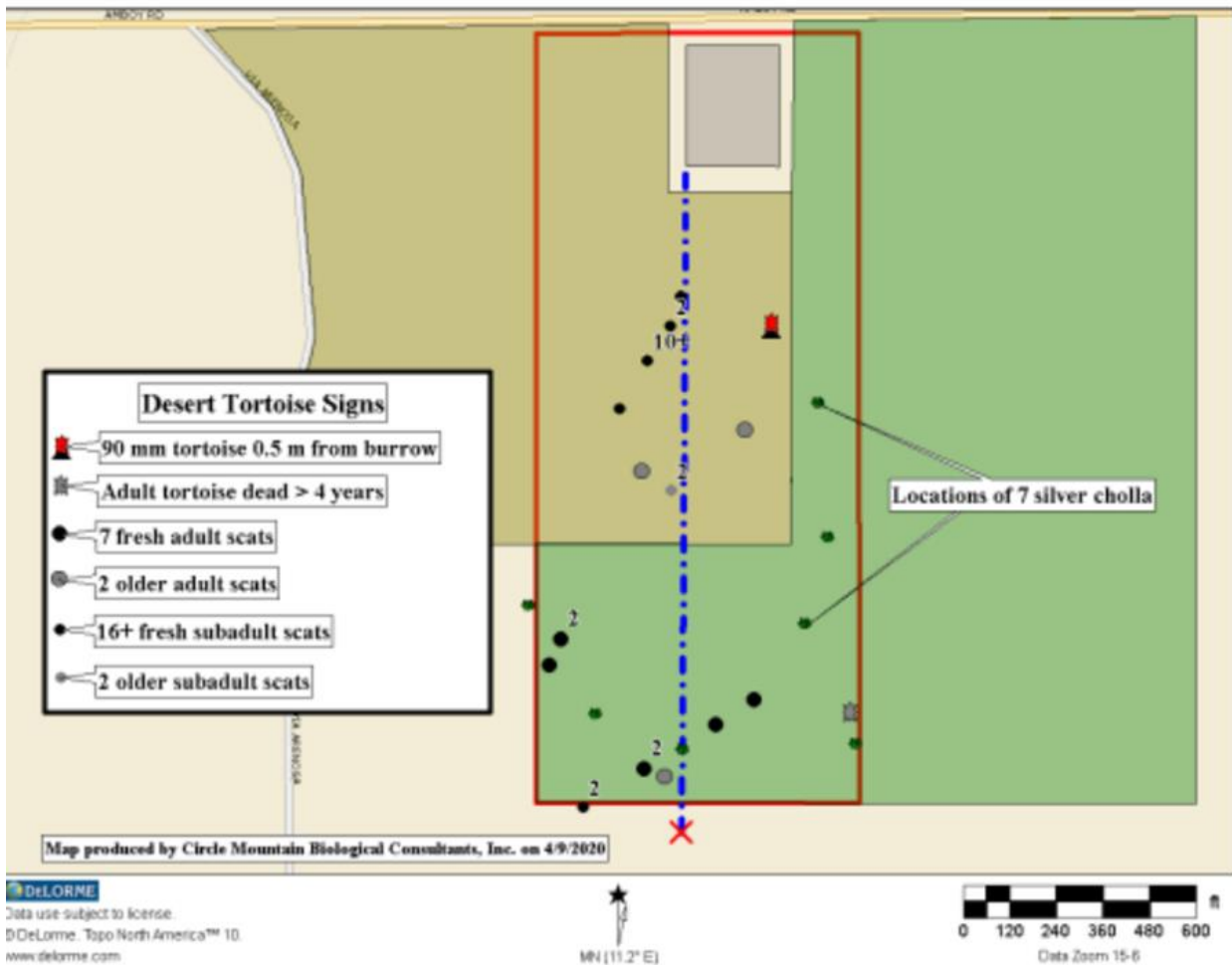
April 2020

Note: The full CMBA survey was sent to Land Use and Planning by Pat Flanagan of the Morongo Basin Conservation Association.

This is from page 13, section 3.2.1 of Circle Mountain Biological Consultants survey:

“Positive evidence of Agassiz’s desert tortoise found during this survey is mapped in Figure 3 and included a 90 mm desert tortoise, the carcass of an adult tortoise that died more than four years ago, 7 fresh scats deposited this year by adult tortoise(s), 2 older scats deposited prior to this year by adult tortoise(s), 16+ fresh scats of subadult tortoise(s), and 2 older scats of subadult tortoise(s).”

Figure 3. Site Map with Desert Tortoise and Cacti Locations



ocused Tortoise Survey & Habitat Assessments (C:/Jobs/WonderInn.2012) iii

This map, Figure 3, is on page 4 of the Circle Mountain Biological Consultants survey. It details the locations on the project site where a young desert tortoise was discovered, where a dead tortoise was discovered, numerous fresh scat from adult and subadult tortoises, as well as the young tortoise burrow. The numerous discoveries of scat show a steady presence and a history of desert tortoises on this proposed project site.

From page 17 of the Circle Mountain Biological Consultants survey:

4.0. Conclusions and Recommendations

“4.1. Impacts to Agassiz’s Desert Tortoise and Proposed Mitigation. Based on the presence of tortoise signs found onsite, as depicted in Figure 3, CMBC concludes that Agassiz’s desert tortoise occurs onsite, both in undeveloped creosote bush scrub habitats to the south and the adjacent, centrally-located jojoba field. Based on the size and freshness of scats, we conclude that the one subadult tortoise observed near the east central portion of the site is currently resident and an adult tortoise is using scrub areas to the south and the central jojoba field.”



Exhibit 8. View of 90 mm subadult tortoise near the center of the site, in jojoba field.



Exhibit 9. Pieces of adult tortoise carcass that died more than four years ago.

-Why didn't the Wonder Inn developers use the Circle Mountain Biological Consultants survey when they are the ones who commissioned it?

The Circle Mountain Biological Consultants survey was conducted by Ed LaRue, who has been surveying desert tortoises for 33 years, worked as a biologist since 1989, and is Board Member of the Desert Tortoise Council.

The ELMT Consulting survey was conducted by Travis J. McGill, who's title is listed as a Director/Biologist for ELMT since 2018, and previously worked for Michael Baker International as a Project Manager/Biologist.

Comment: EMLT surveyed 134 acres for the proposed Wonder Inn and found NO evidence of any desert tortoise. CMBC surveyed 40 acres and found substantial proof of desert tortoises living in the surveyed area, including living tortoises and fresh scat.

-Why is there such a discrepancy between these two surveys done in the same area?

a) (Would the project) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

This is the developers' answer to the above question on page 32 of the IS/MND:

"Despite a systematic search of the Project Site, no live tortoises, suitable burrows or signs were observed on the project site during the site investigation."

Comment: This is in contradiction with the findings of Circle Mountain Biological Consultants. Tortoises, burrows, carapaces and scat were found in the 40-acre habitat survey. Here's what Ed LaRue of CMBC stated:

"I've been surveying for tortoises for 33 years, since 1989, and don't see any way, whatsoever, that we would find tortoise signs in 2020 and they not persist there one year later, in 2021, particularly since there was a wealth of juvenile tortoise signs; juveniles are an age class that is less likely to travel long distances as subadults and adults may be prone to do. Even if there had not been any new tortoise scats deposited, the ones we found in 2020 should still be visible, even in 2023, three years later."

-Why didn't ELMT Consulting find any evidence at all of any tortoise, tortoise scat or tortoise burrows during their survey?

Based on the information available, yes, this project would have a substantial adverse effect on the desert tortoise, a threatened species under the Endangered Species Act.

Comment: ELMT Consulting desert tortoise survey was conducted in the month of March. United States Fish and Wildlife (USFW) protocol **requires** tortoise surveys to be performed in the months of April, May, September or October. This requirement makes the ELMT Consulting survey invalid. Circle Mountain Biological Consultants performed their tortoise survey in April.

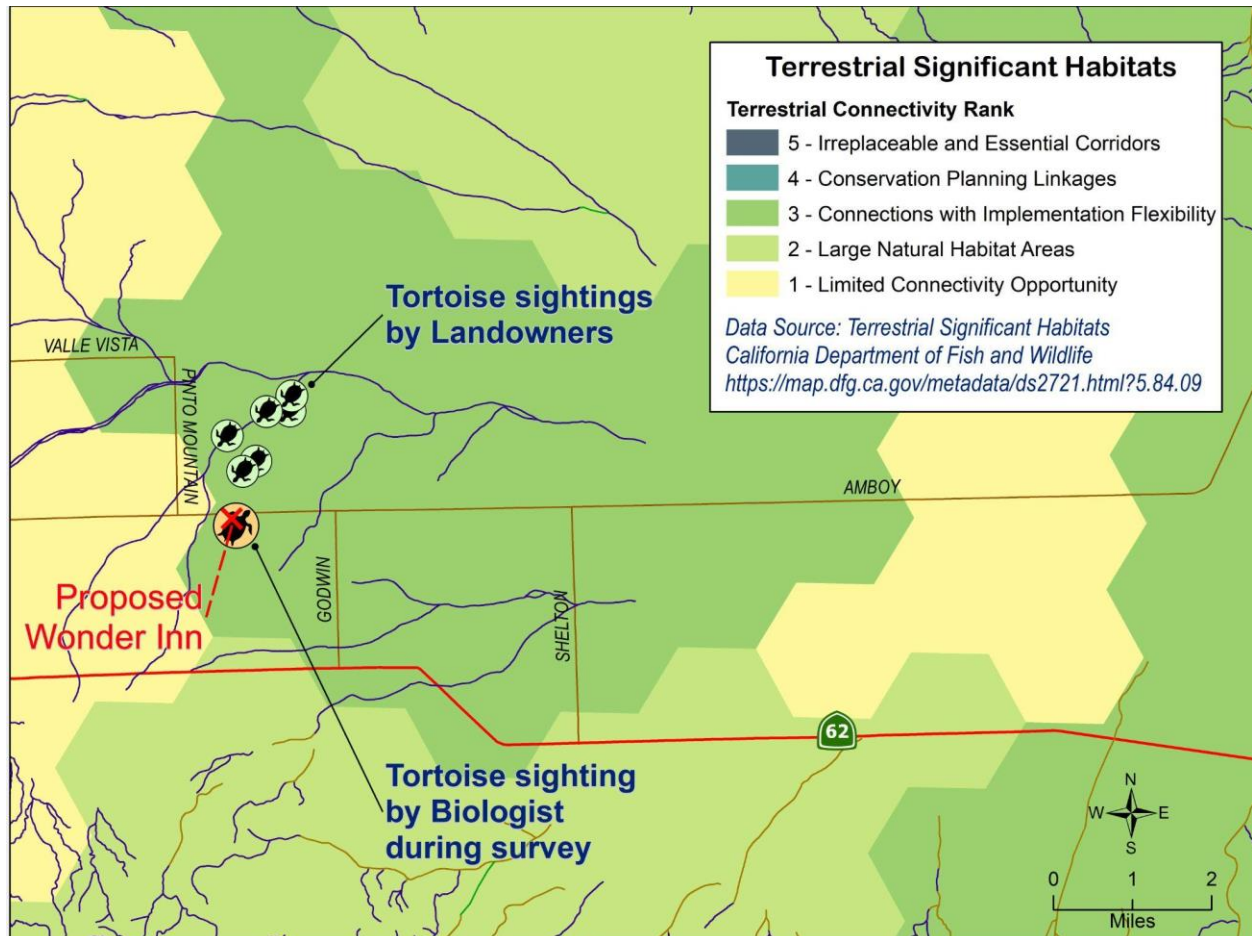
-Why didn't ELMT Consulting follow these guideline requirements of the USFW?

Comment: ELMT Consulting tortoise survey was conducted in March of 2021. Circle Mountain Biological Consultants performed their tortoise survey in April of 2020. Focused surveys for desert tortoises are only considered valid by the USFW for one year. Both surveys are now invalid for project consideration. A new tortoise survey is **required** per the USFW and CEQA.

The developers' answer to this CEQA question:

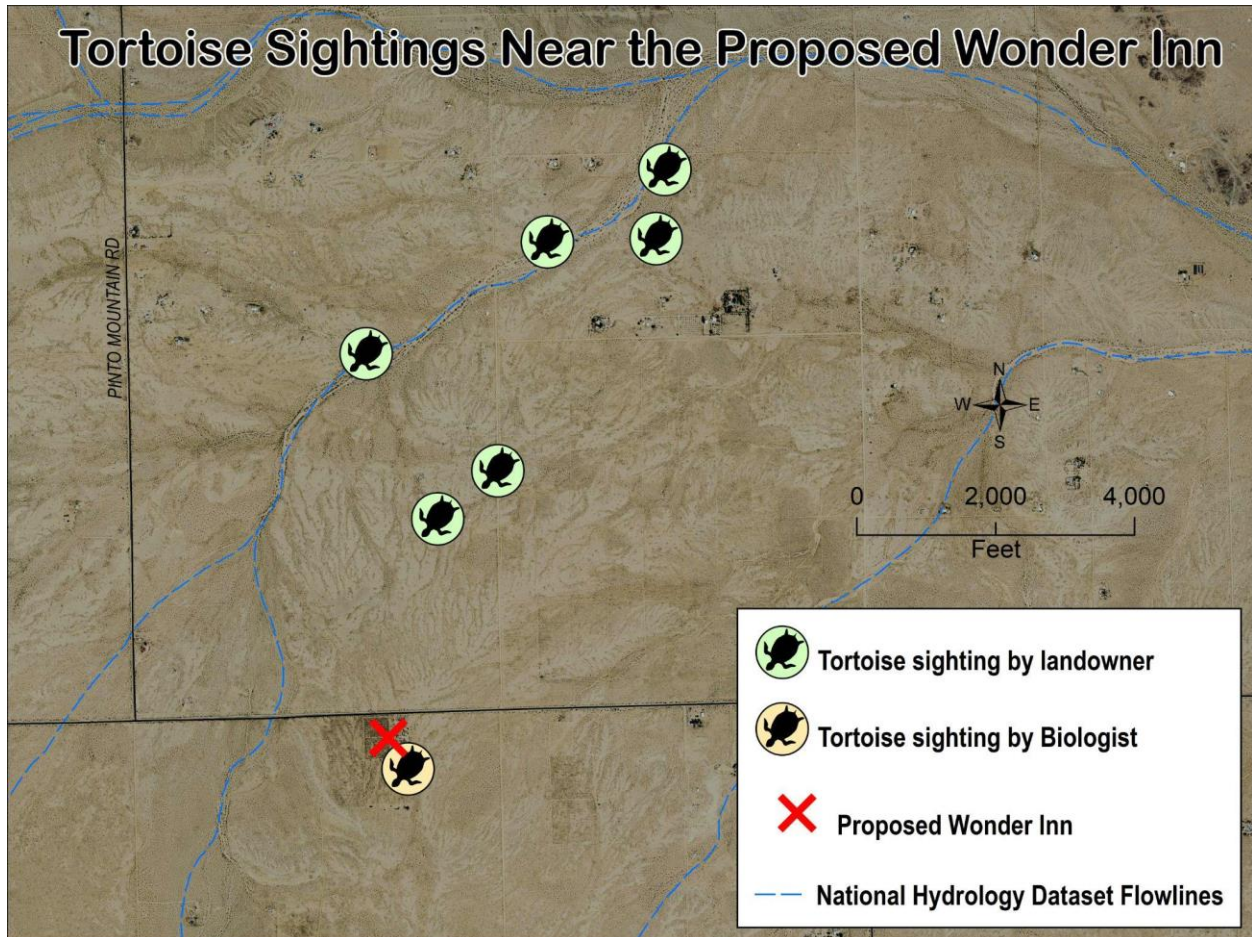
d) (Would the project) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

“Due to the openness of the habitats surrounding the site, it could be expected that the area supports wildlife movement between the Bullion and Pinto Mountains. However, the Project footprint accounts for a minimal portion of the area and does not support riparian corridors or creeks or “stepping-stone” habitats commonly associated with wildlife movement. As such, implementation of the proposed project is not expected to have a significant impact to wildlife movement opportunities or prevent local wildlife movement through the area since there is ample habitat adjacent to the Project Site to support wildlife movement opportunities. No significant impacts are identified or anticipated, and no mitigation measures are required.” (p.36)



Map 1: Tortoise sightings on Terrestrial Significant Habitat California/ Department of Fish and Wildlife. <https://map.dfg.ca.gov/metadata/ds2721.html?5.84.09>

Comment: Map 1 shows the Terrestrial Connectivity habitat corridors and linkages connected to desert tortoises discovered in the area and the connectivity of their pathways. Map 2 shows where tortoise sightings by landowners occurred along Natural Hydrology Flowlines. These first-hand accounts of tortoise discoveries and the connectivity of their movement DOES support a wildlife corridor through the proposed project site and surrounding acres.



Map 2: Tortoise sightings along the National Hydrology Flowlines.

A new, valid desert tortoise survey is required per the USFW, and based on this evidence and the data provided, more studies should be conducted to conclude if this is a wildlife corridor.

This CEQA question is asked in the IS/MND:

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?

Here's the answer given in the IS/MND (p.36):

“The General Plan does not identify the Project site, nor the vicinity to be within a Habitat Conservation Plan (HCP) and will not conflict with the provisions of an adopted HCP, Natural Community Conservation Plan (NCCP), or other approved local, regional or State HCP since there is no adopted HCP or NCCP in the Project area or local region. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

“No Impact”

Comment: The County Plan does NOT identify ANY site (including this proposed Wonder Inn site) to be within or not be within the vicinity of a Habitat Conservation Plan. This is a false pretense made by the developers.

Comment: Per the United States Fish & Wildlife Service,

“the potential applicant (Wonder Inn, LLC) develops an HCP that assesses the likely impacts on target species from the proposed project, the steps that will be taken to minimize and mitigate those impacts, and how the steps will be funded. The plan also identifies any alternatives that could avoid the incidental take and the reasons why those alternatives are not being chosen. The applicant then applies to the Service for an incidental take permit.”

-Why did the Wonder Inn, LLC group NOT develop an HCP in accordance with the U.S. Fish & Wildlife Service per Section 10 of the ESA and its implementation of the Paperwork Requirement regulations?

Comment: Once again, the developers failed to properly answer and address a CEQA question and the related requirements of the USFW.

This is from the County Policy Plan:

Policy NR-5.7

Development review, entitlement, and mitigation.

“We comply with state and federal regulations regarding protected species of animals and vegetation through the development review, entitlement, and environmental clearance processes.”

Comment: Although both surveys are invalid per the USFW and CEQA for possible new development consideration, biological studies indicate that the desert tortoise remains within its habitat range for most of its life. Therefore, if desert tortoises were discovered on the proposed Project site in 2020, there is a high probability that desert tortoises remain on the Project site today. Also see quote above from biologist Ed LaRue.

-If this project gets approved, how could we trust the developers to follow through with any Mitigation Measures (BIO-3) when they've shown blatant disregard for available desert tortoise surveys that show proof of their existence on the project site?

Being that Agassiz's Desert Tortoise is a threatened species, and based on the extremely opposing data and the lack of a valid focused desert tortoise survey, in order to make an adequate determination of significant impacts this must be addressed with further study, including a valid Focused Survey for Agassiz's Desert Tortoise, and I request that a full, certified Environmental Impact Report per CEQA requirements should be completed for the Project and Project site of the proposed Wonder Inn.

V. CULTURAL RESOURCES

INTRODUCTION

The determination of Less than Significant Impact under Criterion (a) must be set aside as it is not supported by the Substantiation. Critical information has not been included, improper recommendation has been made, and a major significant historical resource has not been addressed at all.

Specifically:

1. The cultural resource evaluation of the existing commercial building is deficient as critical information has not been included.
2. The recommendation of the existing commercial building as not eligible as a historical resource under the California Environmental Quality Act (CEQA) is invalid as it is based on a deficient evaluation.
3. The setting of the Project within the homestead community of Wonder Valley is not described or analyzed.
4. The potential historical significance of the homestead community/setting of Wonder Valley as a historical district under CEQA is not evaluated.
5. Determination of substantial adverse change in the significance of historical resources caused by the Project cannot be made due to deficient evaluation and invalid recommendation.

Further, the Project is likely to impact two historical resources that have not yet been evaluated:

- Evidence supports the significance of the existing commercial building as a historical resource.
- Evidence supports the significance of the Wonder Valley homestead district as a historical resource.

Due to these deficiencies and the evidence of historically significant resources that will be impacted by the Project, a thorough study must be done to identify potential significant impacts and a full and complete Environmental Impact Report must be prepared.

For more on the modern setting of Wonder Valley, see Section “Description of the Setting Is Inadequate” in these Response Comments.

EXISTING COMMERCIAL BUILDING

- a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

Our response to Criterion (a):

The evaluation of the existing commercial building as historical resource is deficient.

The origins of the existing commercial building on-site (locally known as “the pink building”) were grossly under-researched, and available and critical historical information was not included.

The Initial Study/Mitigated Negative Declaration (IS/MND) assessment correctly identifies that the building was constructed in 1962. However, it gives no evidence but only speculation as to what use it was built for or how it was used thereafter until 1981, and further states “No contemporaneous newspaper stories...have confirmed its original use...”. This statement is grossly inaccurate. A search of contemporaneous editions of the local newspaper of record, *The Desert Trail*, readily accessible in the archives of the local historical association, the Twentynine Palms Historical Society, reveals abundant documentation of the construction and use of the building as the headquarters for the Desert Electrical Cooperative from 1962 to 1966 – within historical timeframe. The study provides no acknowledgement or discussion of this history whatsoever. (See Exhibit CR-1, “Power and Lights for Tract Homes...” from *The Desert Trail*, March 31, 1962.)

The existing commercial building is historically significant and eligible for the California Register of Historical Resources.

The existing commercial building as the headquarters of the Desert Electrical Cooperative embodies a unique intersection of the Small Tract Act homestead movement with the Rural Electrification cooperative movement in a remote desert setting, and as such is historically significant and requires evaluation for eligibility as an historical resource under CEQA.

History: The Desert Electrical Cooperative (DEC) was formed in 1950 with help from the Rural Electrification Administration (REA), a federal program formed to help bring electrification to the rural parts of the country. In the 1930s only 3% of farms were electrified, and investor-owned utilities weren’t interested in bringing electricity to rural areas. Farmers started forming their own cooperatives to take advantage of loans from the REA. (See National Rural Electric Cooperative Association <https://www.electric.coop/our-organization/history> .)The Desert Electrical Cooperative was part of that movement, formed locally, by local people, and with a desert flavor: serving not farmers but specifically Small-Tract and other homesteader communities from Wonder Valley west across the Morongo Basin.

By 1962 DEC was ready to build itself a new headquarters with REA loans. There was a lot of pride in this building, which had administrative offices, a maintenance yard, a meeting auditorium, and even a demonstration kitchen. The DEC was subsequently bought out by Southern California Edison in 1966. More research remains to be done about the building and the DEC, but clearly the old “pink building” is a key expression of the energy, initiative, and can-do spirit of a unique and historic homestead community --- a history to be proud of.

Eligibility: In light of its history and age, the existing commercial building must be considered historically significant and must be evaluated as a historical resource under CEQA with eligibility for the California Register of Historic Resources under Criteria 1 and 3. The recommendation assessment in the IS/MND is not valid as the history of the building was not provided.

The IS/MND has denied recommendation for eligibility under California Register Criterion 1 because, as stated on p. 38, “Considerable research, however has not revealed important associations between subject property and the history of the region.” This statement and recommendation are not supported as the actual history of the building was not provided or considered and the actual history supports a different conclusion.

Contrary to the IS/MND recommendation, the building is very likely eligible and must be evaluated for eligibility as follows:

1. The building was constructed in 1962, making it at least 60 years old and therefore within historical time frame.
2. The building is eligible under California Register of Historical Resources Criterion 1: “Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States”. Specifically, the building is associated with:
 - a. The Rural Electrification Administration and the national movement of locally formed electrical cooperatives, as detailed above. The building was constructed as the headquarters for the locally formed Desert Electrical Cooperative with REA loans in 1962.
 - b. The Small Tract Act of 1938, which reached a maximum expression and fulfillment in Wonder Valley, the setting of the Project and a homestead community eligible for consideration as a historical district.
 - c. The Desert Electrical Cooperative and its headquarters building represent a unique intersection of the historic Small Tract Act homesteader movement and the REA and electrical cooperative movement. The building and the community together remain essentially intact as congruent, coherent, and mutually reinforcing living historical artifacts.
3. The building is eligible under California Register of Historical Resources Criterion 3: “Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values”. Specifically, the building:
 - a. Embodies the distinctive characteristics of a type and period, as described in the Cultural Sources Substantiation (IS/MND, p. 38): “The building is an ordinary example of a mid-century modern commercial/industrial building...” and “...designed during the era with utilitarian and cost-effectiveness as primary goals.”
 - b. Exhibits architectural and historic integrity. The exterior of the building appears to be essentially unchanged from the time of design and construction, as may be seen by comparing photo P5a on p. 1 of Appendix C of the Cultural Resources Assessment (recorded in 2021) with the original architectural rendering shown in Exhibit CR-1 above. The building is able to convey the significance and authenticity of its historic identity through the survival of physical characteristics and character-defining features that existed during its historical period. It appears to retain the seven aspects of integrity: location, design, setting, materials, workmanship, feeling and association.

Potential for substantial adverse change in the significance of a historical resource pursuant to CEQA Section 10564.5: The determination of Less than Significant Impact cannot be supported by the Substantiation as critical information is missing and the determination is therefore flawed. In light of information provided in these comments the eligibility of the existing commercial building as an historical resource under CEQA is likely and remains to be evaluated after thorough research is conducted. Until that evaluation is completed, the potential for substantial adverse change in the significance of the building as historical resource cannot be determined. Therefore, full study and evaluation with an Environmental Impact Report is mandatory under CEQA and must be completed.

Power and Lights For Tract Homes . . .

Today over 500 miles of DEC distribution lines are supplying more than 2900 Small Tract homes with power and light. Offices and yards, which have been in rented quarters, will move from Twentynine Palms to Amboy Road, where the DEC headquarters building is nearing completion. The co-op owns ten vehicles and employs 14 persons in line and other field and office work.

First formal steps in creating the local DEC were taken at a meeting held here in February 1950, attended by more than 200 persons, from Desert Hot Springs to Twentynine Palms. Articles of incorporation were filed the next month. Action on a loan application was delayed until in June 1953 franchise limits for the DEC and California Electric Power Co. were agreed on.

The service area for DEC extends from Rimrock area north of Yucca Valley to Dale Dry Lake area east of Twentynine Palms, with the exception of Calelectric franchise area which includes Morongo Valley and the community areas along Twentynine Palms Hwy. to approximately four miles east of Twentynine Palms. DEC contracts with Calelectric for supplying of power from Calelectric transmission lines.

A succession of Rural Electrification Administration loans, at low interest, has brought the total to \$2,020,661.66, as of March 1962. With part of a 1957 loan a 1500 kva substation was built on Twentynine Palms Hwy. west of town.

Dr. C. F. Lekstrum, local chiropractor, was president during the initial progress and construction under several REA loans. William R. Graham was elected president in March 1959, and soon

A "street lighting" program was approved in April 1959, by which members could have sodium vapor luminaires installed at their property. Late in 1959 a new type of REA loan was approved. This provided funds which the local DEC could reloan to Mutual Water Districts formed within DEC boundaries.

An additional loan, \$302,000, was approved in September 1961, to cover cost of a headquarters facilities, increase the substation capacity, convert some service lines from one to three phase, purchase equipment, and other purposes.

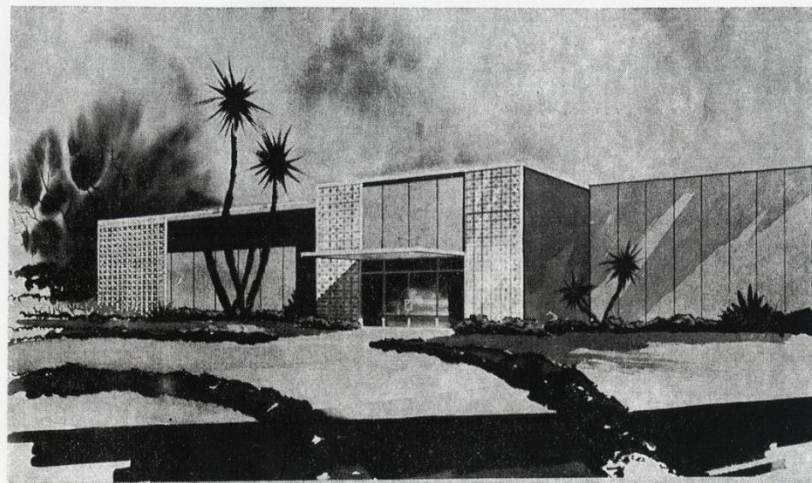
The headquarters building, for which \$86,449 contract was awarded, is on a 30 acre site $\frac{1}{2}$ miles east of Twentynine Palms on the south side of Amboy Road.

By-laws adopted by the DEC at the time of incorporation provide for an annual membership meeting on the second Saturday of March each year (starting 1951) for election of directors, hearing of reports and transacting other business. The directors are elected for three year terms, and officers are chosen from the board of directors.

Present board (March 1962 election was not held) includes: Birger Nelson, president; Leland Rodda, vice president; Ivan Aspaas, secretary-treasurer; William Graham, manager; Irene Fox, John Handley, Clifford Shelton and George Goemans, directors.

There were, as of March 1962, 2258 DEC members who were electricity users, and 47 non-users. There were 506 miles of primary and secondary distribution lines.

The cooperative is one of several such non-profit organizations in California. Locally owned and operated, it has been able with REA funds to provide more than 2,000 Small Tract homes with electricity.



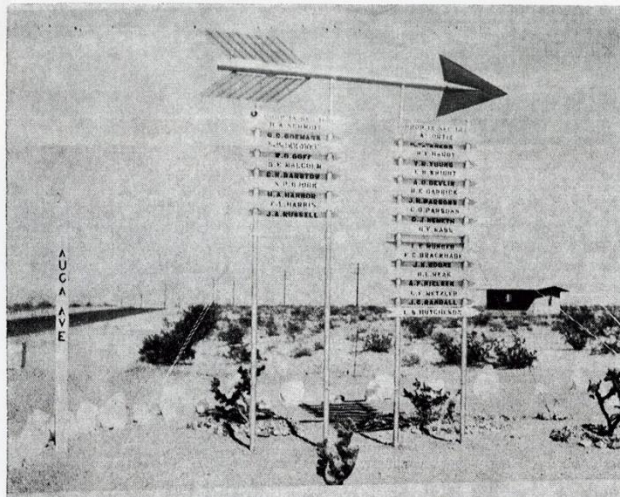
CO-OP HEADQUARTERS—This is architect's drawing of office and headquarters building of Desert Electric Cooperative Inc., now nearing completion on a 30-acre site on Amboy Road $\frac{1}{2}$ miles east of Twentynine Palms. Yards for DEC vehicles and other equipment will be located here. Bid for constructing the 4530 sq. ft. building was \$66,440.

SMALL TRACT HOMES

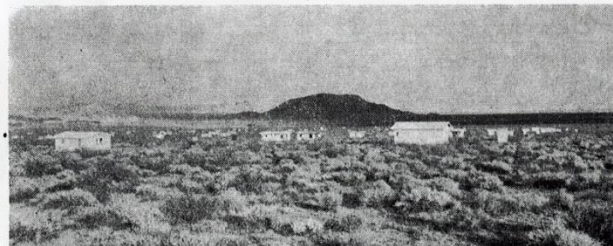
Another phase of housing which has shown phenomenal growth in the Twentynine Palms area is that of the Small Tracts, $2\frac{1}{2}$ and 5 acre parcels which were proved up in homestead fashion under rules of the Small Tract Act, and more recently by the Bureau of Land Management, Department of the Interior. In an area covering 250 sections of land, from Dale Dry Lake 18 miles east of Twentynine Palms, northwest towards Old Women Springs and west to Morongo Valley, there are uncounted thousands of homes on these tracts. The potential number is placed at between 23-50,000.

Through the locally owned and operated Desert Electric Cooperative Inc., aided by loans from the Rural Electrification Administration, many of the small homes formerly used as vacation cabins are now provided with cooling by refrigeration, electric stoves and other accessories and appliances which make for modern living. With water hauled by suppliers, or provided by a cooperative well, Small Tract owners live in a real desert with all the conveniences of town. Grocery stores, gas stations and several other businesses have recently opened, on East 29 Palms Hwy., Amboy Road, Landers, and Flamingo areas.

The first tract homes here were "proved up" in the 1940s. Most of these serve as vacation and week end homes, but with the advent of electricity, more and more people are moving here. Many of the Small Tract people have retired from county, state and city jobs or from their own businesses. They are largely from Southern California city areas, but a number of them are from mid-West and mid-East states. More recently families with children have moved to our outlying desert, with a result that school buses now run as far east as Sheep Hole Pass and many miles to the northwest.



THE WAY HOME—This arrow-topped directory northwest of Twentynine Palms points the way to Small Tract homes. In many sections of the High Desert, owners have banded together to erect neat and systematic signs pointing to their desert homes. In others, individual markers are like thickly planted sticks and make humorous subjects for photographers.



DESERT HOMES—Thousands of vacation and week end homes are scattered throughout the desert area surrounding Twentynine Palms. They are built on $2\frac{1}{2}$ and 5 acre tracts acquired through provisions of the Small Tract Act, originally by homesteading and more recently by purchase at auction in Bureau of Land Management.

SMALL TRACT ACT HOMESTEAD DISTRICT

- a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

Response to Criterion (a):

The setting of the Project in the Small Tract Act homesteading community of Wonder Valley is not described in the IS/MND.

The setting of the Project within the physical and cultural environment of the Wonder Valley homestead community is not described. The community of over 1,000 residents and its built and cultural environment is invisible throughout the entire IS/MND. See Sections “Description of the Setting Is Inadequate” and “Environmental Justice” in these Response Comments.

The IS/MND fails to evaluate the historical significance of the Wonder Valley homestead community, unique as the most intact remaining desert homesteading district of the Small Tract Homestead Act of 1938.

The Project setting of the homestead community of Wonder Valley merits evaluation as a historically significant district and potential eligibility as a historical resource under CEQA as evidence supports its historical significance and there has been very little alteration to its architectural, physical, and historic integrity since its original development as a homestead community.

“Although the exact etymology of Wonder Valley and the specific beginnings of community consciousness are unclear, it is certain that Wonder Valley and countless other western desert communities came into existence because of the Small Tract Act (STA) of 1938. The STA allowed for the disposal of two-and-a-half to five-acre allotments of federal land in the American West. The greatest concentration of these tracts were released to the public just east of Twentynine Palms in what is now Wonder Valley, and it is only in this area that an extensive “jackrabbit homestead” landscape and a distinct sense of community still exists.” - [*“Wonder Valley: Place and Paradox”*](#) Jacob Sowers, PhD, Assistant Professor of Geography, Minot State University



History of Wonder Valley as a Small-Tract Homestead Community:

The modern character of Wonder Valley is predominately a result of the Small Tract Homestead Act of 1938, an attempt by the federal government to bring residents into the Mojave Desert in which five-acre parcels of land were given to individuals who agreed to build a small residential structure and meet other minor requirements. Wonder Valley is largely intact as a Small-Tract homestead community. The role of the homestead heritage in shaping the community cannot be overstated, and the cultural and historical significance of this heritage has only more recently been recognized. Little has changed since the following appeared as one of numerous passages on the movement in various issues of *The Desert Magazine*:

“Passage of the Small Tract Act has opened vast areas of land, not for profit or exploitation, but for folks who like to build with their own hands, and who are thrilled by the challenge of creating a home of their own...These homesteads are for people who delight in watching the moon rise over purpled hills, for those who would call the stars by name, and who love the peace that is found only in remote places.” -- *Desert Magazine* 1954

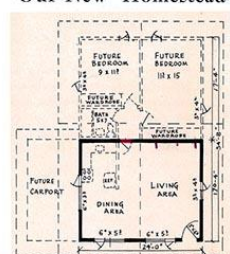
Homesteading on government land is a tradition in the United States, but the typical 160-acre parcels for farming made little sense in the desert. However, recognizing the health and recreation benefits of the high desert, in 1938 Congress passed the Small Tract Homestead Act, making 5-acre parcels available not to would-be farmers so much as weekenders seeking relief from crowded urban conditions. The boom really got going after World War II when thousands of claims were filed in the Morongo Basin, sometimes sight-unseen in unbuildable washes or rock piles. (See Exhibit CR-1, “Power and Lights for Tract Homes...” from *The Desert Trail*, March 31, 1962.) Local companies such as Homestead Supplies grew by serving the “Five Acre People”, developing the quick-rising “jackrabbit” cabin models that could be put up almost overnight to help meet the requirements for proving up a claim. The boom petered out and homesteading came to an end by 1976.

“Jackrabbit homesteads are only for folks who have a bit of pioneering blood in their veins. The land generally is rough, no water is immediately available, more or less road building has to be done. But fortunately, there are many Americans who find infinite pleasure in doing the hard work necessary to provide living accommodations on one of these sites—and cabins are springing up all over the desert country.” -- *Desert Magazine* 1950

“The Ultimate in Desert Design”

Our New “Homestead” Expandable Model




The CACTUS
Area 416 Sq. Ft.

Extra Wide Overhangs . . . Twice the Required Windows . . . Aluminum Louvre and Casements. Includes: Slab and Footings, Exterior Finish, Door With Keyed Lock, Windows with Glass, Built-Up Roof with Metal Around Edge, Kaiser Insulating Siding, Colored Plastic in Gable Ends.

PRICE . . . \$1400.00
Only \$32.66 Down
100% Financing Available on Approved Credit

Walls shown by heavy dark lines. Dotted lines show possible future expansion and room arrangement.



The CHALET
RANCH STYLE COTTAGE
Area 425 Sq. Ft. (Expandable)

A recessed protected porch headlines this gable-roofed, cross-ventilated cottage for comfortable country living on your ranch, mountain, or desert property. Offers 6 steel casement windows, mahogany slab door, mineral-surfaced built-up roof, Kaiser insulating siding in a choice of 6 colors.

At \$1595.00
Only \$37.20 Down
100% Financing Available on Approved Credit

Walls shown by heavy dark lines. Dotted lines show suggested room arrangement.

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1909 Wilshire Blvd. Los Angeles 57, Calif. Hubbard 3-7574 Evenings TIL 9:00 P.M. Monday, Tuesday, Wednesday	824 E. Ramsey St. P. O. Box 476 Banning, Calif. Victor 9-2112	Homestead Village Yucca Valley, Calif. POrt 5-3241 Top of Hill on 29 Palms Hwy. MODELS ON DISPLAY FOR YOUR EXAMINATION
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WE BUILD IN ANY AREA

100% Financing Available (on approved credit)
Our Cottages May Be Insured 100% for Fire Loss

General Specifications—

Exteriors: Kaiser Insulating Siding, Pastel Shades or Asbestos Siding, Pink Pumice Block. Also Aluminum Siding, the Ultimate Exterior, available exclusively through us. Stucco—in season. Windows in Aluminum, Steel or Wood. Casement or Louvre.

General Information—

Concrete Delivery Charges extra in some areas. Building Permit Fees in some areas. Credit Check Fee on Financed Cottages, \$7.50. Prices subject to change without notice.

Exhibit CR-2: Sales brochure for “jackrabbit” cabin models, Homestead Supplies, Inc.

A distinctive feature of Wonder Valley remains the now-classic “jackrabbit” homestead cabin – whether a long-loved home, now being refurbished by a new generation, or derelict and abandoned. The original cabins tended to be small – large enough to meet the minimum size dictated by the conditions of the claim process, but often limited by the difficulty of procuring and transporting materials. The term “jackrabbit” referred to the speed by which the inexpensive kit homes went up – seemingly overnight. Kit homes from companies like Homestead Supplies came in a limited number of models with characteristic profiles that have come to characterize the homestead community and the jackrabbit cabin vernacular architecture. Others were designed and built by hand.

Due to geographic remoteness, harsh environment, low property values, lack of public services, and eventually perceived blight due to abandoned or neglected jackrabbit cabins, little changed over the years in the appearance or actuality of Wonder Valley. It remains a very challenging place to live, requiring much sacrifice on the part of residents.

A notable development in the district towards the turn of the century were derelict homestead cabins, which have long lent a striking visual and sensual dimension of erosion, eerie nostalgia, dwindling civilization, and a sense of reclaiming by the desert environment – a unique type of “ruin” that has been compelling to artists and visitors. Over time, the number of the derelicts is decreasing due to environmental conditions and abatement.

Recently, some new interest and investment in Wonder Valley and in the cabins, due in part to larger economic and societal trends, has resulted in increase in the refurbishing of cabins. The refurbishing has been mostly within the historic mode rather than new construction or radical remodeling, and has tended to retain the original design elements of the jackrabbit cabins. Therefore, it can be said that the homestead district is starting to renew itself architecturally in line with its origins. As well, the jackrabbit cabin profile or “type” has become recognized and emulated in new construction and design elsewhere in the Morongo Basin and further become an influential component in a desert trend towards hybridization with classic mid-century modern style.

Eighty-five years since its origin, the Wonder Valley Small Tract Act homestead district and many of its elements remain in use and essentially unchanged. No significant new commercial, institutional, or residential development has occurred in the area for 50 or more years. The district remains characterized by scattered homesteads and dirt roads in 147 square miles of remote and wild desert basin. Contemporary aerial photographs are unlikely to look much different than those from 50 years ago. The historical integrity of the Wonder Valley Small Tract Act homestead district is clear, as it continues to convey its significance and the authenticity of its historical identity through the survival of the character-defining features that existed during its historical period.

For information on the modern setting of Wonder Valley, see Section “Description of the Setting Is Inadequate” in these Response Comments.

See List of References and Resources at the end of this section for more resources on the history of the Small-Tract homestead movement and the jackrabbit cabins.

Eligibility: The Wonder Valley homestead community is historically significant and must be evaluated for eligibility as a historical resource under CEQA as follows:

1. The built and cultural character of the Wonder Valley homestead community was largely determined by the Small Tract Act of 1938 which ended in 1976 with the bulk of settlement activity in the post-war period, meaning the character of the District was formed between 47 and 85 years ago and therefore within historical time frame.
2. The Wonder Valley homestead community is eligible as a district under California Register of Historical Resources Criterion 1: “Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States.” Specifically, the Wonder Valley homestead district is intimately associated with:
 - a. The Small Tract Act of 1938.
 - b. Jackrabbit homestead cabin vernacular architecture.
3. The Wonder Valley homestead community is eligible as a district under California Register of Historical Resources Criterion 3: “Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values.” Specifically, the district and its vernacular architecture embody distinctive characteristics of:
 - a. Type: Small Tract Act homestead community, with defining features of jackrabbit homestead cabin vernacular architecture on typically 5-acre parcels, widely scattered and interspersed with public lands, and connected by dirt roads in a vaguely grid pattern in a broad natural desert setting.
 - b. Period: Largely developed within the context of the Small Tract Act, 1938 to 1976, with the bulk of settlement activity in the post-war period.
 - c. Region: Mojave Desert, especially the Morongo Basin.
 - d. Method of construction: A defining feature is the “jackrabbit” homestead cabin vernacular architecture, widespread and dominant throughout the district.

Potential for substantial adverse change in the significance of a historical resource

pursuant to CEQA Section 10564.5: The determination of Less than Significant Impact cannot be supported by the Substantiation as the Project setting of the homestead community of Wonder Valley was not acknowledged or addressed, nor was its potential as a historically significant district addressed. Its eligibility as a historical resource remains to be evaluated after thorough study is conducted. Until such evaluation is completed, the potential for substantial adverse change in the significance of the community of Wonder Valley homestead district as a historical resource cannot be determined.

However, clearly a Project of this anomalous scale, visual and geographic prominence (elevated and centrally located), relative verticality, relative density and concentration, commerciality, pretension, visual obtrusiveness, and social and economic exclusivity is the antithesis of and would be overwhelmingly in contrast with the horizontal, low-profile, rustic, modest, sparse, homestead-style Disadvantaged Community and wild desert basin in which it is situated --- rather like the shiny Castle on the Hill dominating the small, dusty, homegrown cottages

scattered across the broad plain below. As such, the Project must be expected to create substantial adverse change in the integrity and significance of the district as an historic resource.

Therefore, full study and evaluation with an Environmental Impact Report of the homestead community of Wonder Valley as a historically significant setting and potential historical district is mandatory under CEQA.

CONCLUSION:

Full study and evaluation of the history, significance, and historical eligibility of these two resources, the existing commercial building and the Wonder Valley homestead district, must be conducted. Further, the building and the homestead community together remain essentially intact, congruent, coherent, and mutually reinforcing living historic artifacts and should be evaluated as such, as well. An Environmental Impact Report must be completed to fully evaluate the resources and significant potential impacts upon them from the Project.

REFERENCES AND RESOURCES:

- “Wonder Valley: Place and Paradox” by Jacob Sowers, jackrabbithomestead.com <https://jackrabbithomestead.com/wonder-valley-place-and-paradox-sowers/>
- “Power and Light for Tract Homes” *The Desert Trail* (3/31/1962)
- National Rural Electric Cooperative Association <https://www.electric.coop/our-organization/history>
- “History: Jackrabbit homesteading gets its start in the midcentury” by Tracy Conrad, *The Desert Sun* (3/28/2021) <https://www.desertsun.com/story/life/2021/03/28/history-jackrabbit-homesteading-california-desert/7030816002/>
- “Amboy – California’s Gold” with Huell Howser (12/10/1993) <https://blogs.chapman.edu/huell-howser-archives/1993/12/10/amboy-californias-gold-410/>
- “Desert Jackrabbit Homesteads Inspire Artists” with Maureen Cavanaugh, KPBS Radio (11/30/2010) <https://www.kpbs.org/news/arts-culture/2010/11/30/desert-jackrabbit-homesteads-inspire-artists>
- “Jackrabbit Homesteads” – History Trove (7/27/2021) <https://historytrove.com/2021/07/27/jackrabbit-homesteads/>
- Jackrabbit Homestead: Tracing the Small Tract Act in the Southern California Landscape, 1938-2008 by Kim Stringfellow (2010)
- “Homestead where the heart is” by Rebecca Unger, *Hi-Desert Star* (Feb 2008) <http://magicgroove.net/Press/HomesteadWhereHeartIsHiDesertStarFeb2008.pdf>
- “Shed Reckoning”, *Dune Magazine* (Feb-Mar 2008) <http://magicgroove.net/Press/Dune%20Magazine%20Feb-Mar%202008.pdf>

- “Jackrabbit Homestead: Artists, Off-Roaders, and the American Dream Writ Miniature” KCET *Artbound* (5/7/2012) <https://www.kcet.org/shows/artbound/jackrabbit-homestead-artists-off-roaders-and-the-american-dream-writ-miniature>
- “The Small Tract Act 1938-1976: Shaping the San Bernardino’s High Desert” by Pat Flanagan, *Desert Report* (12/22/2022) <https://desertreport.org/the-small-tract-act-1938-1976/>
- “The Last Homesteads of Wonder Valley, California” – Laura Bliss, *Bloomberg* (2014) <https://www.bloomberg.com/news/articles/2014-12-04/the-last-homesteads-of-wonder-valley-california>
- wondervalley.org
- “Experiments in Living 2 : Reclaiming Old Homestead Cabins” - *Someplace Magazine* (2015) <http://www.someplacemagazine.com/joshua-tree-features/experiments-in-living-2>
- jackrabbithomestead.com
- “In the Desert With Jackrabbits and Clint Eastwood” by Penelope Green, *The New York Times*, (10/3/2019) <https://www.nytimes.com/2019/10/01/arts/design/in-the-desert-with-jackrabbits-and-clint-eastwood.html>

VI. ENERGY

ENERGY - Would the project:

- a) *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*
- b) *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

From the Initial Study/Mitigated Negative Declaration (IS/MND):

“The Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation... Electricity used for the Project during construction and operations would be provided by Southern California Edison, which serves more than 15 million customers.”

Comment: As it currently rests, the electrical grid in Wonder Valley has had many shut-downs and power outages through the years to recently. If the proposed Wonder Inn ever gets built it will put a significant added strain on the already strained power grid in Wonder Valley.

Would the project:

- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Comment: The project as designed does not meet/ conflicts with California’s New Building Energy Efficiency Standards that require solar and battery storage on all newly constructed commercial buildings and would conflict with the State’s plan for renewable energy and energy efficiency.

In 2022 the California Energy Commission published its latest Building Energy Efficiency Standards that require all new commercial buildings (including hotels) to have roof space for solar panels and energy storage capabilities: “Approved last year through a unanimous vote, the order requires all newly constructed commercial buildings to have a solar photovoltaic (PV) array and an energy storage system (ESS) installed.”

“The California Energy Commission (CEC) has published the latest version of the Building Energy Efficiency Standards, which encompasses residential and commercial properties. The Energy Code is modified every three years, containing energy and water efficiency requirements for newly constructed buildings and modifications to existing buildings. The 2022 update provides crucial steps in California’s progress towards achieving 100 percent carbon neutrality by 2045. The 2019 standards laid the foundation by requiring all new residential homes to have a solar photovoltaic (PV) system installed, with new commercial buildings having to include roof space for solar panels. California became the first state in the United States to implement such a bold residential solar mandate. With the 2022 Energy Code, California has made history once again as the first state to enact a solar + storage requisite. Approved last year through a unanimous

vote, the order requires all newly constructed commercial buildings to have a solar photovoltaic (PV) array and an energy storage system (ESS) installed. We previously summarized this mandate and the effect it will have in a blog: A. With the 2022 Building Energy Efficiency Standards published and going into effect on January 1, 2023, we have outlined the rules and specifications of the solar + storage mandate to serve as a reference guide for California business owners and project developers. Note: The state standards below are minimum requirements; local jurisdictions may vary.”

https://www.energy.ca.gov/sites/default/files/2021-08/CEC_2022_EnergyCodeUpdateSummary_ADA.pdf
[https://www.energytoolbase.com/newsroom/blog/californias-new-building-energy-efficiency-standards-mandating-solar-storage#:~:text=With%20the%202022%20Energy%20Code,storage%20system%20\(ES\)%20installed.](https://www.energytoolbase.com/newsroom/blog/californias-new-building-energy-efficiency-standards-mandating-solar-storage#:~:text=With%20the%202022%20Energy%20Code,storage%20system%20(ES)%20installed.)

There is no mention of California’s New Building Energy Efficiency Standards in the IS/MND and no solar or energy storage facilities shown on the Wonder Inn’s architectural drawings.

Page 67/PDF Appendix A, Air Quality, Greenhouse Gas and Energy Impact Study:

“8.3 Renewable Energy and Energy Efficiency Plan Consistency Regarding federal transportation regulations, the project site is located in an already developed area. Access to/from the project site is from existing roads. These roads are already in place so the project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be proposed pursuant to the ISTEA because SCAG is not planning for intermodal facilities in the project area. 16 California Energy Commission, Electricity Consumption by County. <https://ecdms.energy.ca.gov/elecbycounty.aspx> 17 California Energy Commission, Gas Consumption by County. <http://ecdms.energy.ca.gov/gasbycounty.aspx> Wonder Inn Air Quality, Greenhouse Gas, and Energy Impact Study Wonder Valley, CA Energy Analysis 61 Regarding the State’s Energy Plan and compliance with Title 24 CCR energy efficiency standards, the applicant is required to comply with the California Green Building Standard Code requirements for energy efficient buildings and appliances as well as utility energy efficiency programs implemented by the SCE and Southern California Gas Company. Regarding the State’s Renewable Energy Portfolio Standards, the project would be required to meet or exceed the energy standards established in the California Green Building Standards Code, Title 24, Part 11 (CAL Green). Cal Green Standards require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials.”

Conclusion: An EIR is needed to determine if the Wonder Inn’s design complies with California’s new Building Energy Efficiency Standards and any other renewable energy mandates that are not being considered in the IS/MND.

Comment: The developers have not coordinated with Southern California Electric to determine the utility upgrades that may be needed to service the Wonder Inn and the impact of those upgrades on the wider community. <https://www.sce.com/partners/consulting-services/localplanning>

Comment: The Project's high propane usage is in conflict with California's plan to phase out propane/natural gas usage by 2030.

Propane's primary use is for space heating, offering multiple solutions for a business owner. Various restaurants, hotels, resorts, and lodgings use propane to power heating appliances. The California Air Resources Control Board voted in Sept 2022 to ban the sale of these for both residential and commercial use by 2030.

<https://www.nytimes.com/2023/01/18/us/gas-stove-debate-california.html>

VII. GEOLOGY AND SOILS

GEOLOGY AND SOILS - Would the project:

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Comment: This California Environmental Quality Act (CEQA) question cannot be answered in any capacity as the developers of the Wonder Inn have not included any documentation indicating that they conducted studies/percolation tests to determine whether the site conditions including soils can accommodate and support the Large Capacity Septic System and leach field required by a project this size. The Conditional Use Permit (CUP) application process requires that any new project developer include an approved percolation report (approved by San Bernardino EHS) in their application submittals if they plan on/ need to build a new septic system. Without an approved percolation report the Wonder Inn CUP application should not have been even processed and should be withdrawn until completed.

If said approved percolation report has not been completed, the Wonder Inn's application for the CUP should not have been processed until an appropriate percolation report had been reviewed and approved by San Bernardino EHS. In the meantime, their CUP application should be withdrawn. Since approved percolation reports are not made public if such an approved report exists it has not been included in either their Phase 1 ESA, Appendix A or any additional documents made public.

A new septic/ wastewater system would be required and is planned. Below is the Wonder Inn's response:

Page 47/92 Initial Study/Mitigated Negative Declaration (IS/MND):

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

"The Project proposes to construct a septic system as its wastewater system. Sewer lines would be gravity fed to a proposed one-half acre leach field located near the parking lot on the west side of the Project Site. In 2021, an infiltration test boring on various portions of the Project Site (Appendix D-2). The test results and soil conditions encountered during the infiltration testing indicated "favorable" conditions. The generally rapid percolation rates determined by testing were consistent with the sandy conditions of the near surface soils throughout the site. The septic system would be certified by a qualified professional (P.E., C.E.G., REHS, C-42 contractor) that the system functions properly, meets code, and has the capacity required for the Proposed Project. No significant adverse impact is identified or anticipated, and no mitigation measures are required."

The above response from the IS/MND does not mention the approval of a percolation test by San Bernardino EHS or address whether the soils could support the new septic system. It should also be noted that a large septic system of the type needed by the Wonder Inn would be governed by the EPA's large-capacity septic systems (LCSSs) regulations. Though the reports

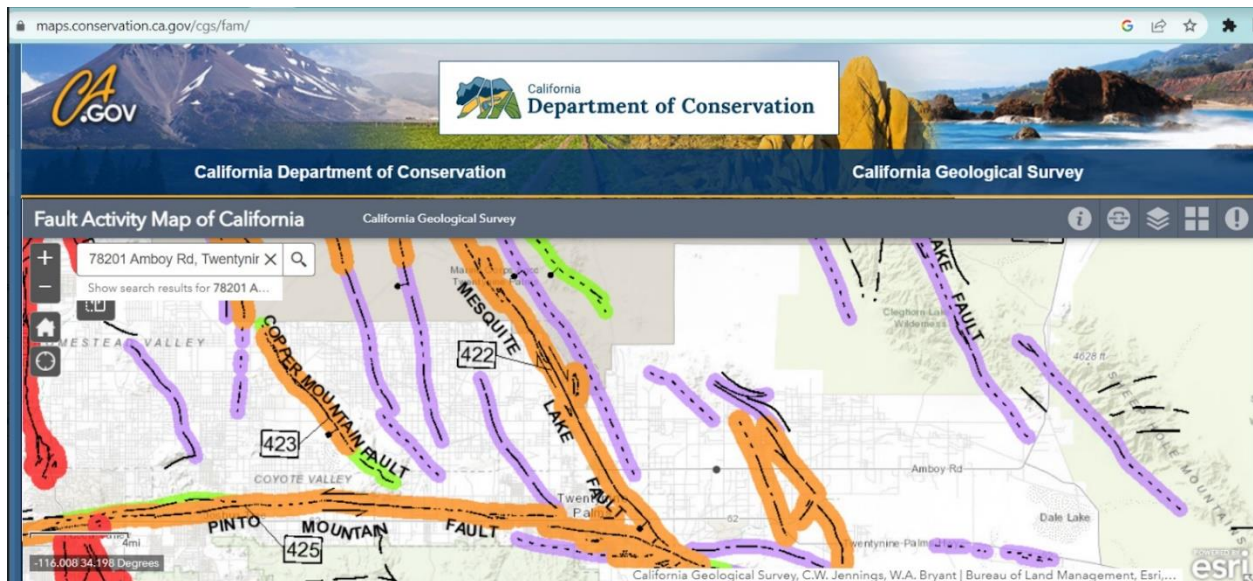
mention a septic system on a few occasions no additional details relating to the size and environmental impact of a large commercial septic system was included in any of the Wonder Inn reports.

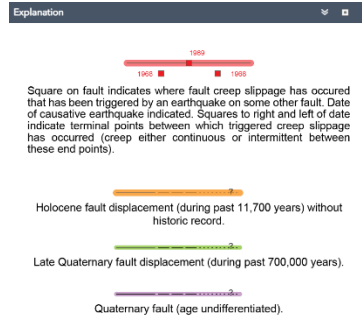
Conclusion: If the Wonder Inn has not submitted an approved percolation test with their application, then the San Bernardino Land Use department is violating their own requirements for CUP applications by continuing to process the Wonder Inn application. If this is the case then Land Use is discriminating against CUP applicants who have met all application requirements lest their CUP applications be withdrawn. As such an Environmental Impact Report (EIR) is needed to investigate whether the soils can adequately support a septic system of the size required by the Wonder Inn as no adequate studies have been currently completed. The EIR is also needed to determine if the septic design meets EPA regulations for a LCSS.

GEOLOGY AND SOILS - Would the project:

- a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*
 - i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area.*

Comment: The IS/MND states that the project site is located 5 miles from the active Mesquite Fault but does not mention that the site is also located less than 2 miles west of 2 additional active faults, the East Valley Mountain Fault and West Valley Mountain Fault. Conservation.ca.gov states that the most severe earthquake damage is experienced by buildings located within 3 miles of an active fault. “The US Geological Survey (2018) defines an active fault as a fault that has had surface displacement within Holocene times (about the last 11,000 years) and therefore is considered more likely to generate a future earthquake”





In 2019 the Ridgecrest earthquake rippled through Southern California and was felt as far as Wonder Valley. In Ridgecrest over 100 buildings were damaged including extensive damage to the Naval Air Weapons Station. The same thing can occur in Wonder Valley. Our low population density means that death and damage may be limited in the event of a localized earthquake. However, with the proposed new high-density construction occurring so close to active fault lines, there needs to be more studies done to evaluate the risk to guests, employees, and visitors to the Wonder Inn.

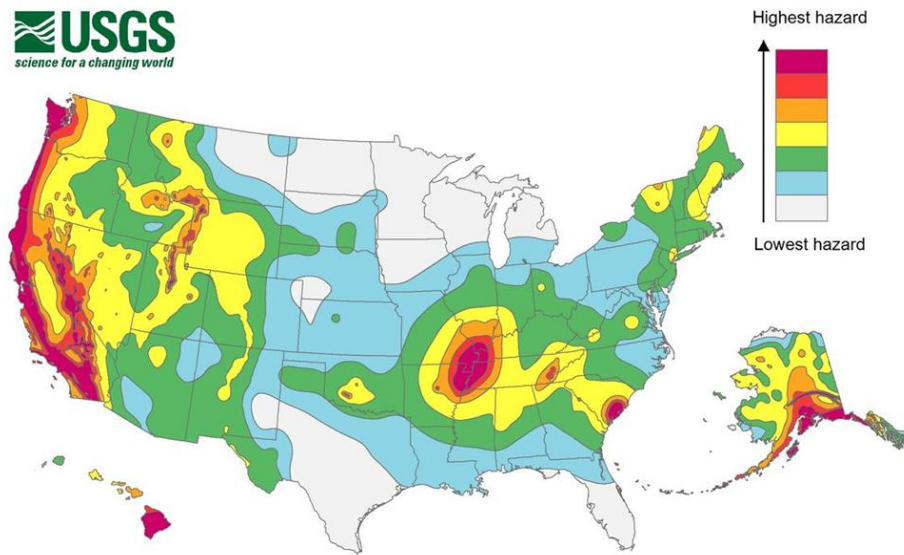
Conclusion: An EIR is needed to determine if this project will result in the disturbance of any trace faults that extend from the East and West Valley Faults.

In addition to the possible rupture of faults/ trace faults, an EIR should be performed to determine whether the current proposed building methods for the Wonder Inn take into consideration additional reinforcements that may be required to safely accommodate guests during a seismic event.

GEOLOGY AND SOILS - Would the project:

ii) Strong seismic ground shaking?

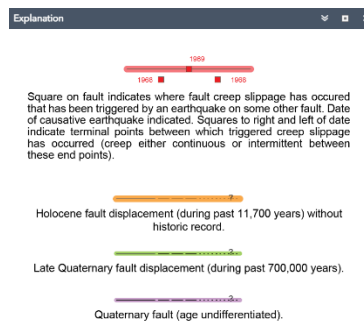
Comment: Wonder Valley is designated within the highest hazard seismic zone, also known as seismic zone 4. See USGS map below. The Wonder Inn and guests could be subject to a large seismic event in an area with extremely limited rescue and ambulatory services. In the event of such an event the population of the Wonder Inn would put undue pressure on the community of Wonder Valley, adding traffic to any emergency escape routes, on the only public hospital Hi-Desert Medical Center hospital in Joshua Tree, and on any public emergency services. There is a strong likelihood that emergency services would be deployed to the well-heeled and concentrated number of guests at the Wonder Inn while neglecting the low income and vulnerable residents of the community.



GEOLOGY AND SOILS - Would the project:

- a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*
 - i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area.*

Comment: The IS/MND states that the project site is located 5 miles from the active Mesquite Fault but does not mention that the site is also located less than 2 miles west of 2 additional active faults, the East Valley Mountain Fault and West Valley Mountain Fault. Conservation.ca.gov states that the most severe earthquake damage is experienced by buildings located within 3 miles of an active fault. “*The US Geological Survey (2018) defines an active fault as a fault that has had surface displacement within Holocene times (about the last 11,000 years) and therefore is considered more likely to generate a future earthquake*”



In 2019 the Ridgecrest earthquake rippled through Southern California and was felt as far as Wonder Valley. In Ridgecrest over 100 buildings were damaged including extensive damage to the Naval Air Weapons Station. The same thing can occur in Wonder Valley. Our low population density means that death and damage may be limited in the event of a localized earthquake. However, with the proposed new high-density construction occurring so close to active fault lines, there needs to be more studies done to evaluate the risk to guests, employees, and visitors to the Wonder Inn.

Conclusion: An EIR is needed to determine:

1. The safety of guests at the Wonder Inn and the impact of the increased population on emergency services during a potential string seismic ground shaking event which is an environmental justice concern.
2. If the construction of the Wonder Inn project will result in the disturbance of any trace faults that extend from the East and West Valley Faults.
3. To determine whether the current proposed building methods for the Wonder Inn take into consideration additional reinforcements that may be required to safely accommodate guests during a seismic event.

GEOLOGY AND SOILS - Would the project:

b) Result in substantial soil erosion or the loss of topsoil?

Comment: The clearing of the roughly 24 acres of native creosote vegetation to accommodate the Wonder Inn construction along with the clearing needed to construct the future planned “luxury villas” will result in significant erosion of the sandy soils at the project site. (See section “Size, Scope, and Piecemealing” in these Response Comments.)

Wonder Valley is located within a Sand Transport Path (STP), a geologic feature that is a wind-driven sand deposit over 140 miles long that begins at Emerson Dry Lake in the 29 Palms Marine Base, twenty-three miles north of the Sunfair community in the Joshua Tree basin. At Twentynine Palms Highway the STP turns east, passing through Twentynine Palms and Wonder Valley, plowing over playas, dune fields, and between mountain ranges while crossing the Mojave Desert to the Mule Mountains near Mesa Verde and the Colorado River. The STP is stabilized by the creosote plant and once removed the soil is rapidly eroded and becomes fugitive dust. This soil erosion will result in an increase in dust storms already experienced in this area and will have a negative effect on residents and visitors to this area.

Conclusion: An EIR is needed to assess the impact of the clearing of 24 plus acres of the native creosote-galleta and other desert plants on soil erosion.

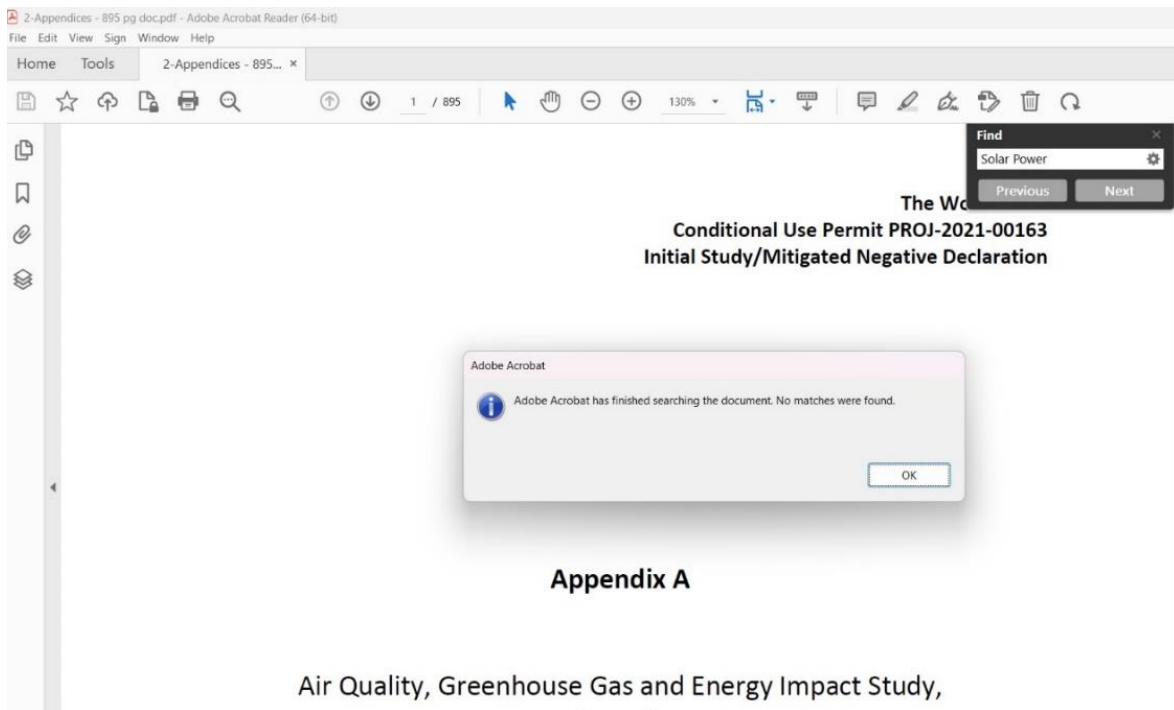
VIII. GREENHOUSE GAS EMISSIONS

Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
 - *FINDINGS: Less than Significant*
- b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?
 - *FINDINGS: Less than Significant*

CONCERN: for a project of this size, situated in the beautiful and sunny Southern California high desert, it is unfathomable that there are no plans to include solar power in this project.

- Search for SOLAR POWER in Appendices document = No matches found.

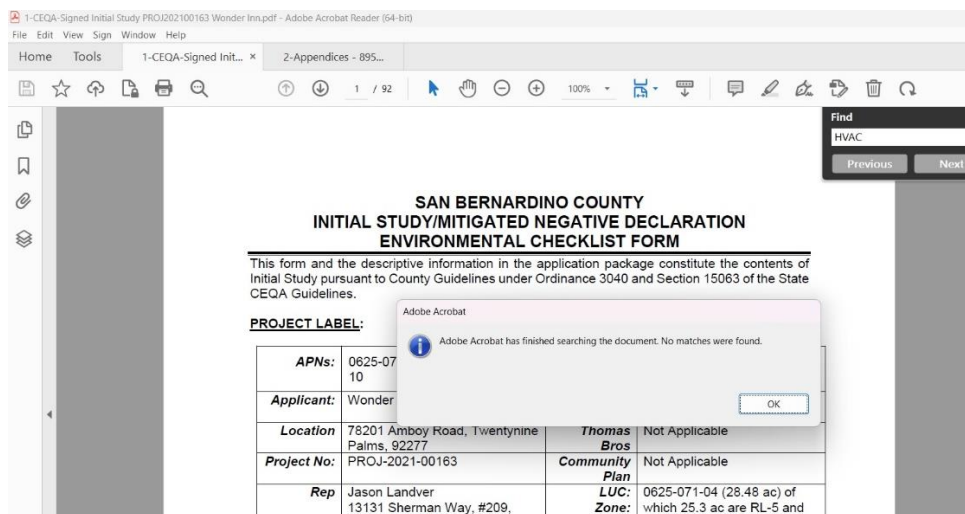


QUESTION: Why is solar power not included in this project?

CONCERN: it gets very hot in Wonder Valley in the Summer months, and can get quite cold in the Winter. Summer temps reach triple digits as early as May and peak in July. In July 2022 the monthly average high was 114 degrees. (Source: wunderground.com) We were still having triple digit days in September of that year. (Source: wunderground.com)

- **AIR CONDITIONING:** refrigerant produces ozone depleting hydrochlorofluorocarbons (HCFC), which are potent greenhouse gasses. Considering the heat of the desert summers, what is the plan for cooling 106 guest rooms plus the many public spaces for guest comfort? What equipment will be installed for cooling? What is estimated HCFC emissions for a project of this size in the desert?
- **HEATING:** the desert is cold 3 months of the year. What is heating method for guest rooms and indoor social areas? Will there be Fireplaces in guest rooms? In public areas? Will fireplaces be Woodburning or Gas? What is expected propane usage? Will outdoor propane heaters be used for outdoor dining areas? Other outdoor spaces? Sitting areas around the pool?

CONCERN: Unable to find description of HVAC / heating or cooling systems planned for indoor spaces in Initial Study doc:



CONCERN: Unable to find detailed description of heating or cooling systems planned for indoor spaces in the Appendices doc:

Wander inn
Air Quality, Greenhouse Gas, and Energy Impact Study
Wander Valley, CA

Greenhouse Gas Impact Analysis

	<ul style="list-style-type: none"> Enhanced Thermal Mass (20% of floor or 20% of walls 12" or more thick exposed concrete or masonry with no permanently installed floor covering such as carpet, linoleum, wood, or other insulating materials) Enhanced Thermal Mass (80% of floor or 80% of walls 12" or more thick exposed concrete or masonry with no permanently installed floor covering such as carpet, linoleum, wood, or other insulating materials) 			
Indoor Space Efficiencies				37
Heating/Cooling Distribution System	<ul style="list-style-type: none"> Modest Duct Insulation (R-6 required) Enhanced Duct Insulation (R-8) Distribution loss reduction with inspection (HERS Verified Duct Leakage or equivalent) 	0 points 6 points 8 points	8	
Space Heating/Cooling Equipment	<ul style="list-style-type: none"> 2019 Title 24 Minimum HVAC Efficiency (SEER 13/75% AFUE or 7.7 HSPF) Improved Efficiency HVAC (SEER 14/78% AFUE or 8 HSPF) High Efficiency HVAC (SEER 15/80% AFUE or 8.5 HSPF) Very High Efficiency HVAC (SEER 16/82% AFUE or 9 HSPF) 	0 points 4 points 5 points 7 points	4	
Commercial Heat Recovery Systems	Heat recovery strategies employed with commercial laundry, cooking equipment, and other commercial heat sources for reuse in HVAC air intake or other appropriate heat recovery technology. Point values for these types of systems will be determined based upon design and engineering data documenting the energy savings.	TBD		
Water Heaters	<ul style="list-style-type: none"> 2019 Title 24 Minimum Efficiency (0.57 Energy Factor) Improved Efficiency Water Heater (0.675 Energy Factor) 	0 points 8 points 10 points		

QUESTION: Re HCFC's, how will this resort hotel be cooled or heated (indoor climate control for guest comfort)? What equipment will be used? Will HVAC be installed? How many HVAC units will be needed to cool the over 60,000 sq.ft. of indoor building spaces? What will the 106 guest rooms be cooled with? HVAC? Mini-split / heat pump units? The desert temps are triple digit from June through parts of September (*Source: wunderground.com*), and units will require more AC than in an area that has cooler temps (LA or San Diego, for example.) Was this taken into consideration when estimating the CHFC's for this project?

CONCERN: Per Appendices Pg 362: **2.2.3. Heating and Cooling Systems:** "Heating and cooling systems are powered by electricity provided by utility purveyors. Natural gas is not provided to the site." Note: propane is mentioned on pg. 67 of Appendices.

QUESTION: Were any studies done on the intended uses of propane for this proposed project, and its effects upon the environment? What type of outdoor fires / fire features are planned? How many outdoor fire features will there be? What is source of fuel for the outdoor fire features? Wood? Propane? Will there also be indoor fire features? In the indoor restaurant area? Other indoor social gathering areas? Will the guest rooms also have fireplaces / fire features? What is fuel source for guest rooms? If fire features will be propane, what is the total estimated propane usage expected to be, and what will the impact upon the environment be? Will propane be used for outdoor heating, such as outdoor dining area, or outdoor stargazing areas? Or sitting by the pool? Or guest room outdoor patio areas? Were deliveries of propane gas included in the studies?

QUESTION: Will the outdoor pool be temperature controlled? What is heating method for pool? Will it be heated year-round? Will the pool be covered at all? What is heating method for hot tub? Will the hot tub be covered at all? Were the effects of the pool and hot tub included in the GHG studies?

QUESTION: Will there be a backup generator for power outages? How big and/or how many generators will be needed to supply power to several buildings and 106 guest rooms during an outage? What type of fuel will be used in the generators? Was this included in the greenhouse gas studies? Power outages are not uncommon out here and power can go out for several hours - sometimes as long as 24-30 hours (in 2021.) Is the WI prepared to use generator for this long? Will gasoline be stored onsite? How much fuel will need to be stored? The shelf life of gasoline is short (6 months or so.) How will the aged gas be disposed of? Will the project run the generators to use up the gas as a method of disposal? What effects might that have upon the environment?

QUESTION: Regarding the offsite construction of guest rooms and modular buildings, where will these pods and buildings be created? What is the actual distance between the construction site and the project site? Per CEQA, environmental impacts are cumulative and include offsite environmental concerns.

QUESTION: Will all buildings be “green” buildings? Well insulated? Energy efficient? What efforts will be in place to reduce energy needs, especially AC? (Greenhouse Gas emissions)

CONCERN: Regarding FOOD and TRANSPORTATION of food: When solid waste decomposes in landfills it creates landfill gas, which is primarily composed of CO₂ and CH₄. When cooking with gas, CO₂, CH₄ and N₂O are created. Cows produce CH₄...

QUESTIONS: Will the restaurant be 12 hour or 24 hours? Both are mentioned in Appendices. What food storage equipment is planned? How many refrigerators are needed? Will refrigerators be energy efficient / Energy Star? Were the number of refrigerators included in the GHG studies? What is plan for food waste? Is there a plan for composting onsite? Will food waste be added to trash that will then be moved to landfill? How often will food be delivered to support 3 meals a day plus coffee/tea/snacks? Has the delivery schedule been included in the GHG analysis? Where will be food be delivered from (distance)? Was this included in the GHG studies? What are emission projections from cooking 3 meals a day for a restaurant with 100 seats - plus coffee/tea/snacks? (HFCF's) Will the restaurant serve any specialty coffees that must come from other countries? Will the transportation distance affect GHG emissions? Will baked goods (breads, pastries, etc.) be baked onsite? Or, delivered fresh daily? Was this included in the GHG analysis? What is cooking equipment - gas/propane or electric? How many stoves? How many burners on each stove? Was this factored into the GHG analysis? If cooking will be offsite, where will food be prepared? How often will deliveries be made? Was this considered during analysis of GHG for this project? If restaurant will serve food to-go, what type of food containers will be used? Styrofoam? Plastic? Compostable cardboard? Aluminum foil? What type of utensils? Compostable cornstarch? Plastic? (Decompose differently, affecting CO₂ and CH₄ levels.) Will the restaurant be vegetarian or will they serve meat? (Animal products, such as red meat, contribute to methane levels.)

CONCERN: WATER: WASTEWATER / DRINKING water account for 2% of energy consumption in the US. Wastewater treatment plants emit CH₄ and N₂O. Wonder Valley water is not potable and has high levels of contaminants which will require some type of processing.

QUESTIONS: What type of water treatment is planned for this project? Will ALL water be treated, including for toilets? Showers? Pool? Drinking? Will all toilets be low flow? Will all showerheads be low flow? What is plan for maintaining landscaping? How much water will be required? See Ca.Dept. of water resources “Model Water Efficient Landscape Ordinance / MWELO. What is estimated evaporation rate for outdoor pool? What is expected replenishment rate (gallons per day)? Will pool be covered at all? Will pool be heated? Will that increase evaporation rate? Was this considered in GHG studies? What are the expected emissions from the expected water demands? Is there a contingency plan in place if expected water usage is exceeded?

CONCERN: WASTE MANAGEMENT: Solid waste creates carbon dioxide (CO₂) and methane (CH₄) gasses as it decomposes.

QUESTIONS: How much solid waste will be produced by 200 + people per day? How large is septic tank? Will this volume of daily waste require septic pumping? How often? Were the trips that will be needed for a tanker to come pump the septic system and deliver contents to a waste treatment facility considered? Where is nearest waste treatment facility to the proposed project? Was this distance considered in the GHG evaluations? Will the disposal method minimize CO₂ and CH₄ release? Is a leach field viable and legal for a project of this size? How will that effect groundwater?

CONCERN: GUEST TRANSPORTATION: Transportation accounts for 41% of GHG’s.

QUESTIONS: How far will people travel to reach the Wonder Inn? How often will they likely go into town? How many trips up into the Park? For a luxury resort styled hotel, will some guests arrive by airplane or helicopter to the 29 Palms airport? Was this possibility considered in the evaluations of GHG effects for this project? Will there be any shuttle services available? From Palm Springs Airport? From Twentynine Palms? Are 604 daily trips realistic for 160 daily guests, 40 visitors, 20+ staff, plus vendors, pool maintenance, spa service staff, events, etc.?

CONCERN: LIGHTING: Lighting accounts for nearly 5% of global CO₂ emissions.

QUESTIONS: What type of lighting will be used? Incandescent? LED? Fluorescent? In guest rooms? In public areas? Outdoor lighting over parking areas? Sidewalks? On buildings?

CONCERN: “When estimating dust emissions for construction projects, **county planners rely on the District’s directive to use the Victorville station’s readings** and meteorological data for long term ambient baseline measurements. Calculated emission estimates guide the mitigation plans designed to protect the affected population from fugitive dust. The Victorville station is located on asphalt and is 300 feet from a road with an average annual daily traffic

count of 1000 vehicles. The station monitors a 0.3 to 3.5 square mile area with a relatively uniform land use.⁸ Victorville's monitoring records show zero (0.0) days above the 24-hour federal and state PM10 standards. Emission readings, for **an area 72 miles north of the Sand Transport Path, with different wind speeds and directions, is not a valid long term PM10 baseline for the Morongo Basin.**" - Source: <https://desertreport.org/the-perfect-dust-storm-fugitive-dust-and-the-morongobasin-community-of-desert-heights/>

QUESTION: How can the health effects of scraping 25 (or more) acres of sandy desert land be accurately measured when comparing our area with a monitoring station that is over 70 miles away from the Project site, and is stationed on concrete (not sand)?

CONCERN: "Damage to the biotic community when the surface is scraped clean is obvious. A less obvious consequence is **the release of carbon** which has been sequestered in the soil for centuries. Still another consequence that is visible, but which is seldom acknowledged, is the release of dust into the air that results from the construction itself and from the changes in land cover in the succeeding years." - Source: <https://desertreport.org/scraped-earth-and-desert-winds/>

QUESTION: Have the above referenced carbon releases been considered during the Greenhouse Gas analysis for this project?

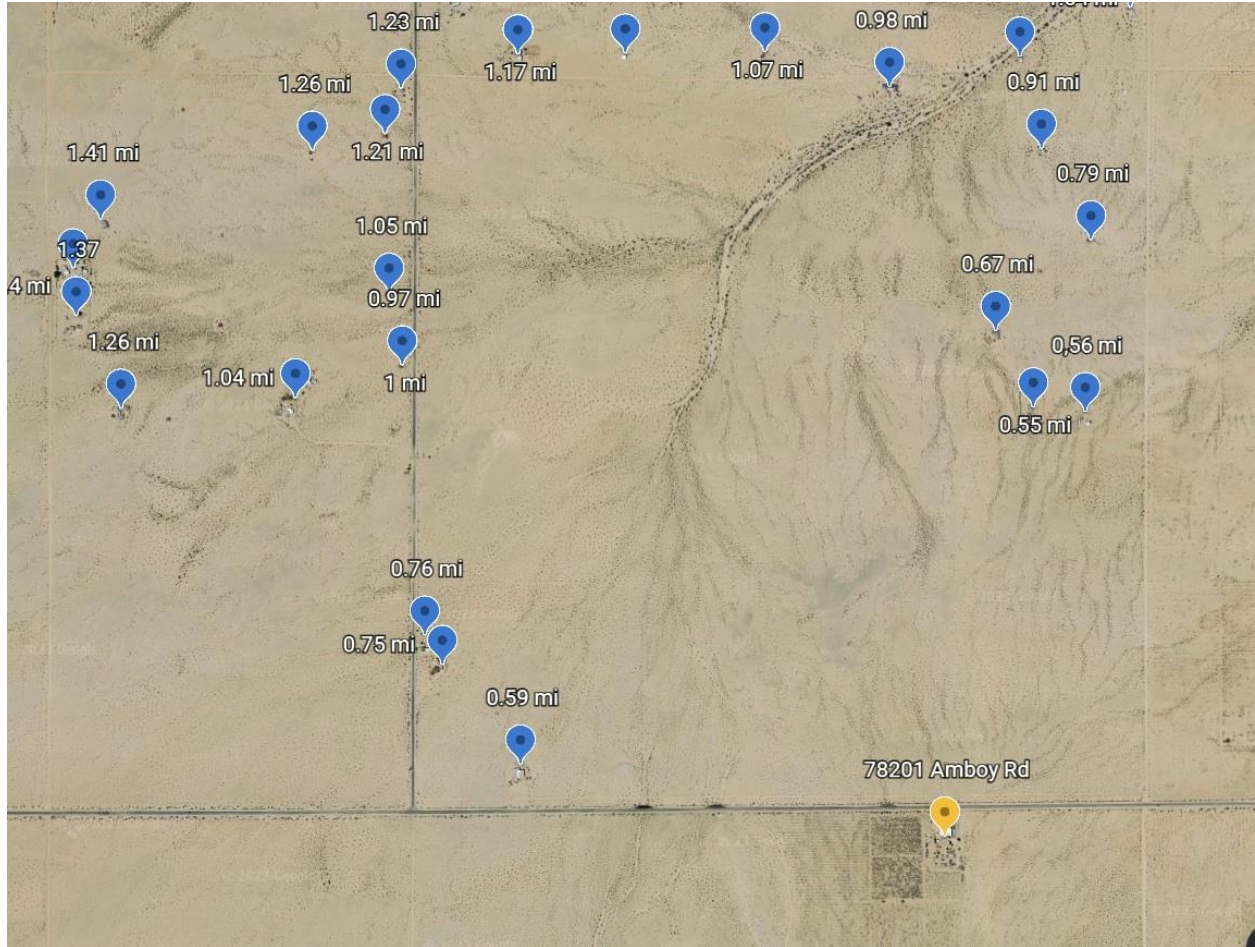
CONCERN: In the Appendices on page 39 of the document:

"3.0 Setting 3.1 - Existing Physical Setting The project site is located approximately two miles north of the unincorporated community of **Sunfair** in the southern central portion of the County of San Bernardino, which is part of the Mojave Desert Air Basin (MDAB) that includes the desert portion of San Bernardino County and the far eastern end of Riverside County."

QUESTION: Where is this "Sunfair" area mentioned in this study? Is this referring to the area along Sunfair Road in Joshua Tree, which is roughly 20 miles west of the project site? This is not in Wonder Valley, which raises the question of where, exactly, this study was performed? And, where, exactly, does the agent doing the study think this project is located? We question the validity and results of this study.

CONCERN: In the Appendices on page 51, section 6.2.2 of the document: "The closest existing sensitive receptors (to the site area) is the residential land use located approximately **2,300 feet northwest** across Amboy Road."

QUESTION: Where is this? Below is a map of the area. There is nothing in the range listed in this study. What is the actual area that was studied? Was this study of the actual site for the proposed Wonder Inn? Again, we question the validity and results of this study.



References:

<https://www.wunderground.com/dashboard/pws/KCATWENT10/graph/2022-07-31/2022-07-31/monthly>

<https://desertreport.org/the-perfect-dust-storm-fugitive-dust-and-the-morongo-basin-community-of-desert-heights/>

<https://desertreport.org/scraped-earth-and-desert-winds/>

IX. HAZARDS AND HAZARDOUS MATERIALS

HAZARDS AND HAZARDOUS MATERIALS - Would the project:

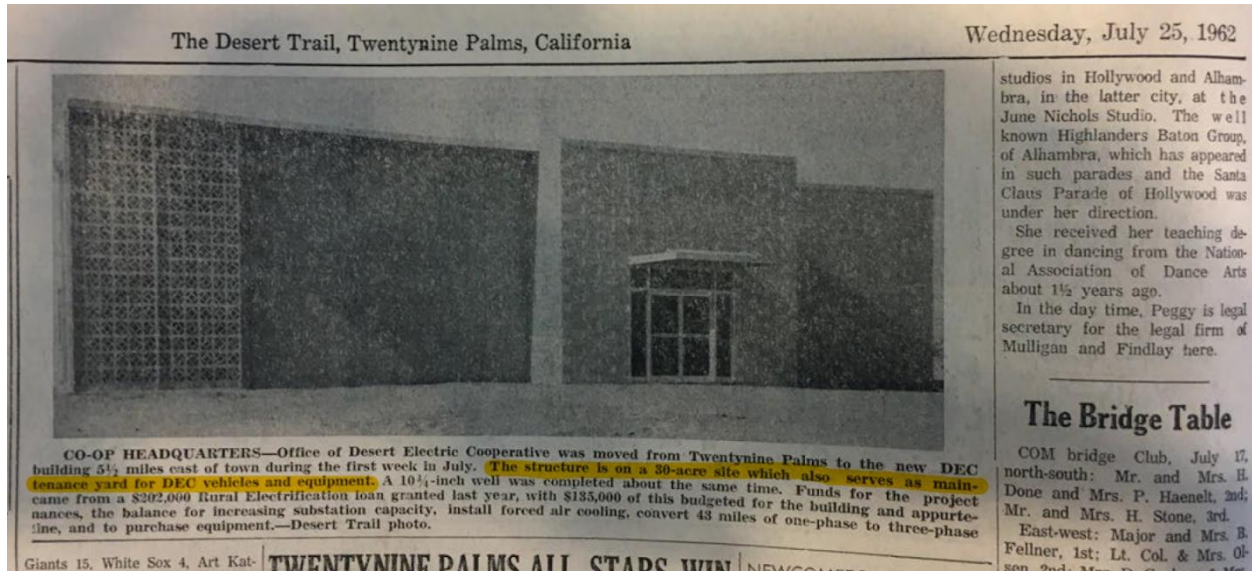
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the Environment?

COMMENT: An accurate ownership history of the existing commercial building (the “Pink Building”) and surrounding acreage was not presented in the Initial Study/Mitigated Negative Declaration (IS/MND). Given the building’s ownership between 1962-1983 by Desert Electrical Coop and Southern California Electric an Environmental Impact Report (EIR) is absolutely necessary to rule out any PCB (Polychlorinated biphenyls) contamination that is absent in the IS/MND. <https://www.epa.gov/pcbs/learn-about-polychlorinated-biphenyls-pcbs>

On page 54/92 of the IS/MND the Project developers state the following:

“The ESA identified that from at least 1948 through 1952, the site was vacant land. Sometime before 1970, the existing commercial building was constructed and used for residential purposes through at least 1983. By 1995, the northwestern portion of the site was being used for agricultural purposes, most recently to grow jojoba beans for use in producing jojoba oils. According to regulatory records, the agricultural uses ceased in 2007. At the time of ESA field review, no jojoba production was noted, and the commercial building was vacant.”

The history of existing commercial building presented in the IS/MND has a 21-year gap in ownership history from its construction in 1962 till 1983 when it was used for residential purposes. Research has indicated that the building was constructed in 1962 as the headquarters of the Desert Electric Coop while the surrounding 30-acre site was used as the maintenance yard for their vehicles and equipment.



The building was then acquired by Southern California Electric sometime before 1981 and used as a large switching station before being retired and sold.

IMC 2020
 Tax Collector » Owner History for Parcel 0625-071-04-0000

Name	Owner Status	Percent Ownership	Relationship	Document Number	Recording Date	Acquire Date	Roll Year
LANDVER , JASON	Present Owner	48%	TENANCY IN COMMON	20200047628	2020/02/10	2020/02/10	202
GREENBERG , ALAN R	Present Owner	52%	TENANCY IN COMMON	20200047628	2020/02/10	2020/02/10	202
ITTLESON , MARGOT P	Past Owner	50%	SPOUSAL	20050911815	2005/12/06	2005/12/06	200
ITTLESON , HENRY P	Past Owner	50%	SPOUSAL	20050911815	2005/12/06	2005/12/06	200
(DT ERR) LANDVER , JASON	Past Owner	48%	TENANCY IN COMMON	20200047628	2020/02/07	2020/02/07	
(DT ERR) GREENBERG , ALAN R	Past Owner	52%	TENANCY IN COMMON	20200047628	2020/02/07	2020/02/07	
WILLIAMS FAM 2000 EX TR 11/21/00 -EST OF	Past Owner	100%	TRUST REVOCABLE	2003020100006	2003/02/01	2003/02/01	200
WILLIAMS FAMILY 2000 TRUST (11-21-00)	Past Owner	100%	TRUST REVOCABLE	20010042374	2001/02/05	2001/02/05	200
WILLIAMS , PRISCILLA R	Past Owner	0%	UNKNOWN	0000000008695	1981/02/09		198
WILLIAMS , DAVID M	Past Owner	0%	UNKNOWN	0000000008695	1981/02/09		198
SOUTHERN CALIFORNIA EDISON COMPANY	Past Owner	0%	SOLE OWNER	0000000000000			

[Click here for a printer friendly version of this page.](#)

Given the history of this site, there is a strong possibility that the soil is contaminated with PCBs (Polychlorinated biphenyls) which were widely used in electrical equipment like capacitors and transformers. They also were used in hydraulic fluids, heat transfer fluids, lubricants, and plasticizers. Given the history of the site as a location for electrical equipment and vehicle maintenance there is a strong possibility of PCB contamination of the soils.

Conclusion: A full EIR is necessary to investigate the potential presence of PCBs and assess the extensive remediation that would be needed if PCBs were found in the soil. PCBs can last

for decades in soils and are hazardous at even low doses. The developers plan to “recharge” our aquifer with their waste water could also result in PCB contamination of our groundwater.

COMMENT: The IS/MND does not adequately address potential soil contamination on the site of the proposed Wonder Inn with Mining Waste. The determination that the potential hazard impact of mining activities on the property is less than significant is purely speculative and is not based on any actual soil testing. A visual inspection is not adequate to determine contamination.

On page 54/92 of the IS/MND the developers acknowledge that there were complaints filed to the San Bernardino Fire Department regarding the presence of mining wastes.

“Further, the ESA identified that in 1996, the San Bernardino County Fire Department (SBCFD) completed a site inspection of the property due to a complaint about cyanide mining wastes being present. According to the property owner, the site was formerly a mining operation for gold but ceased its operations approximately ten years before the SBCFD inspection (approximately 1986). Mercury was used to extract gold from ore, and “...cyanide was not used in any capacity.” According to the SBCFD, much of the mining equipment was present, although had not been operational for years. No mining wastes or chemicals were observed on the premises.”

This site has an established history of mining operations which makes it part of the extensive mining activities that occurred in the Southern California desert. How was this waste disposed of?

Conclusion: The presence of degraded mining equipment on-site as noted in the IS/MND and the probable use of cyanide/mercury in gold extraction requires that an EIR be performed to test the soil for cyanide and other mining wastes and to develop a mitigation plan that does not compromise the health of guests, residents and our groundwater.

CONCERN: The IS/MND does not adequately address potential asbestos and lead contamination in the existing commercial building requiring an EIR to determine a mitigation plan.

On page 53/92 of the IS/ NMD the developer acknowledges the following:

“Based on the age of the existing commercial structure (pre-1970) and that modifications to that structure are part of the Proposed Project, the Phase 1 Environmental Site Assessment (Appendix E) identified that may be asbestos containing materials (ACMs) and lead based paint (LBP).”

Given the utility and industrial history of the building asbestos and lead contamination could be extensive. The subsequent renovations and improper handling of ACM material in and around the site means that asbestos could potentially be found in the soils as well and friable asbestos could be released into the air during construction.

Conclusion: An EIR is required to test the building and surrounding areas for asbestos and lead contamination and to develop an appropriate mitigation plan.

X. HYDROLOGY AND WATER QUALITY

HYDROLOGY AND WATER QUALITY - Would the project:

a) *Violate any water quality standards or waste discharge requirements?*

COMMENT: The Wonder Inn Project and submitted Initial Study/Mitigated Negative Declaration (IS/MND) violates Countywide Plan Goal:

Goal IU-1 Water Supply

Water supply and infrastructure are sufficient for the needs of residents and businesses and resilient to drought.

Policy IU-1.1 **Water supply.** We require that new development be connected to a public water system or a County-approved well to ensure a clean and resilient supply of potable water, even during cases of prolonged drought.

Potable water is defined in the California Plumbing Code as water that is "satisfactory for drinking, culinary, and domestic purposes and that meets the requirements of the Health Authority Having Jurisdiction." Title 22 of the California Code of Regulations provides water quality standards for potable water

There are 2 serious concerns with the IS/MND as it relates to the potability of the Wonder Inn's water supply.

1. The IS/MND states that the water is potable on 3 occasions. Based on the high levels of dissolved solids and naturally occurring contaminants, the groundwater in Wonder Valley is not potable.

As per www.mywaterquality.ca.gov, potable water is defined as drinking water that is safe for consumption, cooking and bathing. Drinking water standards are defined as MCLs (Maximum Contaminant Levels).

Based on the high levels of some MCLs including dissolved solids found in Appendix A, the water in Wonder Valley is not potable. **In addition to the Wonder Inn's own studies, the County has on several occasions deemed the water in Wonder valley as non-potable. This recognized lack of potable water was the basis of the suspension of several critical public services in Wonder Valley; namely, the fire station was closed in September of 2017 due to issues with potable water and the Wonder Valley Community Center's kitchen has also been shut down due to non-potable water issues. The Project presents a plan that cosmetically treats the groundwater but does not improve potability.**

Potable water references IS/MND:

pg. 3, paragraph 3, Utilities

pg. 57, paragraph 3. Hydrology Report and Calculations

Conclusion: An Environmental Impact Report (EIR) should be completed to determine the safety of the drinking water and independent testing should be conducted to verify that the wells at the Project Site were actually tested.

Comment: The Wonder Inn's transient non-community (TNC) public water system designation is inappropriate and not applicable to a project of this scale and violates Countywide Plan Goal 1U-1, Policy 1U1.1 Water Supply, which states:

"We require that new development be connected to a public water system or a County-approved well to ensure a clean and resilient supply of potable water, even during cases of prolonged drought."

From page 730/895 of Appendix A

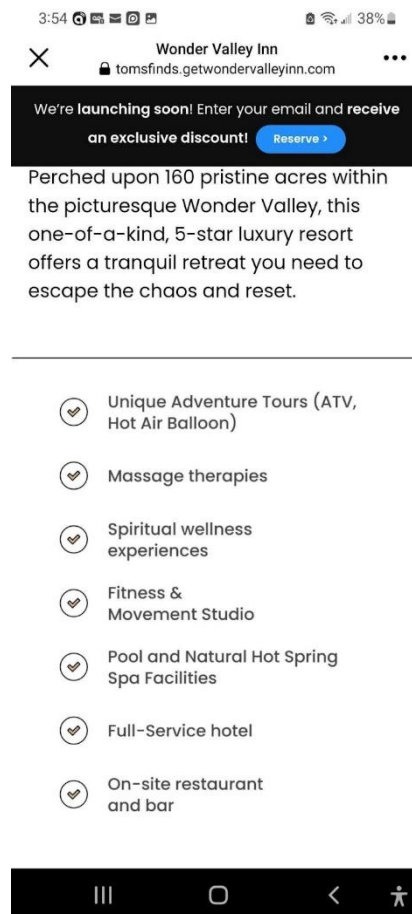
"A public water system is defined as providing water for human consumption to at least 15 service connections or to at least 25 people for at least 60 days per year, Wonder Inn would meet this classification. The drinking water standards required to be met depend on how the public water system is defined: a community water system (CWS), non-transient non-community (NTNC) water system or a transient non-community (TNC) water system. A TNC water system is a public water system that does not regularly serve at least 25 of the same persons over six months of the year, such as a campground or highway rest stop. Wonder Inn intends to operate the development as a TNC water system, limiting the number of employees to less than 25 and limiting guest stays to less than 60 days to prevent the development being classified as a CWS. The purpose of this technical report is to obtain a TNC water system permit for Wonder Inn near Twentynine Palms, California."

The Wonder Inn is self-described and being advertised as a luxury 5- star resort. According to www.hotelmanagement.net a 100-room hotel supports 66 jobs at the hotel itself.

"The hotel industry supported more than one in 25 U.S. jobs in 2018, according to a study conducted by Oxford Economics and sponsored by the American Hotel & Lodging Association and the American Hotel & Lodging Educational Foundation. The total number of U.S. jobs supported by the industry rose 1.1 million from 2015 to 8.3 million in 2018. The industry directly employed 2.3 million people in the U.S. in 2018, a gain of 160,000 from 2015. The study found that a representative hotel with 100 occupied rooms supports 241 total jobs: 137 directly and 104 indirectly. This includes 66 jobs at the hotel representing \$2.8 million of wages, salaries and other labor income."

<https://www.hotelmanagement.net/human-resources/hotel-industry-accounts-for-more-than-1-25-u-s-jobs#:~:text=The%20study%20found%20that%20a,salaries%20and%20other%20labor%20income>

In addition to the 106 hotel guest rooms, the Wonder Inn hotel complex also advertises a 24-hour restaurant, a full service spa and conference rooms year round. The Wonder Inn has also advertised that it would manage 24 future luxury villas located on the additional 133 adjacent acres owned by the Wonder Inn developers. (See section “Size, Scope, and Piecemealing” in these Response Comments.) It is highly unlikely that the Wonder Inn and its future planned developments would be able to maintain an appropriate level of service with a staff of less than 25 employees total over 3 shifts. It appears that this staffing number was presented to gain approval for a TNC water system but in reality, is significantly under the staffing requirements of a hotel advertising the following offerings.



Conclusion: An EIR is needed to determine whether the Wonder Inn hotel qualifies for the TNC well designation based on realistic staffing levels for a 5-star, 106 room hotel to avoid exposing

guests and employees to minimally treated non-potable water with high levels of contaminants/dissolved solids.

HYDROLOGY AND WATER QUALITY - Would the project:

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Comment (a): The Wonder Inn project and submitted IS/MND violates Order 9.b of EXECUTIVE DEPARTMENT. STATE OF CALIFORNIA EXECUTIVE ORDER N-7-22 (Gavin Newsom) which states the following:

“WHEREAS on April 12, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, I proclaimed states of emergency that continue today and exist across all the counties of California, due to extreme and expanding drought conditions;

9. To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not:

b. Issue a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.”

Comment (b): The Wonder Inn and submitted IS/MND does not address the impact on residential wells in the area surrounding the project and is not in alignment with the Countywide Plan Policy IU-1.8 Groundwater management coordination, which states:

“We collaborate with watermasters, groundwater sustainability agencies, water purveyors, and other government agencies to ensure groundwater basins are being sustainably managed. We discourage new development when it would create or aggravate groundwater overdraft conditions, land subsidence, or other “undesirable results” as defined in the California Water Code.”

The Wonder Inn plans to utilize the Dale Valley Basin Aquifer for their extensive water needs. The last official studies conducted on the draft and recharge rates of the Dale Basin Aquifer were completed in 1961 and 1979. See following pages for references.

STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES

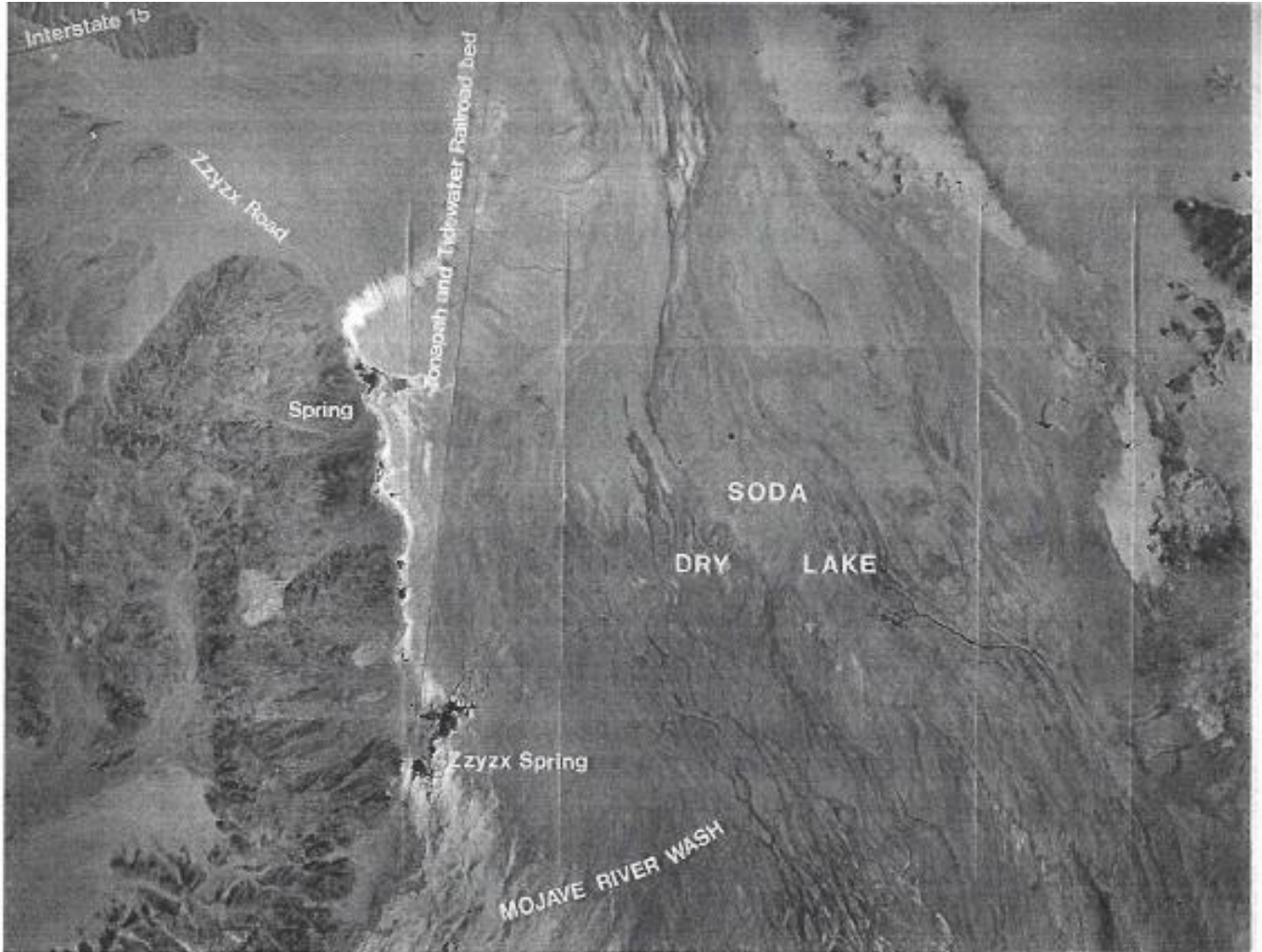
BULLETIN NO. 91-5

DATA ON WATER WELLS
IN THE
DALE VALLEY AREA,
SAN BERNARDINO AND
RIVERSIDE COUNTIES, CALIFORNIA

PREPARED BY
UNITED STATES DEPARTMENT OF INTERIOR
GEOLOGICAL SURVEY

FEDERAL-STATE
COOPERATIVE GROUND WATER INVESTIGATIONS

MARCH 1961



State of California
The Resources Agency

Department of
Water Resources



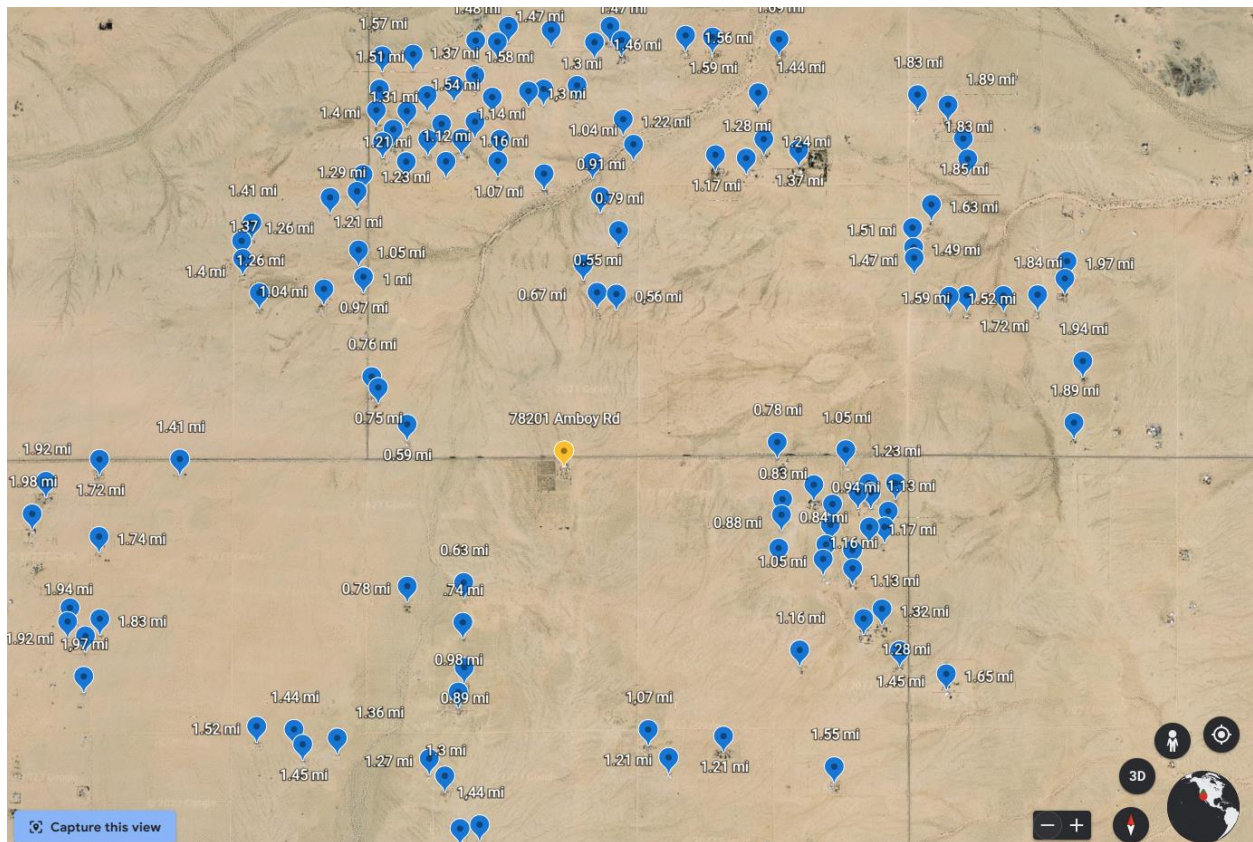
Sources of Powerplant Cooling Water in the Desert Area of Southern California— Reconnaissance Study

Bulletin 91-24
August 1979

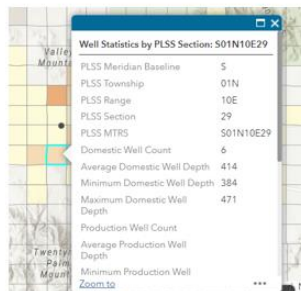
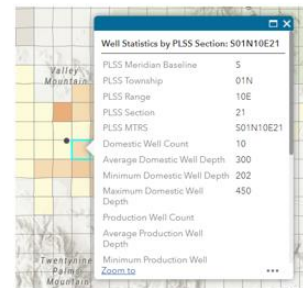
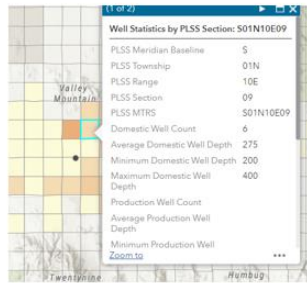
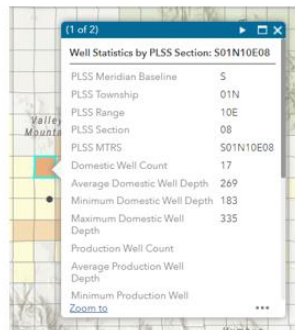
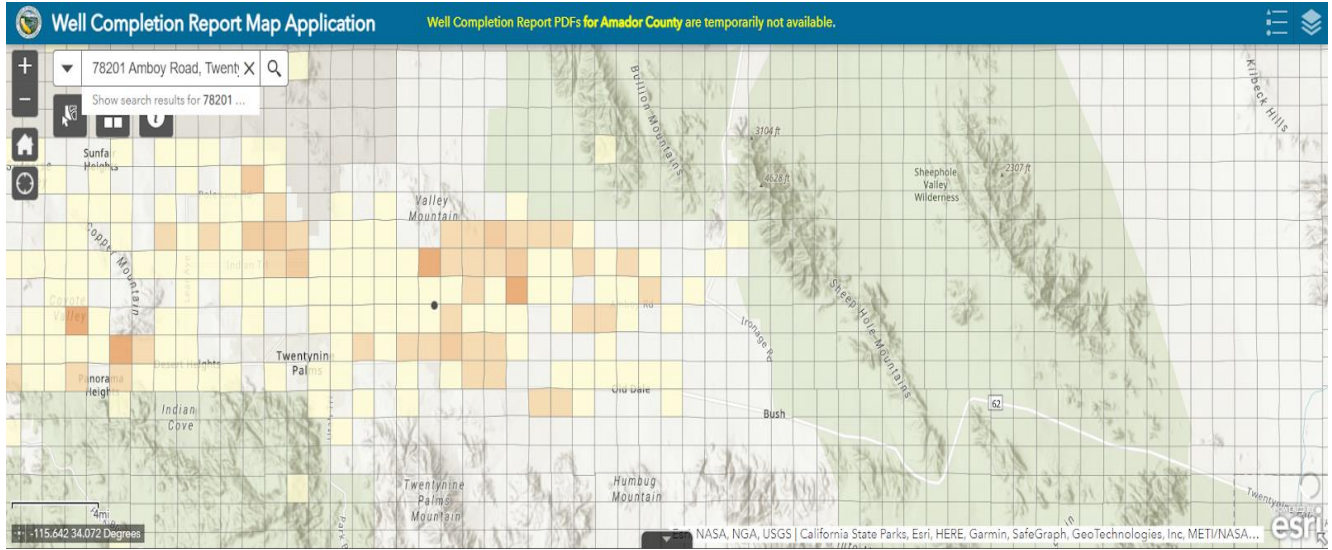
There is a huge concern that the Wonder Inn and the planned future development at that site could result in residential wells running dry in the area surrounding the Wonder Inn. The map below shows the large number of residences located within 1.5 miles of the Wonder Inn and could be impacted negatively by the proposed Project. This is contrary to the Wonder Inn developer's claim, below, which posits arbitrary boundaries on the Wonder Valley population, making it seem like no residents would be impacted by this project.

Page 4/92 IS/MND:

“The Project vicinity is primarily an unincorporated, undeveloped area, approximately 4.5 miles east of the City of Twentynine Palms and approximately 9 miles south of the Bullion Mountains. The Project Site is located within an area that is primarily vacant for approximately 1 mile on the north, south, east and west. Large-lot rural residential land uses exist primarily on Goodwin Road to the east and Mojave Road to the west.”



The map below is taken from California Department of Water Resources Well Completion Report Map:



A rough count using this map shows that there were at least 51 completed well reports for residences within a mile of Wonder Inn.

Conclusion: An EIR is needed to ensure that the Wonder Inn will not have a detrimental negative impact on the numerous residential wells surrounding the Project Site and that the project is part of the sustainable management of the Dale Basin Aquifer. The most recent studies are too old to determine the real impact of Wonder Inn on Dale Basin Aquifer, and the Wonder Inn proponents have not investigated this impact in any of their Conditional Use Permit (CUP) submittal documents. This impact should be determined before a CUP is awarded.

Comment: The Wonder Inn Project and submitted IS/MND violates the California Environmental Quality Act's (CEQA) Environmental Justice Provisions which state the following:

“Under CEQA, “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects” (Pub. Res. Code, § 21002.) Human beings are an integral part of the “environment.” An agency is required to find that a “project may have a ‘significant effect on the environment’” if, among other things, “[t]he environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly[.]” (Pub. Res. Code, § 21083, subd. (b)(3); see also CEQA Guidelines,² § 15126.2 [noting that a project may cause a significant effect by bringing people to hazards].)”

“ We must “[t]ake all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise.” (Pub. Res. Code, § 21001, subd. (b).)”

The Hydrology/ Water studies completed by the Wonder Inn do not address the potential impact of this large-scale project and planned future development on the residents and community of Wonder Valley which is considered an economically disadvantaged area. The decrease in groundwater supplies could have devastating effects on the surrounding community. The IS/MND does not address/ investigate the potential impact of the increased groundwater use on wells in the surrounding area where many residents rely on wells as their sole source of drinking water. A drop in ground water levels would require many residents to re-drill their wells which is costly and unaffordable for the majority of Wonder Valley residents. The cost of hauled water may also be too expensive for many residents, leaving them in an incredibly vulnerable position without consistent access to drinking water. Hauled water may also not be an option for homes that were not grandfathered in before the banning of hauled water for new construction. What are the options for these residents?

The Wonder Inn developers' attempt to posit the comparative water usage of the Wonder Inn to a Jojoba farm (page 833/895 Appendix A) is inappropriate, highly speculative, and insufficient to assess the effect of the Wonder Inn's water usage on existing wells. This analysis is based on the assumption that the fictional Jojoba farm would pull groundwater from the Joshua Tree Basin and Mesquite Lake Basin whereas the Wonder Valley Inn would only pull water from the Dale Valley Basin Aquifer. It should be noted that there isn't a single mention of the Dale Valley Basin Aquifer in any of the Wonder Inn's reports.

Page 833/895 Appendix A

“The farm pulls groundwater from several surrounding basins (Joshua Tree Basin and Mesquite Lake Basin). According to a report submitted by Kennedy/Jenks Consultants in 2017, the historical yearly average from the period of 1990-2015 has shown an average

pumping level of 3045 acre-feet/year. In 2011, water management strategies called for a reduction in pumping to prevent overdraft, with an average over that period of 2746.8 acre-feet/year. Between all basins, the DWP limited groundwater pumping capacity is 6995 acre-feet/year.”

Unlike the Joshua Tree and Mesquite Lake Basins which were studied in 2017, The Dale Valley Basin was last studied in 1979 by the State of California Department of Water Resources as a source of Power Plant Cooling Water. The wells in the Dale Valley Basin were last studied in 1961 (see previous citation). There is no recent data available on the status of the aquifer or the recharge rate which has undoubtedly been affected by California's 20-year drought, the increase in residents to Wonder Valley and an increase in short-term rentals. San Bernardino County is listed by the state as Covered by Drought Emergency Proclamations. The entire job analysis is irrelevant.

Conclusion: An EIR is needed to determine the impact of the Wonder Inn’s water usage on existing nearby residential wells. The Wonder Inn’s comparative studies are insufficient to an accurate analysis. The ability to live and prosper in the diverse physical setting of San Bernardino County is dependent on the effective provision and management of water, wastewater, stormwater, solid waste, power, and communication systems. The effective management of these systems helps fulfill the County’s obligation to protect the lives and property of residents and businesses, while also protecting the natural environment from the impacts of human development.

Comment: The Wonder Inn’s estimated water usage as detailed on page 733 of Appendix A does not align with industry standard estimates/calculations and are significantly lower than comparable projects.

Table 1: Estimated Water Demands

Hotel Component	Average Annual Demand (gallons per year)	Average Daily Demand (gallons per day)
Guest Rooms	2,177,000	6,000
Public Restrooms	66,100	200
Guest Ice and Laundry	1,104,000	3,000
Commercial Kitchen	2,844,000	7,800
Dishwashing	145,000	400
Pool & Spa	435,700	1,200
Total (gallons per year)	6,771,800	
Total Average Day Demand (ADD) (gpd)		18,600
Total Max Day Demand (ADD x 2) (gpd)		37,200

According to Calrecycle.org a typical hotel room utilizes 218 gallons of water/day per occupied room

<https://calrecycle.ca.gov/epp/greenlodging/#:~:text=Typical%20hotels%20use%20218%20gallons,bills%20by%2025%2D30%20percent.>

Based on that assumption, at 75% occupancy the Wonder Inn guest rooms alone would use roughly 6,325,815 gallons annually, almost 3 times the guest room water usage proposed by the Wonder Inn developers. The total water consumption listed above is also missing any estimates on irrigation water usage and visitors (40 estimated which seems low) who attend events and concerts at the Wonder Inn. Even desert tolerant plants like olive trees and mesquites need at least 25 gallons of water/day. The Wonder Inn proposes planting over 100 trees which would be equivalent to over 750,000 gallons annually. Based on these numbers, the sum of just my guest room and irrigation calculations (7,092,315 gallons) exceeds the Wonder Inn's proposed total water usage. If the Wonder Inn developers are required to develop a large-scale RO (reverse osmosis) system the water usage could double at a minimum. The treatment/disposal of RO waste water is also not addressed by the Wonder Inn developers.

Conclusion: An EIR is needed to adequately assess the Wonder Inn's proposed water usage, any future reverse osmosis treatment plans and the impact this would have on the Dale Valley Aquifer.

HYDROLOGY AND WATER QUALITY - Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Comment: A septic system of the size required by the Wonder Inn is governed by the EPA's large-capacity septic systems (LCSSs) regulations. Though the reports mention a septic system on a few occasions no additional details relating to the size and environmental impact of a large commercial septic system was included in any of the Wonder Inn reports. LCSSs can pose a hazard to underground water systems and several characteristics including soil type, hydrogeology, wastewater characteristics system design increases the potential for contamination of groundwater.

Conclusion: An EIR is needed to investigate whether the planned septic system for the Wonder Inn hotel would have a negative impact on the environment, community, and groundwater.

Comment: The methodology calculations and conclusions of the Hydrology study completed by TransTech Engineers is based on the development of only 12.3 acres whereas the Initial Study/Mitigated Negative Declaration form clearly states that the CUP application is for the development of 24.4 acres. Therefore, this TransTech study and associated conclusions used to support the Initial Study is invalid. See references below:

PROJECT DESCRIPTION:

Summary

The proposed project is a concurrent submittal of a General Plan Land Use Amendment from Rural Living (RL) to Commercial (C) and a Zoning Amendment from Rural Living, 5-acre minimum lot size (RL-5) to Service Commercial (CS) and a Conditional Use Permit for a proposed hotel use with the conversion of an existing 4,407- square foot office building to a restaurant/lobby and the construction of 106 guest rooms, 5,000 square foot conference room, 3,985 square foot wellness center and ancillary structures on a 24.4-acre site, located at 78201 Amboy Road, Twentynine in an unincorporated area of San Bernardino County known as Wonder Valley (see **Exhibit 1- Regional Location** and **Exhibit 2 – Project Location: Aerial** and **Exhibit 3 – Project Location: USGS**). The Project Site is not located within any Countywide Plan Area.

Entitlements include the following:

- Conditional Use Permit PROJ-2021-00163 to approve a 106-room resort complex on 24.4 acres that will includes a main pool, shade structures for gathering facilities and the wellness center and use of an existing 4,407 sf building for clubhouse.
- General Plan Amendment from Rural Living (RL) to Commercial (C) and a Zoning Amendment from Rural Living, 5-acre minimum lot size (RL-5) to Service Commercial (CS) on 21.22 acres of 134.6 acres.

Methodology

The hydrologic calculations for this Project were conducted for both the existing and developed conditions of the site. The area that will be impacted by the development is about 12.3 acres, based on the preliminary site improvement and grading plan for the Project. From this, it is estimated that about 40% of this area will be covered and will be considered “impervious”, or 60% “perviousness,” a factor considered in the calculations.

Because of the small area of development compared to the total drainage tributary area (12.3 ac vs. 68.0 ac), it is then expected that the “existing” and “proposed” scenarios will show relatively the same peak flow results. But given the requirements of the Manual memo revision of 1987, the existing scenario was adjusted and consequently more mitigation is anticipated.

The analyses for the Project were conducted using the Rational Method as described in the Manual. The drainage tributary area to the Project site is about 68.0 acres, an area less than one square mile, the maximum area by which this method can be used. The software used for the calculations was developed by Advanced Engineering Software (AES) with built in data from the San Bernardino County Hydrology Manual.

Part III – Evaluation and Conclusion

The rational method calculations for existing and proposed condition, resulted in significant differences due to the requirements of the Hydrology Manual when calculating the pre-development Q’s. The 100-year storm peak discharge for the proposed condition in Node 6 is 17.81 cfs and for the pre-develop condition is 29.54 cfs, a 65% increase. Similar results are provided for the 2yr, 10yr, 25 yr. storms. The AES Hydrologic Results for the Wonder Inn Hotel project are included in the appendix. This result is duplicated in Node 15 and both concentration points, 6 and 15, are the target of not only attenuation of flows but also mitigation of runoff from developed areas.

Only 12.3 acres of the 68.0 acres are being developed (Nodes 6 and 15). The intent is to intercept and convey the runoff from development site without mixing storm water from offsite watershed. Treatment of this runoff will be localized and its separation from greater volume will greatly decrease the extent of mitigation. The Manual, in its Detention Basin Criteria, indicates that “local detention basins shall not be fed by natural drainage courses with undeveloped watersheds...”

Appendices - page 587 Section on Hydrology, Part II – Hydrologic Criteria, Methodology, and Results Hydrologic Criteria ;page 590, section on Hydrology, Part III - Evaluation and Conclusion, paragraph 1-2:

Conclusion: An EIR is needed to establish accurate calculations and conclusions as the TransTech Hydrology Study is based on an area roughly half the size of the planned development.

HYDROLOGY AND WATER QUALITY - Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Comment: The proposed implementation of a SWPPP is too vague. Given the potential presence of soil contaminants (see Hazardous Materials section), stormwater discharge and the planned use of waste water to recharge the aquifer could indirectly result in the pollution of groundwater supplies when a concentrated water supply is pumped back into the aquifer at a potentially contaminated location.

Pg 61/92 IS/MND:

“The Proposed Project is subject to the NPDES permit. Requirements of the permit would include development and implementation of a SWPPP, which is subject to RWQCB review and approval. The purpose of an SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of stormwater associated with construction activities; and 2) identify, construct and implement stormwater pollution control measures to reduce pollutants in stormwater discharges from the construction site during and after construction. The SWPPP would include BMPs to control and abate pollutants, and treat runoff that can be used for groundwater recharge. The Proposed Project would not otherwise substantially degrade water quality, as appropriate measures relating to water quality protection would be implemented as BMPs. Appropriate BMPs will be reviewed and approved by the County. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.”

Conclusion: An EIR is needed to further elaborate on the SWPPP and assess the potential for groundwater contamination through the concentrated discharge of stormwater through contaminated soils.

XI. LAND USE AND PLANNING

In the Initial Study, this California Environmental Quality Act (CEQA) question is asked:

b) (Would this development) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (p.62)

In the San Bernardino Countywide Plan, Land Use Principles states:

Principles

We believe:

- The way land is used and developed will determine our revenue base and costs.
- Development that supports our Countywide Vision will strengthen the county's economy and quality of life.
- When growth occurs, it should do so in a manner that is fiscally sustainable and context-sensitive.
- New development should be focused in areas where there is potable water, wastewater treatment, roadways, and public services.

County Policy Plan

Adopted 10/27/20

1

Comment: Yes, the Proposed Project **would** cause a significant environmental impact. Wonder Valley has **NO potable water, NO wastewater treatment, NO sewage system, unsubstantial roads and mostly dirt roadways to handle the increased traffic for this Project, and currently there are NO public services in Wonder Valley. This Proposed Project would have a significant environmental impact on Wonder Valley and its community.**

This question must be asked:

-How could Land Use and the County of San Bernardino even consider to approve this Project when the basic Principles of the San Bernardino County Plan are not met?

Here is part (in red) of the developers' answer to above question:

"The Project Site is located within an unincorporated area of the County and has a zoning designation of Rural Living and is not subject to a Community Plan. The Project vicinity is primarily an unincorporated, undeveloped area, approximately 4.5 miles east of the City of Twentynine Palms and approximately 9 miles south of the Bullion Mountains. **The Project Site is located within an area that is primarily vacant for**

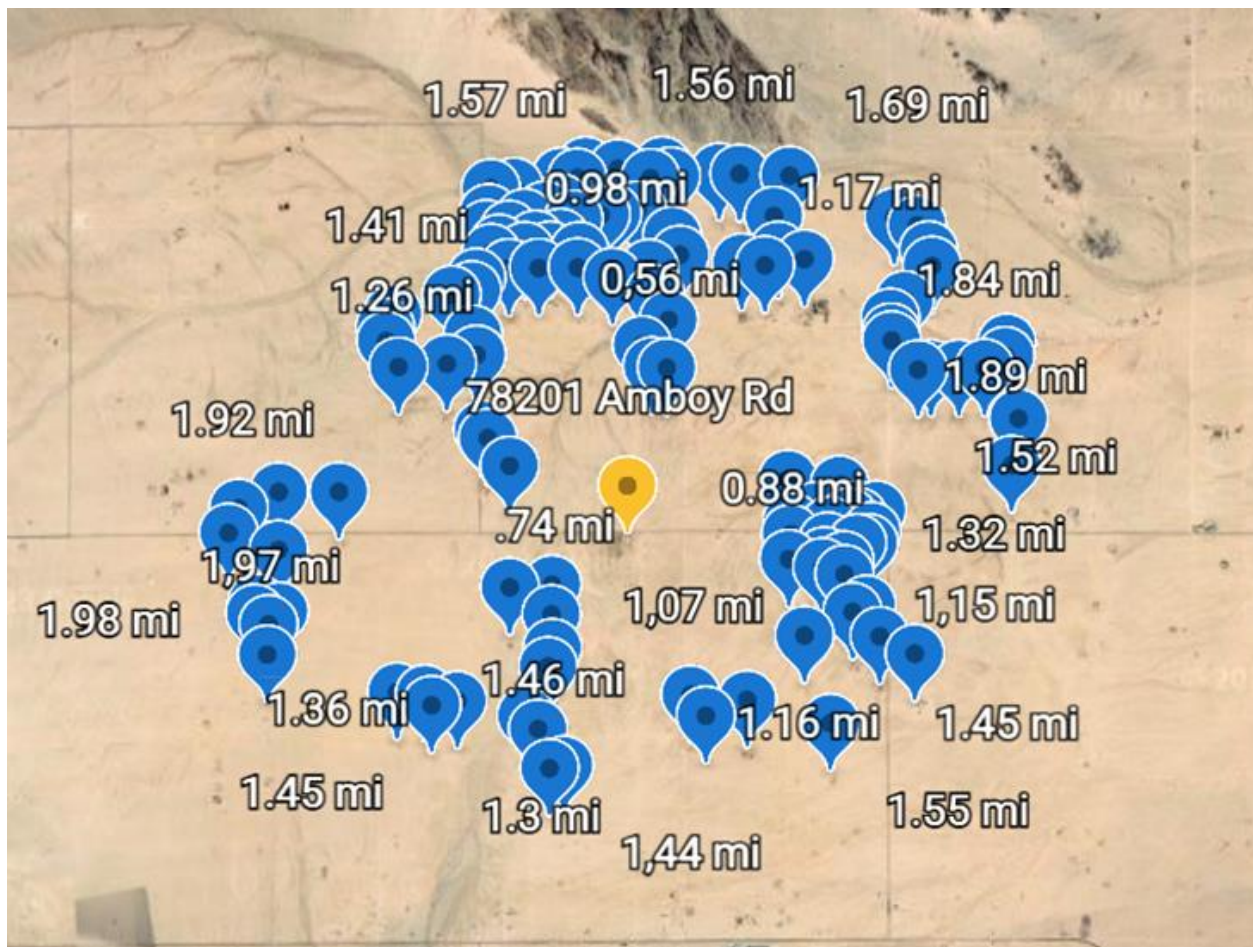
approximately 1 mile on the north, south, east and west. Large-lot rural residential land uses exist primarily on Goodwin Road to the east and Mojave Road to the west.” (p.62)

This answer to this CEQA question is not given by the developers. They only claim to be “within an area that is primarily vacant for approximately 1 mile” in each direction.

-How do we know this is an accurate statement?

-And why is only “1 mile” noted as a basis for measuring a vacant area in rural living?

The map below pins residences (blue) in Wonder Valley within a two-mile radius of proposed Wonder Inn (yellow pin) *Courtesy Google Earth*



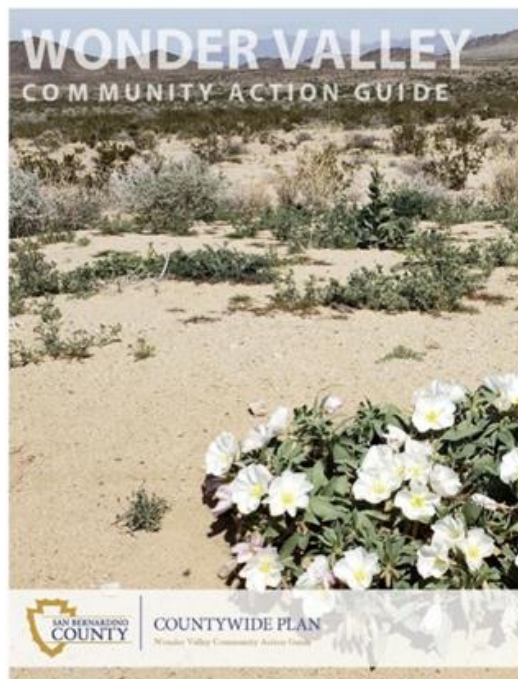
Comment: This map shows that the proposed Wonder Inn would reside directly in the center of a large number of rural residences. The effect of this Proposed Project would be significant due to the amount of resources (water, public services, dark sky, road wear, emissions) that this

hotel/resort would impose on the community, even more so for the residences directly within its vicinity.

b) (Would the project) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (p.62)

Here is another part (in red) of their answer to question b) p.62:

“The Project Site is located within an unincorporated area of the County and has a zoning designation of Rural Living and is not subject to a Community Plan. The Project vicinity is primarily an unincorporated, undeveloped area, approximately 4.5 miles east of the City of Twentynine Palms and approximately 9 miles south of the Bullion Mountains. The Project Site is located within an area that is primarily vacant for approximately 1 mile on the north, south, east and west. Large-lot rural residential land uses exist primarily on Goodwin Road to the east and Mojave Road to the west.”



Comment: The community is subject to and has a Community Plan. The Wonder Valley Community Action Guide already existed before the developers purchased the property. It has been available to them, but they chose to ignore the existence of our community and the Wonder Valley Community Action Guide as part of the San Bernardino Countywide Plan.

As shown below, the Countywide Plan “*requires* that new development be consistent with and reinforce the physical and historical character and identity of our unincorporated communities, as described in Table LU-3 and in the values section of Community Action Guides. In addition, we consider the aspirations section of Community Action Guides in review of new development.”

Land Use & Planning

Countywide Plan

- Goal LU-2: Land Use Mix and Compatibility
 - Policy LU-2.1 Compatibility with existing uses: We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.
 - Policy LU-2.3 Compatibility with natural environment: We require that new development is located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.
 - Policy LU-2.4 Land Use Map consistency: We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity.
- Policy LU-4.5 Community identity
 - We **require** that new development be consistent with and reinforce the physical and historical character and identity of our unincorporated communities, as described in Table LU-3 and in the values section of Community Action Guides. In addition, we consider the aspirations section of Community Action Guides in our review of new development.

-How can this new development be consistent with and reinforce the physical and historical character and identity of Wonder Valley per the *requirements* of Land Use Policies and the Community Action Guide when the developers fail to acknowledge the existence of these CEQA and San Bernardino County related documents?

Table LU-3. Community Character

Community Category	Key Characteristics and Features
Valley Communities Bloomington, Mentone, Muscoy, San Antonio Heights	<ul style="list-style-type: none"> ▪ A suburban lifestyle characterized by a mix of lot sizes and/or land uses in proximity to urban services and facilities. ▪ Views of canyons and hills within the community planning area (Mentone and San Antonio Heights). ▪ Economic activity that benefits local residents and/or serves the local economy.
Mountain Communities Angelus Oaks, Bear Valley ¹ , Crest Forest ² , Hilltop ³ , Lake Arrowhead ⁴ , Lytle Creek, Mt Baldy, Oak Glen, Wrightwood	<ul style="list-style-type: none"> ▪ A rural lifestyle characterized by low density neighborhoods oriented around commercial or recreational nodes, and the prevalence of the forest and mountain landscapes and natural resources. ▪ Abundant views of open spaces, natural features, and dark skies. ▪ Scenic, natural, and 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.
Rural Desert Communities Baker, El Mirage, Homestead Valley ⁵ , Lucerne Valley, Morongo Valley, Newberry Springs, Oak Hills, Pioneertown ⁶ , Phelan/Pinon Hills	<ul style="list-style-type: none"> ▪ 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. ▪ Mining of mineral resources with minimal negative impacts on local residents.
Desert Village Communities Daggett, Helendale, Joshua Tree, Oro Grande, Yermo	<ul style="list-style-type: none"> ▪ A rural context with clusters of housing in proximity to commercial development and public facilities, and larger lots farther from the commercial core. ▪ Abundant views of open spaces, natural features, and dark skies especially outside of clustered development. ▪ 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. ▪ Mining of mineral resources with minimal negative impacts on local residents (Oro Grande and Yermo).

Notes:

- | | |
|---|---|
| <p>1. Bear Valley includes: Baldwin Lake, Big Bear City, Erwin Lake, Fawnskin/Northshore, Lake Williams, Moonridge, Sugarloaf.</p> <p>2. Crest Forest includes: Cedarpines Park, Crestline, Lake Gregory, Valley of Enchantment.</p> <p>3. Hilltop includes: Arrowbear, Green Valley Lake, Running Springs.</p> | <p>4. Lake Arrowhead includes: Agua Fria, Blue Jay, Cedar Glen, Crest Park, Deer Lodge Park, Lake Arrowhead, Rimforest, Skyforest, Twin Peaks.</p> <p>5. Homestead Valley includes: Flamingo Heights, Johnson Valley, Landers, Yucca Mesa.</p> <p>6. Pioneertown includes: Gamma Gulch, Pioneertown, Pipes Canyon, Rimrock.</p> |
|---|---|

This is page 5 of the Wonder Valley Community Action Guide that is referenced from Land Use Policy:



Values Statement

The Values are those shared assets, principles, standards, mores, and in the judgement of the community, what is important in the lives of its residents and businesses. A community's values are an important consideration in shaping its aspirations, focus and actions.

As a community, Wonder Valley values:

Rural Atmosphere. The large lots and space between properties give residents room to breathe. Wide open spaces allow residents to appreciate and maintain the solitary, laid-back lifestyle of this area.

Natural Desert Beauty. Residents value the beautiful sunrises and sunsets, the dark and starry night skies and the desert views and wildlife.

Community Spirit. Wonder Valley is a tight-knit community whose residents value self-reliance and neighborly support. The people have a respect for nature, freedom, privacy, and each other. Here, residents work together but also enjoy their independence and being left alone in solitude.

Aspirations Statement

The Aspirations Statement is a written narrative illustrating how the community desires to look and function once the Community Focus Statements and Action Statements are accomplished. This is a long term view of 10 to 20 years. The Aspirations Statement serves as a foundation for developing Community Focus Statements and Action Statements.

As a community, Wonder Valley aspires to:

Better Communication and Services.

The community offers family-oriented activities, community health services including mental health services, services for the disadvantaged, improved public transportation, a local fire station and locally based Sheriff's response.

Maintain the Rural Atmosphere.

Wonder Valley provides residents with a rural lifestyle on large lots with dark night skies.

Again,

b) (Would this development) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (p.62)

Here's the answer by the developers: "Project would neither physically divide an established community nor cause a significant environmental impact due to conflict with any land use plans or policies. No significant impacts are identified or anticipated, and no mitigation measures are required."

Comment: How this community wanted to be represented is stated and included in the Countywide Plan, Land Use Services Element and in the Wonder Valley Community Action Guide, as directed by CEQA to be instituted into the Countywide Plan. The Proposed Project

Initial Study states that Wonder Valley “is not subject to a Community Plan,” ignores and does NOT reference any of the county guidelines and ignores the Wonder Valley Community Action Guide and the requirements of the San Bernardino Countywide Plan and CEQA. The proposed Wonder Inn new development does NOT maintain any of the Values Statement as *required* by the county. This Project would only degrade the rural atmosphere, diminish the natural desert beauty, lighten the starry dark night skies, take away from our distinct desert views and does not have respect for solitude, privacy and community values. This is NOT a small business that would serve the local community and is NOT compatible with our natural environment. See above Table LU-3 Community Character and page 5 of the Wonder Valley Community Action Guide.

-Why didn't the developers reference the Countywide Plan and The Wonder Valley Community Action Guide regarding Land Use and Planning?

-Why did the developers ignore the entirety of the Land Use Element and the Wonder Valley Community Action Guide and numerous CEQA requirements related to Land Use?

San Bernardino Countywide Plan Land Use Element Purpose and Principles:

- Designates the distribution, location, intensity, and balance of land uses for the unincorporated areas of the county.
- Establishes goals for where, when, and how the county grows, which is also guided by policies in other elements.
- Provides direction for new development on community design, land use compatibility, and interagency coordination.
- Provides guidance for orderly expansion of incorporated areas.

-Why have the developers ignored the Purpose and Principles of the Land Use Element?

The developer has shown blatant disregard for CEQA, the County of San Bernardino policies and plans and for Wonder Valley as a community and its community design, and this Proposed Project is extremely conflicting with land use plans, policies and requirements and ***should not*** be built in this Rural Living community that does not have the resources required, nor does this Project meet the Values and Aspirations as defined by the Countywide Plan and community per the requirements of CEQA.

***Of Concern:** The developers state the size of the Project site as:

- 24.4 acres (IS/MND p.1)
- 25 acres listed on NOA and NOI SB County letter, as stated in the Project Description
- 28-acre destination hotel (IS/MND p.16)

-How many actual acres do the developers plan to use?

***Of Concern-** This same paragraph taken from pages 4 and 62 of IS/MND:

“The Project occurs within portions of six parcels that total 134.6 acres that are zoned Rural Living (RL-5) with the exception of 3.18 acres of APN 0625-071-04 which is zoned Service Commercial (CS). The RL (Rural Living) land use zoning district provides sites for rural residential uses, incidental agricultural uses, and similar and compatible uses. The CS (Service Commercial) land use zoning district provides sites for a mixture of heavy commercial uses and light industrial uses, including light manufacturing uses, and similar and compatible uses.”

***Of Concern:** 134.4 acres are listed on page 2 of the Initial Study in the Project Description, as well as above paragraph on pages 4 and 62. Maps shown on pages 7 and 8 (Exhibitions 2 and 3) outline the Project location as the larger, 134.6 acres.

Comment: The County of San Bernardino NOA/NOI letter notes “a 25-acre site” in the Project Description. See letter below.



COUNTY OF SAN BERNARDINO
NOTICE OF AVAILABILITY (NOA) AND NOTICE OF INTENT (NOI) TO ADOPT
AN INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, County Staff prepared an Initial Study / Mitigated Negative Declaration (IS/MND) that identify and evaluate the environmental impacts of the below-named project.

Project Title: Wonder Inn Hotel/Resort (Twentynine Palms)

Project No.: PROJ-2021-00163

Project Location: 78201 Amboy Road, Twentynine Palms, CA 92277

Assessor Parcel Numbers: 0625-071-04, -05, -07, -08, -09 and -10

Project Description: A Concurrent filing of a Tentative Parcel Map to consolidate six parcels into two parcels, a General Plan Land Use Amendment from Rural Living (RL) to Commercial (C) and a Zoning Amendment from Rural Living, 5-acre minimum lot size (RL-5) to Service Commercial (CS), a Conditional Use Permit for a proposed hotel use with the conversion of an existing 4,407- square foot office building to a restaurant/lobby and the construction of 106 guest rooms, 5,000 square foot conference room, 3,985 square foot wellness center and ancillary structures on a 25-acre site, located at 78201 Amboy Road, Twentynine Palms.

Environmental Review and Public Comment:

The document meets the State requirements of the California Environmental Quality Act. Interested parties can view the Initial Study/Environmental Checklist and supporting documentation online at: <https://lus.sbcounty.gov/planning-home/environmental/desert-region/> and the following offices:

High Desert Government Center
Land Use Services – Planning Division
15900 Smoke Tree Street, Suite 131
Hesperia, CA 92345

San Bernardino Government Center
Land Use Services – Planning Division
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415

The comment period on the Initial Study begins on **January 17, 2023** and closes on **February 7, 2023 at 4:30 PM**. Please submit comments to azhar.khan@lus.sbcounty.gov or to:

Azhar Khan, Planner
County of San Bernardino
Land Use Services Department, Planning Division
385 N. Arrowhead Ave 1st Flr
San Bernardino, CA 92415

(Note: The comment period has since been extended to February 22)

On page 1 of the IS/MND, these additional parcels are added:

0625-071-05 (34.5 ac): RL-5 0625-071-07 (10 ac): RL-5 0625-071-08 (10 ac): RL-5
0625-071-09 (10 ac): RL-5 0625-071-10 (40 ac): RL-5

-What amount of acreage are they actually planning to use for the proposed facility?

-Why are they including this much additional acreage (which now totals 134.6 acres) in the IS/MND when it's not part of the Project Description in the NOA/NOI letter?

-What was the developer's intent when adding this additional acreage to the IS/MND when it's not included in the NOA/NOI letter?

-Will there be "weddings and other events" taking place outside of the 25-acre site?

The developers do not address any of these questions. Please refer to this section of CEQA:

From "Piecemealing or Segmenting" in the CEQA Portal:

"When future phases of a project are possible, but too speculative to be evaluated, the EIR should still mention that future phases may occur, provide as much information as is available about these future phases, and indicate that they would be subject to future CEQA review.

"CEQA case law has established the following general principles on project segmentation for different project types:

- For a phased development project, even if details about future phases are not known, future phases must be included in the project description if they are a reasonably foreseeable consequence of the initial phase and will significantly change the initial project or its impacts. Laurel Heights Improvement Association v Regents of University of California (1988) 47 Cal. 3d 376"

Policy LU-1.2 Infill development:

"We prefer new development to take place on existing vacant and underutilized lots where public services and infrastructure are available."

Comment: No infrastructure and limited public services are available in Wonder Valley.

-Why would this Project be considered for approval when there are no public services and no infrastructure available in Wonder Valley?

Policy LU-2.10 Unincorporated commercial development:

"We intend that new commercial development in the unincorporated areas serve unincorporated residential areas, tourists, and/or freeway travelers. We encourage new commercial development to be concentrated to enhance pedestrian circulation and reduce vehicular congestion and vehicle miles traveled, with new development directed into existing centralized areas when possible."

Comment: The location for the proposed Wonder Inn would not be located in an existing centralized area. Wonder Valley is zoned as Rural Living. The proposed location will increase vehicular congestion and vehicle miles traveled.

-Why have the developers chosen an area that is not centralized and that will only increase, not decrease traffic, due to increased miles to the proposed destination?

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.”

Comment: The Proposed Project has many structures over 20 feet tall and some over 30 feet tall which will certainly change the existing visual landscape. It would be the largest resort in the entire Morongo Basin. Only Motel 6 in 29 Palms has more rooms than the proposed hotel, yet the Motel 6 is in a centralized location with a much, much smaller footprint, has potable water and public services available. In addition, this proposed development would NOT preserve scenic resources. This Policy is a **requirement**.

-With so many tall structures atop a large footprint of 25 acres (+134.6 acres?), how does this Project “reflect the desert environment and preserve scenic resources?”

Comment: The developers have not provided any information about building materials that reflect the desert environment and preserve scenic resources. This is a **requirement** per the Policy.

-What materials will be used and how will those materials “reflect the desert environment and preserve scenic resources?”

Policy LU-2.3 Compatibility with natural environment:

“We **require** that new development is located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.”

Comment: The developers don’t state in the IS/MND *anything* related to this Land Use requirement. Based on size, location, design and compatibility with the environment, and in accordance with the requirements of Land Use Services and the Countywide Plan, this Proposed Project is *huge* in comparison with the surroundings, and definitely is NOT “located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity” **as required**, and should NOT be allowed to be built in Wonder Valley.

-How would this new development be located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity?

This question was not answered in the IS/MND.

Policy LU-4.7 Dark skies:

“We minimize light pollution and glare to preserve views of the night sky, particularly in the Mountain and Desert regions where dark skies are fundamentally connected to community identities and local economies. We also promote the preservation of dark skies to assist the military in testing, training, and operations.”

Comment: As of now, the existing commercial building on the Project site (the “Pink Building”) meets the requirements of Policy LU-4.7. If the proposed Wonder Inn were to be built it would not. The amount of artificial lights and lighting to illuminate a 24-hour facility this large with all the lights atop the tall structures, the parking lots, the signage, the gardens, the pools, the pathways, the stairways, the hotel rooms, the entire site. All this additional artificial lighting would certainly NOT meet the requirements of the Wonder Valley Community Action Guide Values Statement and Aspiration Statement, as well as the **requirements** of the Countywide Plan Policy LU-4.5 and Table LU-3.

-With so much additional artificial lighting required for such a large Proposed Project, how can this actually meet the dark sky requirements per the referenced Countywide Plan and Land Use Policies?

Please also reference section “I: Aesthetics” in these Response Comments for more information regarding Dark Skies.

Goal LU-5 Military Mission

-Would this Proposed Project’s new, excessive artificial illumination have any effect regarding the Twentynine Palms Marine Corps Air Ground Combat Center?

Policy LU-2.4 Land Use Map consistency:

“We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community’s identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity.”

Comment: Only 3.18 of the Project Site is currently zoned for Commercial Service. The remaining 21.22 acres are zoned for Rural Living, which is what the developer is proposing to change to a CS zone. This is in contrast with the Land Use Map LU-1, as well as Land Use Tables LU-1 and LU-2. In the Initial Study, the developers failed to reference any studies for the proposed change in zoning as required by CEQA, as well as any reference to “Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development

standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity.” See IS/MND page 62 where the CEQA questions and Land Use consistencies have not been answered.

-How could the County of San Bernardino allow this significant change of land zoning from RL-5 to CS when the developers have failed to follow the Land Use Policy plan and requirements by CEQA?

Policy LU-6.3 Commercial amendments.

“We will only approve Land Use Plan amendments that would introduce new commercial areas in the context of a comprehensive Land Use Plan amendment. We may waive this requirement when the proposed amended area abuts an existing or designated commercial area and the amount of land available for new commercial uses falls below 15 percent of the total commercially-designated land in the area.”

-Is there a comprehensive Land Use amendment for the proposed Wonder Inn site?

Comment: The Proposed Project abuts to an existing CS zoned 3.18 acres. The amount of land the developers have applied to change from RL-5 zoned to CS zoned is 22.18 acres. The total commercially designated land in the area is 3.18 acres. New commercial use must fall below 0.48 acres (15% of 3.18), and the proposed change of RL-5 to CS zoning of 22.18 acres far exceeds the 15% of the total commercially designated land in the area, therefore a comprehensive Land Use Plan amendment is **required** for the proposed Wonder Inn.

Comment: If the county approves this Project, it will cause a precedence and open the doors to other projects anywhere else in Wonder Valley for developers to change the zoning requirement of Rural Living to Commercial, which would only increase the erosion of the natural desert beauty, dark night skies, privacy, solitude and wide-open spaces which are some of the principles, standards and mores in accordance with the Wonder Valley Community Action Guide, San Bernardino Countywide Policy Plan.

-Why is this Project even being considered when the Principles of the San Bernardino Countywide Plan Land Use states that “New development should be focused in areas where there is potable water, wastewater treatment, roadways, and public services”?

Comment: Wonder Valley has none of the above. Wonder Valley was not established for large commercial development such as this hotel/resort/restaurant/event center/wedding site/spa/wellness center/conference hall. This is significant and bears repeating- **Wonder Valley has NO potable water, NO wastewater service or treatment, mostly dirt roads, and currently has NO public services.**

As per the San Bernardino Countywide Plan and Land Use Services Element and CEQA, the proposed Wonder Inn and all other large new proposed developments should NOT be

approved for construction in Wonder Valley. As set by the County of San Bernardino Land Use Services, Wonder Valley was not, and is not meant for large-scale development such as this proposed Wonder Inn.

-If the County of San Bernardino fails to follow its own Principles, how could we expect any developer to comply with those same Principles?

-If the County of San Bernardino fails to follow its own Countywide Plan, Policy Plan and Land Use Elements, how can we expect any developer to do the same?

-If this proposed development gets approved for construction, what are the representatives of the County showing and telling the community and their constituents when the County of San Bernardino doesn't stand by its own documents?

Numerous questions remain unanswered about this Proposed Project in LAND USE AND PLANNING, and in order to make an adequate determination of significant impacts this must be addressed with further study, and we request that a full, certified Environmental Impact Report per CEQA requirements should be completed for the Project and Project Site of the proposed Wonder Inn.

XIII. NOISE

The criteria characterized in the Initial Study/Mitigated Negative Declaration (IS/MND) are not consistent with the criteria required to characterize according to the California Environmental Quality Act (CEQA).

Initial Study	CEQA Checklist
	a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
b) Generation of excessive groundborne vibration or groundborne noise levels?	b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other Agencies?	c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
	d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?	e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Not adhering to the CEQA criteria as such is not only a procedural omission that by itself must lead to further evaluation and an Environmental Impact Report. The criteria left out are indicative of the project's disregard for the wellbeing and aspirations of the Wonder Valley residents.

No mention is made of or weight given to The Wonder Valley Community Action Guide of May 2019 on page 4, which identifies “Quiet” as one of the main Strengths and aspects of Wonder Valley to preserve.

No mention is made of the Hazard Element section of the 2020 San Bernardino County Wide Plan which also states.:

Policy HZ-2.8 Proximity to noise generating uses

We limit or restrict new noise sensitive land uses in proximity to existing conforming noise generating uses and planned industrial areas.

Below follows a review of and commentary on various of the criteria of the actual CEQA checklist for Noise. The indications a), c) etc. below are aligned to the criteria “coding” in the actual CEQA checklist.

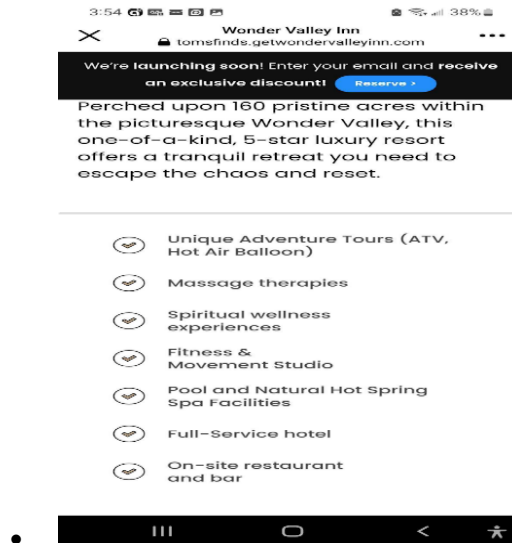
Criteria a) and c) of the actual CEQA checklist:

- a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

- c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?*

Yes, it is likely the Project will lead to this exposure and permanent increase, both direct and indirect. The sources of noise that will exist as a result of this Project will include:

- Increased traffic, not only on Amboy and on the Project’s parking lot, but throughout Wonder Valley, with visitors not only utilizing cars, but also All-Terrain Vehicles (ATV), Off Road Vehicles (ORV), and Motor Cycles. No assessment of the impact of this factor is provided in the IS/MND. Note that on the Facebook page promoting the project mention is made of “Unique Adventures Tours involving ATV’s:



- As most Wonder Valley residents can attest to, especially visitors utilizing ATV, ORV, and motorcycles will roam the whole area, not only on paved roads and unpaved roads, but also just crisscrossing the desert, ignoring private property lines or BLM areas, creating loud intrusions (and also dust...). No assessment of the impact of this factor is provided in the IS/MND.
- It is not unlikely air traffic will increase, with planes coming in and taking off from the Twentynine Palms Airport that is located just south of the project in Wonder Valley, *less than 2 miles away as the crow flies*. No assessment of the impact of this factor is provided in the IS/MND.
- Urban and rural noise travels very differently where there are open spaces. In addition the location of the Project is elevated, in comparison with a large part of Wonder Valley. No assessment of the impact of this factor is provided in the IS/MND.
- It is likely there will be music, events (including weddings) and live music at the proposed Wonder Inn. The IS/MND makes no mention of any of these activities or the size thereof and no analysis was done to project the impact on noise.
- The IS/MND states the following regarding the Existing Noise Environment:

“Based on one 24-hour ambient Noise measurement at the site, with the primary source being traffic on Amboy, the average noise level is 63.3 dB and the maximum noise level is 69.3dB
- The scope of the evaluation in the IS/MND, only considering traffic, is insufficient; the above mentioned factors have not been taken into consideration.

- The time period taken into account for the IS/MND's assertions re Existing Noise Levels is inadequate: 24 hours? Why only 24 hours? What day was looked at and why? A day with a lot of traffic for a particular reason? A study taking a much longer time period into account is required.
- The Appendices to the IS/MND have two tables that show measurement of the Ambient Noise Level: Table 5 on page 860 and Table 1 on page 870. The table on page 860 has measurements purportedly over a 24-hour period on 8/20/2021. The table on page 870 has measurements purportedly over a 24-hour period on 3/10-3/11-2022. The two tables, aside from the dates, **are identical**, with exactly the same measurements over the same time slots. This must be either a clerical error, it may indicate only one day was measured (which day) or it may indicate general sloppiness with data.
- The IS/MND and the Appendix state (cursive and bold added):

“Noise data **indicates** the ambient noise level average was 63.3 dBA CNEL at the project site. Maximum hourly levels reached up to 69.3 dBA at 2:00 p.m. as a result of traffic along Amboy Road”.

The word “indicate” does not mean “show”, it means “points to”. This leaves room for error or an alternate interpretation of the data. In fact, there is good reason to believe that the data as presented in the IS/MND does support a different and **lower** ambient noise level average than the 63.3 dBA CNEL stated in the Initial Sat the project site. Using the same data as in both tables (sic!), and, calculating the average for each Percentile level in noise and weighing the different percentile brackets according to their bandwidth, the average is calculated at 52.3 dB.

Also, using the same data, and highlighting when the measured ambient noise level is below 50 dB, it becomes clear that it is from the early evening until later in the morning that the noise levels are lowest, see below table:

Date	Time	1-Hour dB(A)							
		LEQ	LMAX	LMIN	L2	L8	L25	L50	L90
8/20/2021	11:00AM-12:00PM	63.3	78.9	42.0	68.2	67.3	63.4	62.0	58.8
8/20/2021	12:00PM-1:00PM	62.9	78.8	38.5	69.0	66.5	63.8	61.9	53.5
8/20/2021	1:00PM-2:00PM	65.1	78.9	41.9	70.6	68.7	66.1	63.7	57.5
8/20/2021	2:00PM-3:00PM	69.3	83.2	45.9	74.4	72.8	70.7	67.9	63.3
8/20/2021	3:00PM-4:00PM	68.7	80.3	45.0	73.2	72.0	70.3	67.9	62.2
8/20/2021	4:00PM-5:00PM	67.1	81.8	44.6	71.9	70.1	68.0	66.2	62.1
8/20/2021	5:00PM-6:00PM	61.1	75.7	35.4	66.6	64.9	62.3	60.0	50.9
8/20/2021	6:00PM-7:00PM	61.1	86.1	34.6	67.0	64.6	61.0	58.4	51.5
8/20/2021	7:00PM-8:00PM	55.5	78.9	30.5	64.5	60.1	54.5	48.1	33.6
8/20/2021	8:00PM-9:00PM	50.1	70.1	30.5	55.3	54.5	52.3	47.8	33.6
8/20/2021	9:00PM-10:00PM	50.8	71.9	30.5	57.9	55.2	52.4	47.4	36.9
8/20/2021	10:00PM-11:00PM	56.1	72.5	36.9	62.0	58.7	56.5	54.8	51.6
8/20/2021	11:00PM-12:00AM	56.7	75.5	33.6	62.3	59.6	57.9	55.8	49.4
8/20/2021	12:00AM-1:00AM	51.9	72.3	30.4	59.3	57.7	51.9	46.8	35.3
8/20/2021	1:00AM-2:00AM	47.9	72.8	30.4	57.9	51.7	44.1	37.5	32.3
8/20/2021	2:00AM-3:00AM	47.1	65.6	30.4	54.4	51.6	47.3	44.3	37.4
8/20/2021	3:00AM-4:00AM	46.7	68.1	30.4	55.4	52.9	44.8	41.3	33.9
8/20/2021	4:00AM-5:00AM	43.1	68.9	30.4	53.1	44.6	40.4	37.2	31.5
8/20/2021	5:00AM-6:00AM	57.1	85.1	30.3	62.9	57.4	51.6	35.2	30.5
8/20/2021	6:00AM-7:00AM	52.9	75.6	30.7	60.3	57.7	54.1	45.7	37.7
8/20/2021	7:00AM-8:00AM	55.4	77.1	31.1	63.1	60.2	56.7	52.0	39.7
8/20/2021	8:00AM-9:00AM	57.5	80.3	30.8	65.0	62.0	57.9	53.3	46.1
8/20/2021	9:00AM-10:00AM	55.4	73.5	30.7	61.1	60.2	56.5	54.0	43.0
8/20/2021	10:00AM-11:00AM	56.8	74.5	30.3	62.4	60.7	57.8	55.8	47.1
CNEL		63.3							
Notes:									
¹ Short-term noise monitoring location (ST1) is illustrated in Exhibit E.									

The average noise level over the time period from the 12 hours from 7PM until 7AM is 45.5 dB, calculated in the same way as the 52.3 dB for the full day was arrived at mentioned above.

Note that according to Caltrans in 2013 the noise level in a quiet rural area is 20 dB.

The IS/MND does not differentiate the noise impacts by time of day, where it is likely that, especially but not only with events in the evening, the addition to the noise levels from the Project to the ambient noise level will be even greater than during the day.

- The IS/MND completely ignores the County policies as mentioned above that state:

We limit or restrict new noise sensitive land uses in proximity to existing conforming noise generating uses and planned industrial areas (Policy HZ-2.8).

No mention is made of or weight given to The Wonder Valley Community Action Guide of May 2019 on page 4, which identifies “Quiet” as one of the main Strengths and aspects of Wonder Valley to preserve.

Note the developers for this Project have acquired more land around the current project site, 20 acres North across from the project's site off of Amboy and a 5-acre parcel just east on Gammel South of Amboy, to be used likely for "event parking", housing or service buildings, all with further noise increase impacts, none of which have been addressed in the IS/MND.

Criterion b) of the actual CEQA checklist:

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

- The project will utilize a back-up generator for when electricity is out. This is likely to occur in the future, from personal experience any Wonder valley resident will attest that power outages happen say 2-5 times a year, lasting up to 24 hours. The electricity draw from the project is likely to increase the frequency of power outages since some are caused by excessive demand. The IS/MND does not provide any information regarding the impact on noise levels of the use of the planned generator in case of power outages.
- The IS/MND states that construction, repair, or excavation work performed must occur within the permissible hours. There are no sensitive receptors within 1,000 feet of the Project Site, and the Project would comply with the County's Noise Ordinance and that therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.
- This evaluation does not include any objective measurements, does not take into account that sound travels much more in the desert, that urban and rural noise travel very differently and that, even a temporary increase in noise level would detrimental to the Wonder Valley community's stated element of "Quiet" as one of the main Strengths and aspects of Wonder Valley to preserve in addition to being inconsistent with the San Bernardino County General Plan, in particular with the elements outline above.

Criteria d) and e) of the actual CEQA checklist:

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

- Sound travels much more in the desert. Urban and rural noise travels very differently. The Initial Study's prediction regarding the amount of noise that will happen during construction, and how far the noise will travel in this rural environment is not substantiated with objective analysis / measurements.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The distance between the project site and the Twentynine Palms Airport is less than 2 miles as the crow flies. No impact assessment has been provided in the IS/MND to evaluate whether the project will expose people residing or working in the project area to excessive noise levels. For the purposes of effectively evaluating the effects of air traffic noise from the Project, Wonder Valley should be considered as a collective whole for the impact of increased air traffic assessment.

Conclusion: a full Environmental Impact Report must be done to assess the effects of noise upon surrounding residences before this project can move forward.

XIV. POPULATION AND HOUSING

POPULATION AND HOUSING - Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Comment: The Wonder Inn project would create substantial unplanned and unsupported population growth in Wonder Valley. On a daily basis the operation of the Wonder Inn Hotel would result in a concentrated increase in the population of Wonder Valley by approximately 250 people including guests, visitors, and workers. This represents an increase in population by 24.5% based on Wonder Valley Census data from 2020 and the expected occupancy from the Wonder Inn developers themselves.

A 24.5% increase in daily population could have significant negative impacts on infrastructure and the limited public services available to Wonder Valley residents. An Environmental Impact Report (EIR) is needed to assess the impact of this influx of daily visitors on the population of Wonder Valley.

Referencing page 69/92 Initial Study/Mitigated Negative Declaration (IS/MND):

“With approval of the CUP and zone change to Service Commercial, the Proposed Project would be consistent with the Countywide Policy Plan. The Proposed Project does not involve construction of new homes so it would not induce unplanned population growth. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.”

The Wonder Inn developers have stated above in their IS/MND that the proposed project does not include the construction of new homes. It has come to light in recent days, however, that the owners of the Wonder Inn have begun publicly advertising the sale of 24 “luxury villas homes” which will be built on the remaining 113.4 acres they own adjacent to the Wonder Inn. It should also be noted that in addition to the original 136.4 acres, the owners of the Wonder Inn had purchased an additional 50 acres in 2021. This indicates their intention of significant future development on the remaining acreage leading to a cumulative impact on the population of Wonder Valley which has not been studied in any capacity. Please see the advertisement below (<https://www.modly.com/community/joshua-tree>):

Homes developed within Joshua Tree's newest luxury resort

A truly one-of-a-kind resort named Wonder Valley Inn is in development in the heart of Joshua Tree, California just 10-minutes away from the North entrance of the National Park. The resort will feature 106 bungalow suites, a spa with fitness facilities, an expansive oasis swimming pool with adjacent hot tubs and a full-service restaurant & bar. On the 160 acre site, we will be constructing 24 private villa homes, each sitting on a private 5-acre site. Each contemporary home will consist of 4 bedrooms and 3 bathrooms with all the amenities you'd expect including a swimming pool, hot tub, outdoor showers, fire pits, solar panels and an electric car charger. Homeowners can occupy the homes year-round or they can opt-in to have the hotel manage the homes for guests to rent them out at \$1,000 Average Daily Rate. This is a fantastic opportunity to own a second home which pays for itself. Residents can move into their Wonder Valley Villas by Q4, 2024.

Lot prices will be starting at approximately \$150,000.

Thinking about purchasing a home as an investment property?

Purchasing a Palari Villa as a rental property is an excellent way to earn passive income. The home can be rented out on a short-term basis (vacation rental), which provides several benefits you may not have considered, including the following:

1. **Maximizing Profit** – The income generated from a short term rental is generally 2-3X higher than long term rentals.
2. **Easily & Professionally Managed** – No effort is required on your end. We have contracts with professional 3rd party management companies that will make sure your property is well maintained and properly managed when you're not using it yourself. We have partnered up with the world's largest vacation rental management company who has a successful track record in maximizing profit for homeowners.
3. **Flexibility Allowing For Personal Use** – You can enjoy the home yourself whenever you want! Block off some vacation time with your family or friends and come enjoy!

During inflationary times, real estate has historically been one of the best hedges as home prices tend to keep up with the rising cost of living. Real estate allows you to diversify your portfolio and own tangible assets which are considered safer and more stable in comparison to other asset classes

The above advertisement indicates the plan of the Wonder Inn developers to establish a \$1000/rate for a short-term rental villa community that will be managed by the hotel/ inn. This exploits a known loophole in San Bernardino County's Short-Term Rental (STR) ordinance that allows multiple co-developed "single family homes" to be managed as a hotel. The Wonder Inn developers can effectively create hotels of unlimited size in areas where zoning would not otherwise allow them.

Given this loophole in the zoning code, the developers plan for extensive future development and the potential cumulative impact of the current and future Wonder Inn related projects an EIR is needed to determine the overall impact on the population and housing situation in Wonder Valley.

The Wonder Inn and any planned future development would not only have an impact on the resources available to the current population of Wonder Valley like access to water, access to public services, traffic issues etc., but is in opposition to the Values of the Wonder Valley population/ community as outlined in the Wonder Valley Community Action guide highlighted in the following paragraph.

From Wonder Valley Community Action Guide, page 4:

The Values are those shared assets, principles, standards, mores, and in the judgment of the community, what is important in the lives of its residents and businesses. A community's values are an important consideration in shaping its aspirations, focus and actions.

As a community, Wonder Valley values:

- *Rural Atmosphere. The large lots and space between properties give residents room to breathe. Wide open spaces allow residents to appreciate and maintain the solitary, laid-back lifestyle of this area.*
- *Natural Desert Beauty. Residents value the beautiful sunrises and sunsets, the dark and starry night skies and the desert views and wildlife.*
- *Community Spirit. Wonder Valley is a tight-knit community whose residents value self-reliance and neighborly support. The people have a respect for nature, freedom, privacy, and each other. Here, residents work together but also enjoy their independence and being left alone in solitude.*

With the Wonder Inn developers owning a combined total of 180+ acres in a localized area of Wonder Valley the large-scale development would be in sharp contrast to the values of the Wonder Valley population. The project would effectively destroy the rural atmosphere, the natural desert beauty and with future development of STRs will effectively destroy the community spirit of Wonder Valley. An Environmental Impact Report (EIR) is needed to determine what effect such dramatic and rapid changes (both the Wonder Inn and Villas are advertised as opening in 2023) would have on the emotional and psychological well-being of the current Wonder Valley population.

Comment: The Wonder Inn IS/MND failed to disclose their plans to develop additional STR villas on the additional 113.4 acres surrounding the Wonder Inn. Despite not disclosing this information or including it in the initial study the Wonder Inn developers and their agents have gone forward with advertising the villa development publicly and are seemingly soliciting investment into the development as well. As per CEQA this would be considered Piecemealing or Segmenting.

From Piecemealing or Segmenting in the CEQA Portal

(<https://ceqaportal.org/tp/CEQA%20Project%20Description%202020%20Update.pdf>):

“When future phases of a project are possible, but too speculative to be evaluated, the EIR should still mention that future phases may occur, provide as much information as is available about these future phases, and indicate that they would be subject to future CEQA review.

“CEQA case law has established the following general principles on project segmentation for different project types:

“For a phased development project, **even if details about future phases are not known, future phases must be included in the project description if they are a reasonably foreseeable consequence of the initial phase and will significantly change the initial project or its impacts.** *Laurel Heights Improvement Association v Regents of University of California* (1988) 47Cal. 3d 376”

As noted in the CEQA case law established above, future phases **MUST BE INCLUDED** in project description. The developers of the proposed Wonder Inn failed to inform the County of their plans to build these additional 24 homes, they are already soliciting buyers for these homes, and have shown blatant disregard for CEQA and the County of San Bernardino Land Use Services by withholding their intent for this land use, to build residential private villas.

The current IS/MND is not sufficient to make an adequate assessment of the potential significant impacts of Wonder Inn and its undisclosed villa development. A full, certified Environmental Impact Report per CEQA requirements should be completed for the Wonder Inn project site, additional adjoining acreage included in the advertised villa development and any unaccounted-for parcels in the Wonder Valley area owned by the developers of the Wonder Inn.

POPULATION AND HOUSING - Would the project:

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Comment: Trends in real estate transactions show that tourism brings an increase in investors seeking to capitalize on possible profitability. Throughout the Morongo Basin there has been a trend in the increase in conversion of existing homes into STRs and the building of new homes as VHRs (vacation home rentals) by investors. The effect of this has been housing being removed from the market and new home builders incentivized to build VHRs versus new homes for the existing population and new arrivals seeking/ needing affordable permanent housing. This has effectively resulted in an unprecedented housing crisis for long-term residents who have lived in this historically disadvantaged area before the boom in tourism associated with visits to Joshua Tree National Park.

The same displacement could occur in Wonder Valley where low-income and older residents could face eviction from their rented housing and any new housing would focus on luxury developments designed primarily for the STR market. The Wonder Inn seeks to establish Wonder Valley as a destination for well-heeled travelers and are already advertising investment opportunities through real estate development in the area. An EIR is needed to conform with the environmental justice requirements of CEQA to determine whether this development will result in the displacement of existing residents who may be forced to seek already limited housing resources elsewhere and whose needs are not being considered in any development plans.

Comment: The significant increase in the population of Wonder Valley by affluent visitors combined with the extensive planned development and advertising of luxury villas in a disadvantaged community signals the gentrification of Wonder Valley and potential displacement of low income and elderly residents in favor of wealthier investor owners. In December 2022, the Court of Appeal for the First Circuit of California issued a tentative court ruling that gentrification and displacement are issues that must be analyzed under the California

Environmental Quality Act (People's Park UC Berkeley). Developers may now be required under CEQA to consider a proposed project's "indirect displacement" of residents and potential effect on gentrification and homelessness. A full EIR is required to determine if the Wonder Inn project and any of its planned future development will result in the gentrification of Wonder valley and the displacement of vulnerable residents.

XV. PUBLIC SERVICES

Welcome to Wonder Valley!



COMMUNITY OVERVIEW: Wonder Valley is located in the southeastern area of San Bernardino County, which is by area the largest county in the United States, consisting of 20,105 square miles. The majority of the 2.2 million people who reside in San Bernardino County live in a relatively small urban section of the southwest part of the county.



By contrast, Wonder Valley is a 147 square mile rural and sparsely populated high desert community, established in 1938 with the historical Small Tract Homestead act. It is exactly this rural and sparse quality that gives Wonder Valley its unique character and bestows its most prized assets: quiet, solitude, spaciousness, dark night skies, and abundant wildlife, to name a few. Wonder Valley is the type of community that gets excited about a beautiful sunset, and spreads the word when the snakes come out in the Spring (be careful, folks!)

The following word cloud was created during a community survey done in 2018, and highlights the values of this community. It is also from the Wonder Valley Action Guide, part of the San Bernardino County Wide Plan. The size of the words are indicators of how often that word was mentioned in the survey.



As a community, Wonder Valley values: (*source: Wonder Valley Community Action Guide <https://countywideplan.com>*),

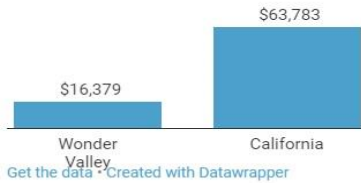
- **Rural Atmosphere.** The large lots and space between properties give residents room to breathe. Wide open spaces allow residents to appreciate and maintain the solitary, laid-back lifestyle of this area.
- **Natural Desert Beauty.** Residents value the beautiful sunrises and sunsets, the dark and starry night skies and the desert views and wildlife.
- **Community Spirit.** Wonder Valley is a tight-knit community whose residents value self-reliance and neighborly support. The people have a respect for nature, freedom, privacy, and each other. Here, residents work together but also enjoy their independence and being left alone in solitude.

Wonder Valley is a poor community with a median income of \$16,379 (*Source below*). We are a sparsely populated community of 1019, mostly older residents (average age 59.3), many of which have lived here most of their lives. We have many artists, performers, musicians, and people who simply want to live a quiet, affordable life away from the bright lights and noise of the city.

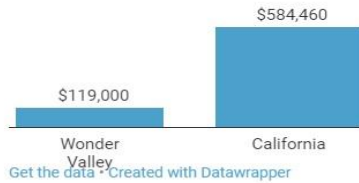
Older and poorer

People in Wonder Valley tend to be older and have a lower household income compared to the California median. Additionally, the cost of living in the region is much cheaper than the rest of the state, as is evident in real estate prices.

Median household income



Median home price



Median age



Sources: U.S. Census Bureau, Redfin and the California Association of Realtors
Charts: Robert Hopwood, The Desert Sun

Source: Desert Sun 2018 [desertsun.com](https://www.desertsun.com)

In recent years, Wonder Valley has seen a significant increase in population. In 2013, Wonder Valley population was estimated to be 615 ([sbcsentinel.com](https://www.sbcsentinel.com)). In the 2020 census, Wonder Valley population was estimated to be 1019, almost doubling in 10 years. There are a few reasons for the recent upward trends:

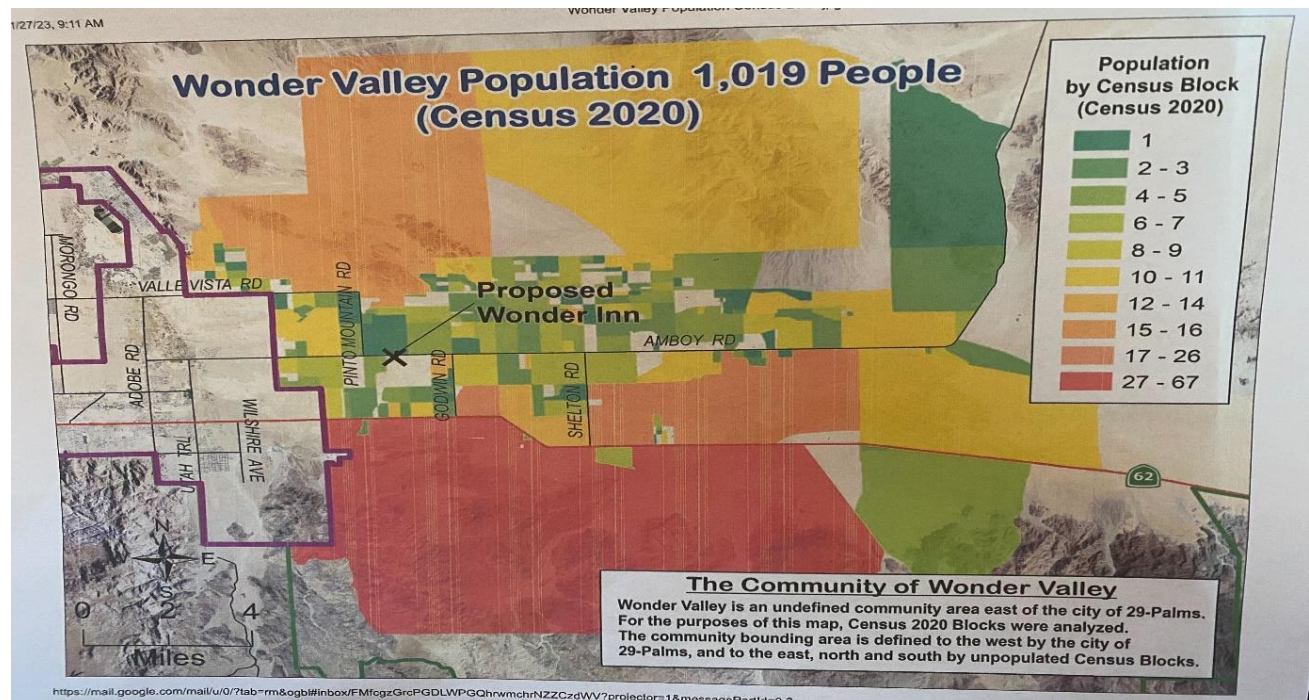
- Tourism has substantially increased at Joshua Tree National Park, having increased from 1.4 million visitors in 2012 to well over 3 million visitors per year in 2022.
- Simultaneous to the increase of tourism to the park, Short Term Rentals exploded upon the scene. Beginning in roughly 2012, numerous properties (including some uninhabited or abandoned properties) in Wonder Valley were being purchased, renovated, and turned into STR's. There are currently an estimated 60 active STR's in Wonder Valley. *(Note: the many guests that enjoy these short-term rentals are not included in the population count used to estimate the Public Services needed to safely cover Wonder Valley.)*
- Property prices are low in Wonder Valley. The median home price in California is \$834,400. The median home price in Wonder Valley is \$135,000. ([redfin.com](https://www.redfin.com)) Many people who have been priced out of their former neighborhoods have migrated to Wonder Valley, where one can buy a home on 5 acres for less than the price of rent in the cities. (The average rent in California was \$2,686 a month in 2022; a mortgage payment on \$135,000 is roughly \$900 per month.) As tourism surges at Joshua Tree National Park, the desert region has become California's hottest housing market. ([theguardian.com](https://www.theguardian.com))
- During the 2 years of isolating at home during the pandemic, many people shifted to telecommuting, and are now able to live in this rural area and maintain employment.

An increase in population creates a need to increase public services. However, during the time the population of Wonder Valley was rising, the Wonder Valley fire station was closed (2017), and our fire and paramedic response now comes from the City of Twentynine Palms. This change increased our response times to dangerous lengths. We currently do not have adequate Public Services for our community - especially Fire and Paramedic services, resulting in numerous homes burning to the ground due to insufficient fire response. (More on this later.)

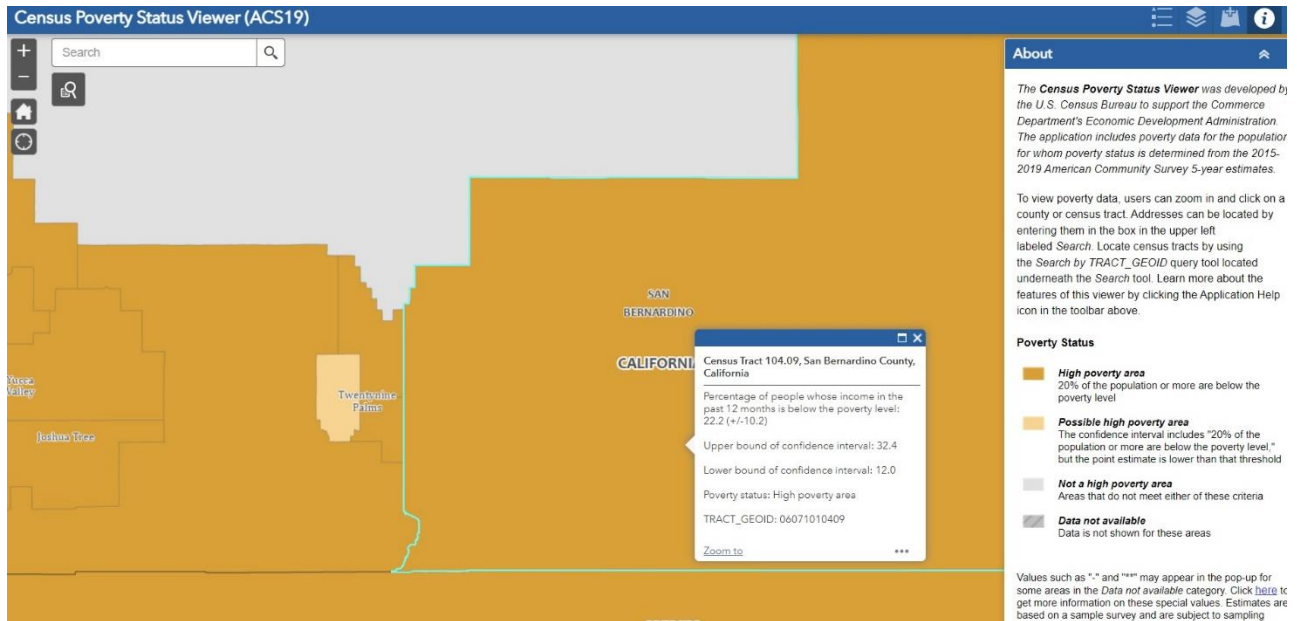
The addition of the proposed Wonder Inn will further increase the burden upon Wonder Valley's already stressed Public Services. This proposal estimates 160 daily guests, 40 visitors and 20 staff. That is an additional 220 people added to our existing population of 1019, increasing demand for services in our area by roughly 20%.

We've recently learned that there is to be an additional 24 – 4-bedroom STR homes built on the currently owned 183 acre property, which would increase demand upon Public Services even more. (Please see 'Size, Scope and Piecemealing' in this Response Comment Document for more information.) Using a rough estimate of 2 persons per household, this phase of the project would increase population by 48, adding an additional burden of roughly 5%, for a total of 26% increased demand upon our Public Services. As the Luxury Villas are planned to be 4 bedroom and will also be made available as Short-Term Rentals, we can expect the occupancy will be higher than 2 people per household.

I should mention that it is very difficult to find consistent statistics on the population, income level, average age and other demographics for Wonder Valley, including in the 2020 Census, City Data website and several professional news sources. I presume this is because we are an unincorporated area and our boundaries are not clearly defined. Sadly, this leaves me with the impression that the Wonder Valley community is so underserved that we don't even merit study. For the purposes of this comment document, I will be using this number for current population:



And, this poverty status map from the US Census, indicating Wonder Valley is a high Poverty area:



From the San Bernardino County Policy Plan 2020: **Safety & Security Section, Hazards Element**

Principles: We believe:

- A safe environment is necessary to build and maintain a sustainable and prosperous county.
 - The County is proactive in lessening risks from natural and human-generated hazards.
 - Reduction in the loss of life, injury, private property damage, infrastructure damage, economic losses, and social dislocation can be achieved through planning and preparedness.
 - Emergency response and recovery efforts contribute to a resilient county, given unavoidable emergencies and natural disasters.
 - Those who live in unincorporated disadvantaged communities should not be burdened with elevated exposure to pollution risks and reduced access to public facilities and services.
-

THE PROPOSED WONDER INN PROJECT

The Wonder Inn project aims to exploit Wonder Valley's community assets (our quiet, solitude, spaciousness, dark night skies, and abundant wildlife, etc.) for profit, and will destroy these community assets by building this large luxury resort and event space here in our quiet valley.

On page 584 (pdf page) of the Proposal Appendices, we can read about the project's intention: "The goal is to create peace. The lodge provides guests a rural experience that frames and creates a slow, secluded moment to relax and connect with the landscape, horizon, and a dark, starlit sky." I understand the allure of Wonder Valley and why people would be drawn to this area – it is why we chose to live here. But the project developers fail to see how this large hotel would negate the very experience they hope to create. The project proponent mentioned that he has been coming here for 2 years (*Source [youtube](#)*), which corresponds to the purchase of the bulk of this land in 2020. We are not confident that the developers know this community at all, and we fear that they only see an opportunity to exploit this undeveloped land for their own profit.

This project would offer no benefits to Wonder Valley residents. The fire department collects only 2.5% of the property taxes collected from the residents of Wonder Valley (compared with 22-25% of the taxes collected in Yucca Valley.) So, the increase in tax revenue generated by this hotel would not be sufficient to cover the additional services needed to cover the extra burden they will create. Instead, as an underserved rural community, this proposed luxury resort will draw upon the already insufficient Public Services responsible for covering this undeveloped CS70M service area. (More on this later.)

Keep in mind the following visual of the endless views of this Wonder Valley neighborhood, (which is just south of the proposed location for the proposed Wonder Inn) as you read the project description:



An aerial view of Wonder Valley. Jay Calderon/*The Desert Sun*

The Wonder Inn proposal includes a 4,407 sq.ft. lobby/restaurant, a 5,000 sq.ft conference room, a 3,985 sq.ft. spa/wellness center, 106 guest rooms, plus ancillary structures for staff, a 3,300 sq.ft. multipurpose tent for gatherings, including a 1,700 sq.ft. building for restrooms, a 6,300 sq.ft./ 214,000-gallon swimming pool (almost half the size of an Olympic pool), a 40 sq ft / 1,100-gallon hot tub, an astronomy pergola, sunken gardens, etc. This Proposed Project also includes a 210-space parking lot onsite – and (not stated in original application, but purchased in 2021) an additional 20 acres across the street, northwest on Amboy, presumably for event parking.

This proposed project will include amending 21.22 acres of the site from Rural Living (RL) to Service Commercial (SC) zoning. The current 3.18 acres of CS zoning on this property was part of a jobo farm, which is a quiet and peaceful use of the land that was compatible with Wonder Valley's way of life and population level (though not compatible with the water needs of this area.)

As a large luxury hotel and event center, the proposed Wonder Inn project is vastly different from the community it plans to locate into, and it does not fit in with the existing local character of Wonder Valley (<https://countywideplan.com>). There is only 1 other SC zoned parcel in Wonder Valley, which is the Palms restaurant, roughly 6 miles east of the site of this Proposed Wonder Inn Project. The Palms is a historic community gathering place, established in 1961, owned and operated since 1996 by The Sibley's, a local Wonder Valley family. Of note, the Palms is a rustic, rural, tavern type establishment, and is quite consistent with the laid back, rural character of Wonder Valley. The Palms does not have streetlights, nor outdoor building lights. The Palms preserves the dark desert night, which supports stargazing, one of our favorite activities in Wonder Valley.

This is the Palms, as viewed on Google Maps Street View:



ENVIRONMENTAL JUSTICE: There is no mention of the Wonder Valley community - nor any community descriptors, in the Initial Study, nor in the 895 pages of analysis reports and information included in the Appendices. This reflects poorly upon the project applicants. One might conclude that they have neither interest in, nor concern about our Wonder Valley community - or their impact upon it. Fortunately, the California Environmental Quality Act (CEQA) requires Environmental Justice be included in the CEQA studies, which it appears may not have been done for this project. Therefore, a complete Environmental Impact Report (EIR) must be done to include this vital area of study.

Per former California Attorney General Kamala Harris, “Human beings are an integral part of the ‘environment.’ An agency is required to find that a ‘project may have a ‘significant effect on the environment’ if, among other things, ‘the environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.” (Source: <https://oag.ca.gov>) Further, “The Attorney General is particularly concerned that land use planning and permitting decisions consider and address any additional burdens on environmental justice communities.” (Source: oag.ca.gov/environment/justice)

Indeed, people are part of the environment and this project will have significant impacts upon our rural and underserved community, especially for the people who live here full time. At minimum, the character of our community will be significantly impacted and devalued by the addition of this large, luxury hotel and event space. Our quality of life will be dramatically changed. And, at worst, our safety will be at risk, and lives and property may be lost due to the increasing demand upon the already insufficient Public Services in this underserved community.

From the San Bernardino County Policy Plan 2020:

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

- document to the County’s satisfaction how an applicant will address environmental justice concerns potentially created by the project; and
- present a plan to conduct at least two public meetings for nearby residents, businesses, and property owners to obtain public input for applications involving a change in zoning or the Policy Plan. The County will require additional public outreach if the proposed project changes substantively in use, scale, or intensity from the proposed project presented at previous public outreach meeting(s).

Wonder Valley is indeed in an unincorporated environmental justice focus area. In addition, this project proposes to change zoning on 24 acres. To date, the applicants have not conducted a public meeting. In addition, we have recently learned that there are additional plans for 24 STR homes – not included in the original application, which will indeed substantially change the scale of the project.

These are a few of the many reasons why I am requesting that a complete, certified Environmental Impact Report per the requirements of CEQA be done to fully address the

significant numerous adverse impacts upon this peaceful desert community. It is my belief that this full study will reveal the many reasons why this project is not suitable for this area.

PUBLIC SERVICES – CONCERNS AND QUESTIONS

PROJ-2021-00163CEQA INITIAL STUDY - MND: Public Services Area

CEQA: San Bernardino County Initial Study/Mitigated Negative Declaration Environmental Checklist, doc, page 69-71:

XV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire Protection? FINDING: “Less than significant”

>study is not sufficient to support this determination

Police Protection? FINDING: “Less than significant”

>study is not sufficient to support this determination

Before we can effectively evaluate the impact this project would have upon Wonder Valley and its community, we first must be clear on the actual size and scope of the project. There are 2 essential areas in which we need more information: staffing numbers and size and scope of the project.

STAFFING: The estimated staffing number given for the proposed Wonder Inn seems insufficient. For a luxury hotel with all the amenities mentioned in the project description, it seems we could expect the following staffing possibilities:

- Manager (General and Assistant), likely 1 onsite at all times
- Housekeeping: 8-9 maids, depending on occupancy (Source: allianceonline.co.uk)
- Janitorial for public areas and public restrooms and showers
- Lobby: reception desk / reservations agent, cashier, concierge, Security,
- Restaurant (*24 hour restaurant with seating for 100*): hostess, servers, bartender, prep cooks, sous-chef, chef, dish bussing staff, dishwashers, etc. – estimate between 10 to 40 employees (Source: escoffier.edu)
- Spa services: reservation coordinator, massage staff, yoga instructor, mani/pedi services, skin care, etc.
- Pool and Hot tub maintenance, lifeguard

In addition to the proposed Wonder Inn’s restaurant, bar and 106 guest rooms, this luxury hotel also plans to be an event space. We need clarification of the size and scope of possible events this venue might host, including how many additional staff may be required for event support. Here are a few possible staffing needs:

- Weddings / Parties / Corporate meetings / Conventions could include 50-100-200-500 or more guests, and staffing to support this number of guests could include an Event Coordinator, set up crew (chairs/tables/stage/shade covers/additional dining

- areas, etc.), catering staff, additional servers, additional dish staff, additional dishwashers, additional security, parking attendants, clean-up crew, etc.
- Larger events such as music festivals or Bhakti-Fest type events could include a couple thousand event participants and would require delivery of Porta Potties, Event Coordinators and assistants, cashier/ticketing staff, seating hosts, lighting and audio staff, stage crew, set up crew or delivery and set up by rental equipment vendors, additional reception desk staff, hosts, additional ticketing/reservation/will call agents, additional security, additional parking attendants, additional catering staff and servers, additional clean-up crew, etc.
 - *NOTE: for the purpose of evaluating the impact of the proposed Wonder Inn upon Wonder Valley, all contract staff and vendors should also be included in the staffing estimates.*

What will be the effect of this project on Public Services availability to Wonder Valley residents? Without this information, it is impossible to know. We need a full Environmental Impact Report to assess this.

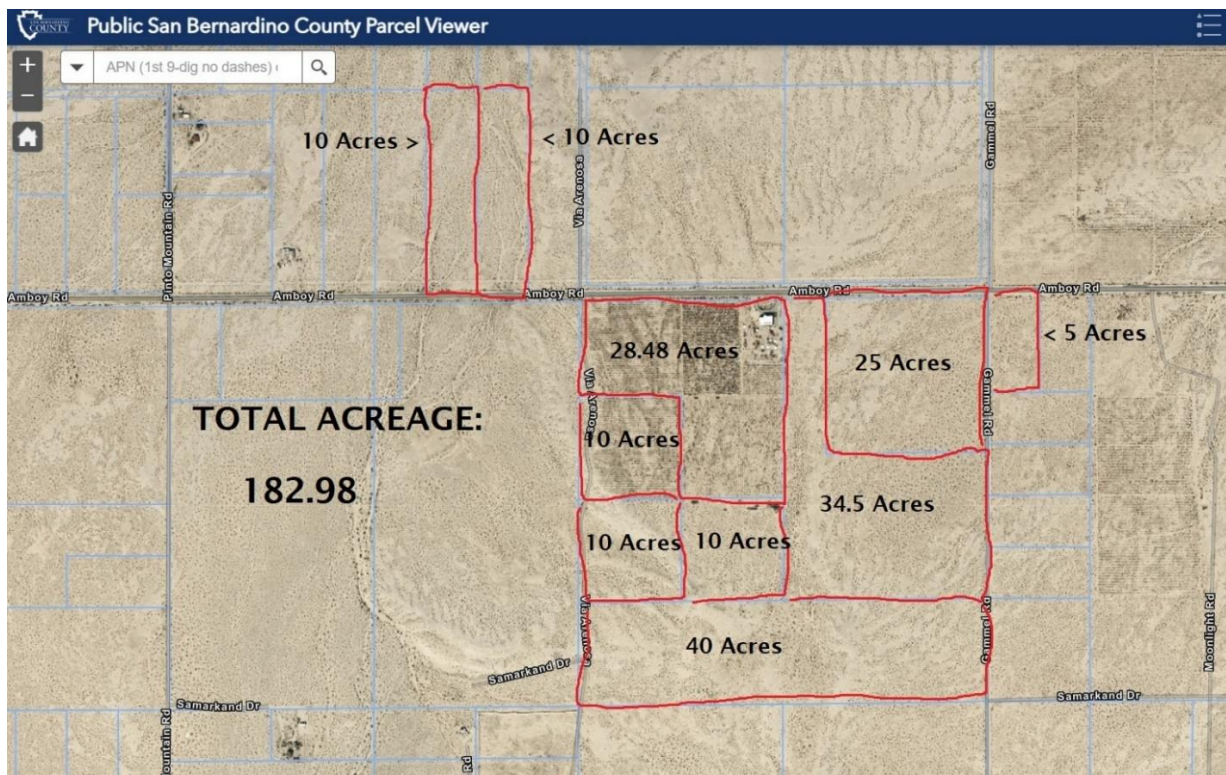
- **QUESTION:** How many events does the proposed wonder inn expect to host per month? per year?
- **QUESTION:** What is the anticipated average number of guests expected to attend weddings and similar parties?
- **QUESTION:** What is the maximum number of event attendees possible with the current building plans?
- **QUESTION:** Will outdoor events increase the number of guests possible?
- **QUESTION:** What plans might there be to expand this hotel and its amenities in the future?
- **QUESTION:** Assuming events guests will be in addition to the 160 hotel guests, 40 visitors and “20 staff” (please see sections above on staffing estimate), how often would the number of guests and event participants, plus the additional event staff outnumber the total residents of Wonder Valley?
- **QUESTION:** Does the Wonder Inn plan to host large events, such as Bhakti Fest, or music festival type events?
- **QUESTION:** How will large events impact Wonder Valley residents’ ability to get the emergency services that we need, when an event over 1,019 people would outnumber the total population of wonder valley?
- **QUESTION:** How many service calls might a large event with 200 people require? or an event with 500 people? with 1,000 people? with 2,000? with 5,000 attending?
- **QUESTION:** As a point of reference, what were the service calls generated by the Bhakti-Fest event held at Joshua Tree Retreat Center (aka Mental Physics) in September 2015, when roughly 2,000 attendees, 50 music groups and 100 vendors were expected to attend? what Fire / EMT personnel and equipment were assigned to the event site during the event?
- **QUESTION:** Will there be any County limits on the size of events at this location?

Included in the total acres owned by the project proponents is 20 acres northwest across Amboy, presumably for overflow event parking for this facility. One acre of empty land can accommodate roughly 150 vehicles; 20 acres would be able to accommodate as many as 3,000 vehicles. (Source: utia.tennessee.edu) This means thousands of pedestrians could be walking across this busy scenic route, where cars are traveling 60-70 mph, and there is enough of an incline to make pedestrian visibility difficult for west bound traffic. (Please see photos in EMS / RESCUE / TRAFFIC section of this comment section.)

- **QUESTION:** Why were these 20 acres not included in the proposal?
- **QUESTION:** Can the project applicant confirm, or explain, what is intended for the 20 acres north of Amboy Road?
- **QUESTION:** Would these individual parcels (#2 - 10-acre parcels) require a separate CEQA study if the project developers decide to grade and/or pave them at a later date? What permitting would be required?
- **QUESTION:** Will a traffic light and pedestrian crosswalk be installed at the project entrance?
- **QUESTION:** Will sidewalks be installed to keep pedestrians from having to walk on the highway?
- **QUESTION:** If so, who will pay for these improvements? Is this a taxpayer expense? Will Wonder Valley residents be assessed for the cost?

PROJECT SIZE AND SCOPE is unclear. The Wonder Inn project applicants have given us a broad stroke view of their project, but there is much information missing. We have many questions regarding the total acreage of the parcels currently owned by the project applicants and how this land will be used.

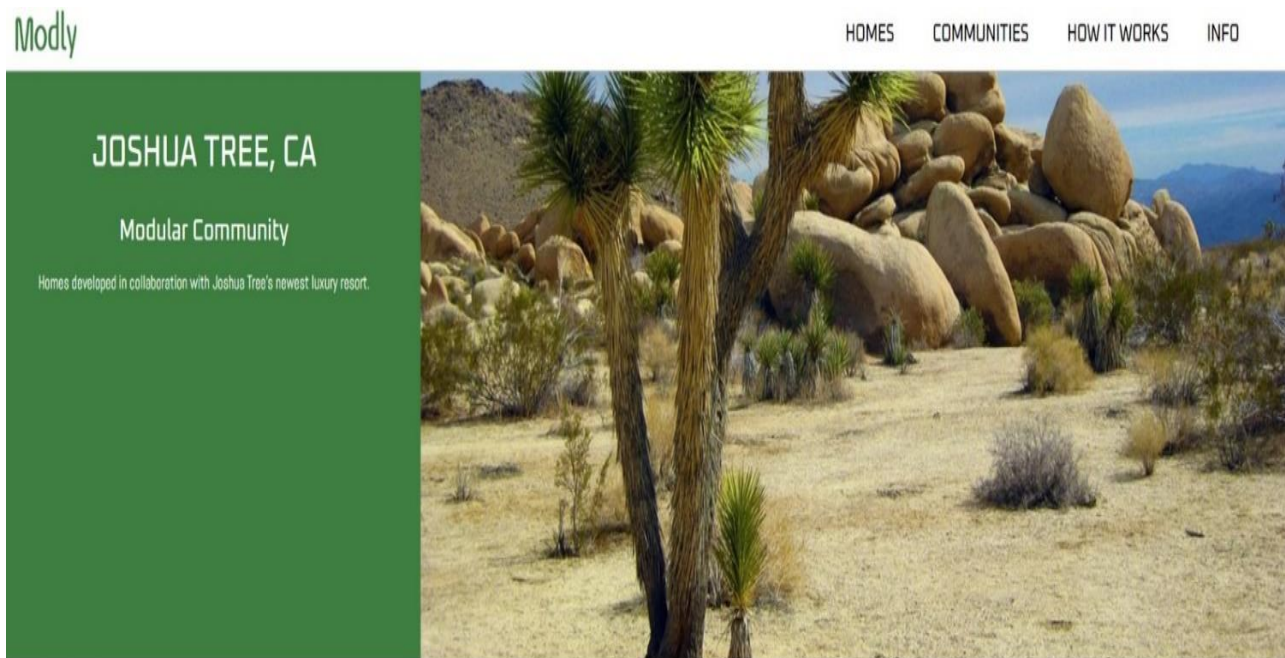
The proposed Wonder Inn project is to be situated on **24.4** acres of the 132.98 acres mentioned in the proposal. It is unclear what is planned for the remaining 130.58 acres mentioned in the proposal. In 2021 the proponents of this project purchased an additional 50 acres, for a total of **182.98** acres. It is also unclear what is planned for these additional acres. (Please see map below.)



- **QUESTION:** Why were 4 of these parcels (purchased in 2021) not included in the project description?
- **QUESTION:** What future development or land use is planned for the remaining 158.58 acres owned by the project developers?

In doing a simple Google search for Wonder Inn / Wonder Valley Inn, a few links came up which are of great concern.

- Modly – Joshua Tree (modly.com/community/joshua-tree) Note the similar description of “106 bungalow suites, restaurant and bar...”. This description mentions 24 private homes on 5 acres each.

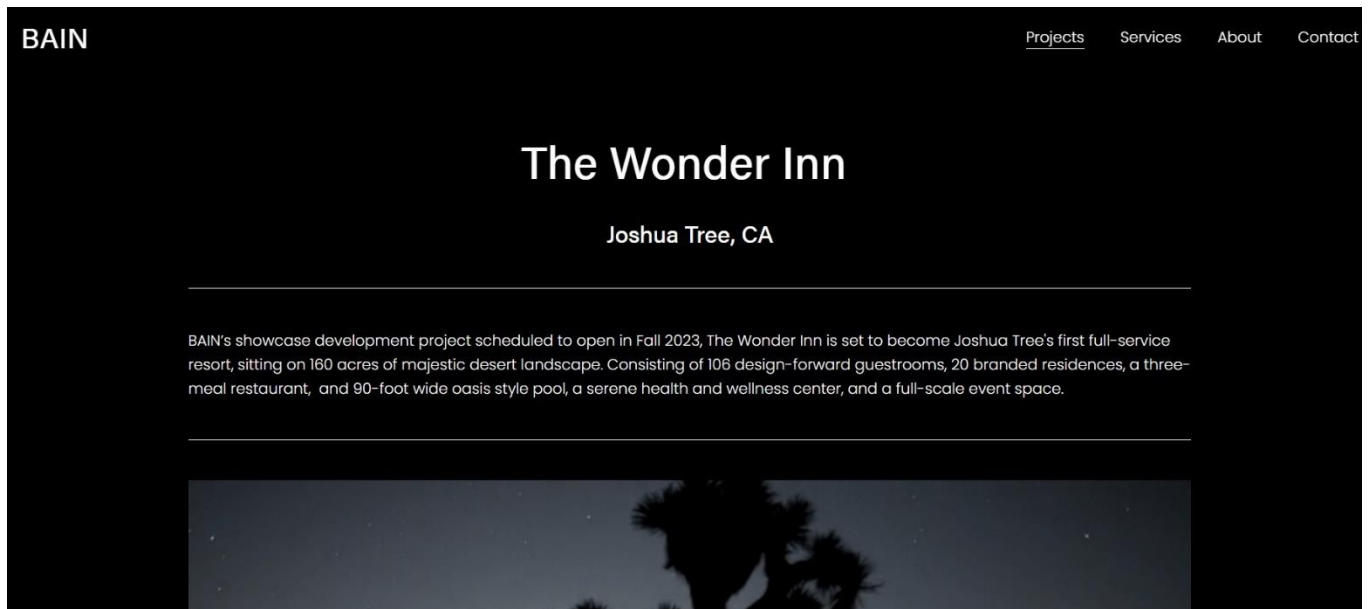


Homes developed within Joshua Tree's newest luxury resort

A truly one-of-a-kind resort named Wonder Valley Inn is in development in the heart of Joshua Tree, California just 10-minutes away from the North entrance of the National Park. The resort will feature 106 bungalow suites, a spa with fitness facilities, an expansive oasis swimming pool with adjacent hot tubs and a full-service restaurant & bar. On the 160 acre site, we will be constructing 24 private villa homes, each sitting on a private 5-acres site. Each contemporary home will consist of 4 bedrooms and 3 bathrooms with all the amenities you'd expect including a swimming pool, hot tub, outdoor showers, fire pits, solar panels and an electric car charger. Homeowners can occupy the homes year-round or they can opt-in to have the hotel manage the homes for guests to rent them out at \$1,000 Average Daily Rate. This is a fantastic opportunity to own a second home which pays for itself. Residents can move into their Wonder Valley Villas by Q4, 2024.

Lot prices will be starting at approximately \$150,000.

- **Bain Hospitality** ([bainhospitality/thewonderinn](http://bainhospitality.thewonderinn)), which includes this description: “The Wonder Inn is set to become Joshua Tree’s first full-service resort, sitting on 160 acres of majestic desert landscape. Consisting of 106 design-forward guestrooms, **20 branded residences**, a three-meal restaurant, and 90-foot-wide oasis style pool, a serene health and wellness center, and a full-scale event space.”



Based on this, it seems the project developers plan to begin with this hotel/resort with the many amenities mentioned, then expand into a luxury home development of 20-24 homes, each on 5 acres, each with swimming pool, hot tub, outdoor showers and fire features – each requiring a well, and each home adding to the already over stressed Public Services. The lack of full disclosure of these plans in the currently submitted project plans seems deceptive. It is already being advertised as available, yet the first application for the core of the project has not been approved yet, and there are no application for permits yet on the second phase. (Is it legal to sell homes / properties for which there has been no LUS permits filed?)

Again, it is not possible to effectively evaluate the impact this project will have upon Wonder Valley and the Wonder Valley community without a complete description of this project. We must have a full Environmental Impact Report to assess this.

PIECEMEALING: CEQA prohibits Piecemealing. Per: ceqaportal:

“When future phases of a project are possible, but too speculative to be evaluated, the EIR should still mention that future phases may occur, provide as much information as is available about these future phases, and indicate that they would be subject to future CEQA review.

- CEQA case law has established the following general principles on project segmentation for different project types:
 - For a phased development project, even if details about future phases are not known, future phases must be included in the project description if they are a reasonably foreseeable consequence of the initial phase and will significantly change the initial project or its impacts. *Laurel Heights Improvement Association v Regents of University of California* (1988) 47 Cal. 3d 376.

Based on the websites listed above, it appears that the next phase(s) of this project are indeed known. In fact, it seems sales are already underway.

PUBLIC SERVICES

From the San Bernardino County Policy Plan 2020:

Goal PP-3 Fire and Emergency Medical

Reduced risk of death, injury, property damage, and economic loss due to fires and other natural disasters, accidents, and medical incidents through prompt and capable emergency response.

Policy PP-3.1 **Fire and emergency medical services.** We maintain a sufficient number and distribution of fire stations, up-to-date equipment, and fully-trained staff to respond effectively to emergencies.

Policy PP-3.6 **Concurrent protection services.** We require that fire department facilities, equipment, and staffing required to serve new development are operating prior to, or in conjunction with new development.

Policy PP-3.12 **Fire protection and emergency medical resource allocation.** We use fire and emergency services data analysis and professional expertise to allocate resources, reduce fire risks, and improve emergency response.

Policy PP-3.13 **Periodic needs assessment.** We periodically assess our facility, equipment, and staffing needs and use the assessment to allocate funding resources in the annual budget and capital improvement program.

Goal LU-6 Amendments to the Policy Plan

Growth and development in the unincorporated county in a manner that requires few and infrequent amendments to the Policy Plan.

Policy LU-6.1 **Residential amendments that increase density in the Desert and Mountain regions.** We discourage policy plan amendments that would permit new development on lots smaller than 2.5 acres in the Desert regions and lots smaller than one-half acre in the Mountain region. We approve general plan amendments that would increase residential density only if:

- The proposed change is determined to be compatible in accordance with policies LU-2.1, 2.2, 2.3, and 4.5.
- Adequate infrastructure and services are available concurrently.
- The increase in density would not degrade existing levels of service for fire protection, sheriff, water, or wastewater service in the area.

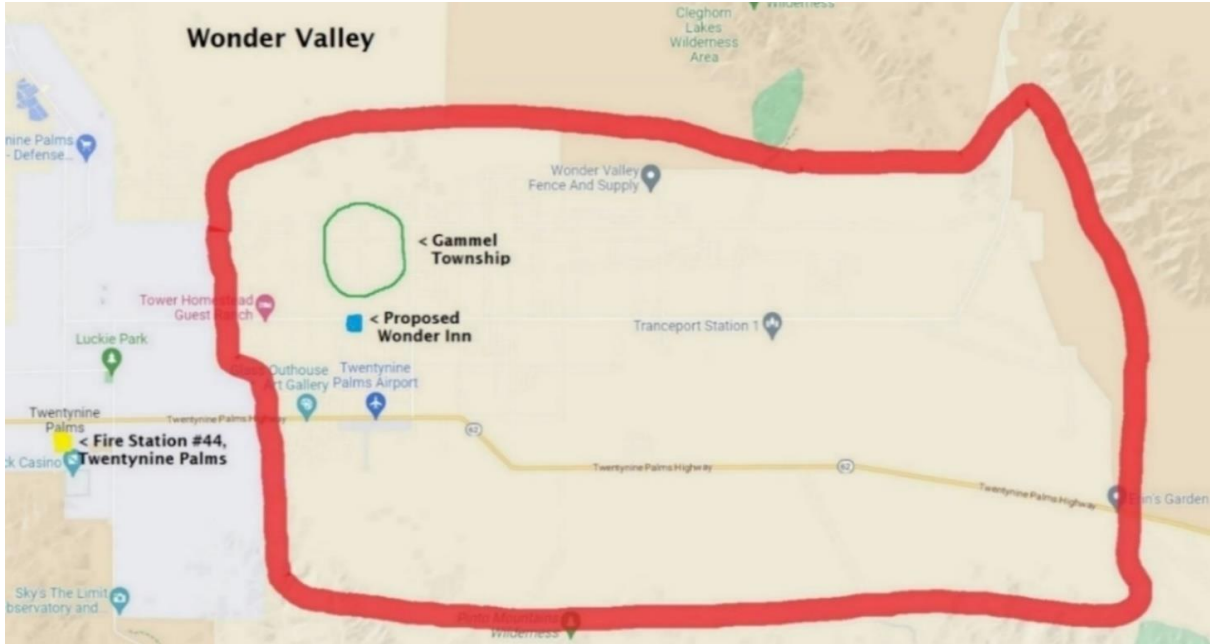
FIRE SERVICES: Per the 2020 San Bernardino County General plan,

“The County Fire District provides fire prevention services, fire protection for wild fires and urban fires, and emergency medical response in unincorporated areas, portions of incorporated jurisdictions included in the district, and, under contract, in some incorporated jurisdictions. The County plans for and responds to emergencies and natural disasters countywide, and County Fire also provides regional urban search and rescue services.”

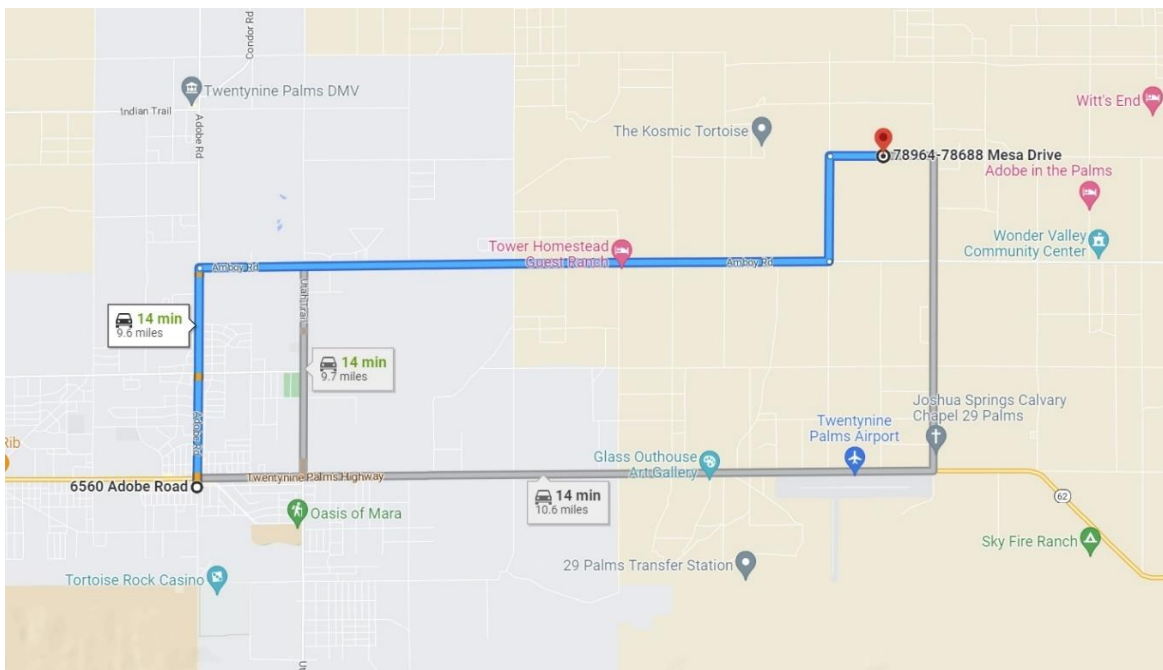
HISTORY: Prior to 2017, Wonder Valley Fire Station #45 was a little over 3 miles or 6 minutes from our home. Sadly, this station was temporarily closed in September of 2017 due to “contaminated water.” In 2018 Wonder Valley property owners were given a tax increase from \$35 to \$157 to cover fire services to Wonder Valley (currently \$166.84 for our 5-acre parcel.) By comparison, residents of Los Angeles pay \$73.68 for fire and emergency medical services ([fire.lacounty.gov](https://www.fire.lacounty.gov)). In August of 2019 the Wonder Valley Fire Station was permanently closed due to budget issues (<https://sbc Sentinel.com>), resulting in the Wonder Valley community paying more for less services. Of note: per Division Chief John Chamberlin, the fire department only receives 2.5% of taxes collected from Wonder Valley, compared to 22-25% taxes from Yucca Valley. (Source: <https://www.youtube.com>).

- **QUESTION:** What is the estimated tax amount that will be generated by this proposed Wonder Inn?
- **QUESTION:** What is the estimated need for increased Fire services for this hotel/event venue?
- **QUESTION:** How does the tax generated by the proposed Wonder Inn compare to the cost of the increased need for public services that this project will generate?

As mentioned, since 2017, residents of the 147 square mile community known as Wonder Valley must depend on the Twentynine Palms Fire Station #44 in the city of Twentynine Palms for Fire and EMT/Paramedic response. This station is located on Adobe Road, south of Hwy 62 in the City of Twentynine Palms. This location is about 9.5 miles or 14 minutes from our home in the Gammel Township (the last 1.5 miles are dirt road). The Wonder Inn proposed project includes 106 guest rooms, plus ancillary structures for staff, a 4,407 sq.ft. lobby / restaurant with seating for 100, a 5,000 sq.ft conference room, a 3,985 sq.ft. spa/wellness center - a total of 60,737 sq.ft. of building space, and also includes 24 private residence homes (unstated in their application.) With the addition of this luxury resort and event center, and luxury homes, Wonder Valley residents will have increased competition for basic fire response services, which are already inadequate. Wonder Valley is roughly 20 miles east to west and 6.5 miles north to south. Here is a map which reflects the location of the proposed Wonder Inn project (turquoise), the Gammel Township neighborhood that I live in (green circle), and the Twentynine Palms Fire Station #44 (yellow.) Note that our neighborhood is closer to the western edge of Wonder Valley; residents that live east of us are at greater risk due to even longer response times.



And, here is a screenshot of Google maps/directions, indicating travel times and miles from Twentynine Palms Fire Station #44 to our neighborhood:



- **QUESTION:** How many calls for fire services to Wonder Valley were there per month and per year for the years 2012, 2014 and 2016, before the Wonder Valley fire station closed?
- **QUESTION:** How many calls for fire services to Wonder Valley were there per month and per year in 2018, 2020, and 2022, after the Wonder Valley Fire Station closed?
- **QUESTION:** How many homes in Wonder Valley burned down in 2018, 2020, 2022?
- **QUESTION:** What were average fire response times to Wonder Valley prior to 2015 when Wonder Valley Fire Station was closed?
- **QUESTION:** What are average response times to Wonder Valley since the Wonder Valley Station 45 closed in September of 2017?

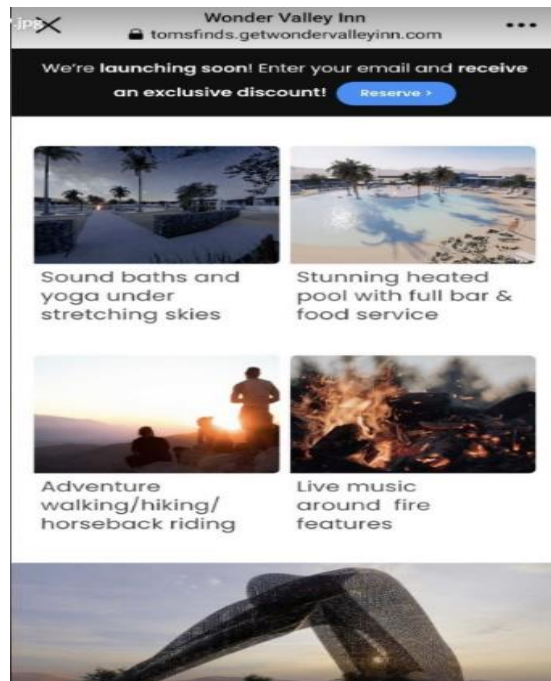
A home fire doubles in size every minute (Per J. Brakebill, instructor of Fire Sciences at Copper Mountain Community College, as stated during a community meeting at Wonder Valley Community Center.) A cooking fire can completely engulf a home in 5 minutes ([firefighterinsider](#)) Wonder Valley already has inadequate fire response times, which means in the event of a fire in a home in Wonder Valley, total loss is highly likely.

In the past 5 years - between January 2017 and January 2023, there have been over 33 structure fires in Wonder Valley that resulted in the total loss of property, and some families being left homeless (Source: <https://z1077fm.com>). Sadly, some residents of Wonder Valley refer to the fire department as the “Slab Savers.”

- **QUESTION:** What will the impact of this large luxury resort be upon the already inadequate fire services that cover Wonder Valley?
- **QUESTION:** What are the average service calls needed for a large 106 room hotel / spa / event center / resort of this size? how does this compare to the existing service call needs for current Wonder Valley residents?
- **QUESTION:** What fire coverage is needed for an event with 200 guests in attendance (in addition to the 200 hotel guests, visitors and staff)?
- **QUESTION:** What fire coverage is needed to host an event with 500 attendees? or, 1,000 attendees? or, 2,000? or, 5,000?
- **QUESTION:** If this proposal is approved, does the county plan to expand fire services in Wonder Valley to cover the roughly 20% increase in fire service needs for this large resort?
- **QUESTION:** If the county expands fire services to cover this large luxury hotel and event space, will the cost of additional fire services be imposed upon the residents of Wonder Valley?
- **QUESTION:** If the county imposes additional taxes upon the residents of Wonder Valley, will this be in the form of an annual property tax increase, which could cause the loss of homes for the residents who are unable to pay the increased taxes?

WILDFIRE: California has seen record breaking destruction from wildfires in recent years, due to years of extreme drought and weather conditions. People may think that a wildfire cannot happen in the desert because there’s ‘nothing to burn.’ However, wildfires do happen in the desert. Within this geographical area, it is common to have multiple wind advisories and wind warnings several times per month for several months of the year. During a wind advisory, winds can blow sustained 25-30 mph with gusts up to 50-60 mph (<https://www.weather.gov/safety/wind>). Winds such as these will fan the flames of a wildfire and spread the fire quickly. Here are a few examples of wildfires threatening our area:

- The Elk fire burned 431 acres in the area between Yucca Valley and the village of Joshua Tree, threatening homes in 2022 (<https://www.desertsun.com>)
- 25 acres vegetation fire Flamingo Heights (<https://z1077fm.com>)
- The Elk Fire, south end of Yucca Valley burned 431 acres in 2022 (fire.ca.gov)
- The Dome Fire in the Mojave Preserve burned 43,273 acres in 2020 (latimes.com)
- The Sawtooth Complex fire burned 61,700 acres in 2006 (fire.ca.gov)



Of note, the proposed Wonder Inn project promotional materials portray outdoor bonfires. (<https://www.aearchitect.com/wonder-inn>)
Note: this promotion refers to the “Wonder Valley Inn”, but the promotional image of the pool and sound bath areas are from the Wonder Inn’s own architect images.

In the Wonder Valley Community Meeting, held in May of 2022 at the Wonder Valley Community Center, the project proponent stated that they planned to buy their own firetruck and have their own volunteer fire department (source: youtu.be @ 0:42). Yet, this is not mentioned in the Initial Study, nor the Appendices.

- **QUESTION:** Will the proposed Wonder Inn be required to obtain a burn permit, as residents do when an outdoor burn is planned?
- **QUESTION:** Will the proposed Wonder Inn be dependent upon county fire services?
- **QUESTION:** Will the proposed Wonder Inn have their own fire engine?
- **QUESTION:** Will the proposed Wonder Inn have their own trained fire response team?
If so:
 - **QUESTION:** What training and/or certification will this team have?
 - **QUESTION:** Will the team members be paid firefighting staff?

- **QUESTION:** Will this in-house team be dedicated to fire services, or will they have other duties too?
- **QUESTION:** Who will oversee this team and evaluate their effectiveness? what qualifications will this person(s) have?
- **QUESTION:** How will this in-house fire response team interface with the county fire department?
- **QUESTION:** Will their fire response team have adequate training in *wildfire suppression?
- **QUESTION:** Will their equipment be adequate for wildfire suppression?
- **QUESTION:** What if a fire occurs on a windy day? will they be able to control a fire and prevent spread into nearby neighborhoods?
- **QUESTION:** What exactly is their plan for fire response, to ensure that nearby residential homes are not threatened?

EMT/PARAMEDIC SERVICES: As mentioned in the previous sections, Wonder Valley Fire Station #45 was closed in 2017 due to 'contaminated water', and permanently closed in 2019 due to budgetary reasons. Since 2017, residents of Wonder Valley must depend on Emergency Medical / Paramedic response from the 29 Palms Fire Station #44 on Adobe Road in the City of Twentynine Palms. This station is 14 min from our home in the Gammel Township, which is 1.5 miles from the proposed project. (Please see map above, in fire section, for reference.) Our home is on the western side of Wonder Valley; residents who live east of us are at greater risk due to even longer response times.

Wonder Valley has a population of approximately 1019 people, with an average age of 59.3. The proposed Wonder Inn expects 160 daily guests, plus 40 visitors and *20 staff: that's at least 220 people daily, increasing the total population who will be sharing Public Services in Wonder Valley by roughly 20%. And, as previously mentioned, the additional 24 homes / STR's will add another 5% demand, for **a total of 25% increased demand** upon Wonder Valley's already inadequate public services.

In addition, as mentioned on page 13 of this document, the estimated staffing number given for the proposed Wonder Inn seems insufficient. For a 106-room hotel, with a 24-hour restaurant and all the amenities listed in the project description, it seems we could expect staffing to be *at minimum* closer to 25 and as high as 50 (depending on how "luxury" the hotel will be) for usual daily function. During events, staffing will increase in proportion to the size of the event attendance. If the proposed project will someday be hosting large events such as music festivals, etc., there could be thousands of people in attendance, and staffing needs would increase dramatically, placing greater burden upon our EMS services.

In order to effectively evaluate what impact events at the proposed Wonder Inn would have on Wonder Valley Public Services, we first must clearly understand the size and scope and type of events the owners plan to host at their venue. And, because the proposed Wonder Inn has not shared any information about possible events, it is unclear how large the events could be, and if they plan to hire extra security or EMS staff to support their events. We must have a full project description and a full EIR to assess these points.

The proposed Wonder Inn plans also include a large 24-hour, 100-seat restaurant and bar, a 6400-square foot swimming pool, and a 40 square foot hot tub.

- **QUESTION:** How many EMS calls might be generated by a 24 hour, 100 seat restaurant and bar?
- **QUESTION:** How many calls for paramedic services to Wonder Valley were there per month and per year for the years 2012? 2016, before the Wonder Valley Fire Station closed?
- **QUESTION:** How many calls for paramedic services to Wonder Valley were there in 2018, 2020, and 2022, after the Wonder Valley Fire Station closed?
- **QUESTION:** How many people died after calling for paramedic services each of these years?
- **QUESTION:** What were average paramedic response times to Wonder Valley prior to 2015 when Wonder Valley Fire Station was closed?
- **QUESTION:** What are average paramedic response times to Wonder Valley since Wonder Valley station 45 closed in September of 2017?
- **QUESTION:** What is the average number of drownings or other pool accidents related to a 6,400 square foot pool that is next to a bar?
- **QUESTION:** What is the average number of incidents involving drunk drivers associated with a restaurant / bar of this size?
- **QUESTION:** What is the likelihood of drunk drivers leaving the bar / event venue and causing an accident?
- **QUESTION:** Will CHP and Sheriff patrols be increased in Wonder Valley to protect residents and other drivers from injury or death resulting from DUI drivers?

In the event of choking, drowning or a heart attack, permanent brain damage begins after 4-5 minutes without oxygen ([medlineplus.gov](https://www.medlineplus.gov/)). The current Emergency Medical Response times for Wonder Valley residents are already inadequate to save lives in the event of a life-threatening medical emergency. Will this proposed luxury resort also be dependent upon county Paramedic services?

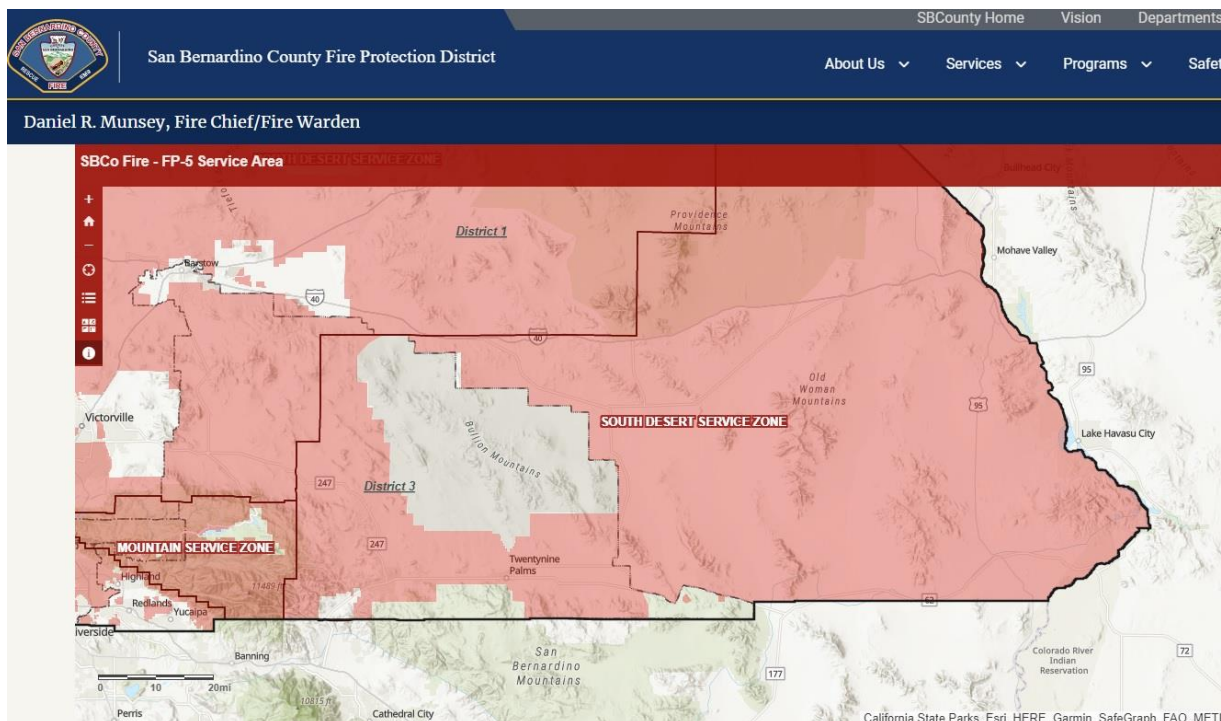
- **QUESTION:** Will the Wonder Inn have its own emergency medical response services?
If so:
 - **QUESTION:** What training and/or certification will the Wonder Inn first responders have?
 - **QUESTION:** Will the first responders be paid or volunteer staff?
- **QUESTION:** Will there be a fence around the pool and hot tub?
- **QUESTION:** Will the pool be open to guests 24 hours?
- **QUESTION:** Will the Wonder Inn have full time lifeguard staff stationed poolside?
- **QUESTION:** Will all Wonder Inn hotel staff be trained in CPR? First aid? Will certificates of completion be on file at the hotel? will staff be required to get annual recertification?
- **QUESTION:** What are the average number of EMT/paramedic service calls generated by a large hotel resort that expects 160 daily guests plus 40 visitors plus 20 staff per day?
- **QUESTION:** What are the average number of service calls for a restaurant that has an 1,860 square-foot clubhouse restaurant and dining room with 457 square feet of outdoor seating, and a 1,125 square-foot kitchen?

- **QUESTION:** What is the likelihood of drunk drivers leaving the bar / event venue and causing an accident? how often does this happen? what are the current DUI stats for Wonder Valley?

Conclusion: I respectfully request a full environmental impact report be done to study these issues before this project is approved.

EMS / RESCUE / TRAFFIC ACCIDENTS

SBCounty Fire Dept #44 in Twentynine Palms shares coverage of a service area between Twentynine Palms, Needles and Havasu Landing, with approximately 131-142 miles and over 2 hours travel time between Twentynine Palms and Needles. This area is desolate, and traffic accidents are fairly common. Per San Bernardino County Fire Protection District website (sbcfire.org), there were **363** traffic collisions in our area, Division 4 South Desert Region, just in the **7 months** between July 1, 2022 and January 31, 2023.



Traffic collisions are fairly common in this area, on both Amboy Road and Highway 62, especially east of Wonder Valley. Amboy, a county scenic route, is a common route for people travelling to Las Vegas, while Hwy 62 is a common route for people travelling to the Colorado River recreational areas of Parker Dam, Lake Havasu, etc. Travelling at a high rate of speed, as is common on the open roads outside of populated areas, contribute to traffic accidents, and driving under the influence of alcohol also contributes to traffic accidents. SB County Fire Dept #44 provides emergency response for these roads and highways.

- **QUESTION:** Were any studies done to evaluate traffic volume on Amboy Road and Hwy 62 from 29 Palms to Needles and the Colorado River (the area within our service zone)? If so, what time of day were the observations performed?
- **QUESTION:** How many vehicles travel Amboy Road each day? each week?

- **QUESTION:** How many vehicles travel on Amboy between 2:00 pm and 9:00 pm on a Friday and a Sunday, when many travelers are headed to and from Las Vegas or the Colorado River recreational areas?

The proposed Wonder Inn estimates an increase in traffic of 604 additional vehicle trips daily. Further, this proposed luxury hotel and event center sits atop a small rise on Amboy Road, which blocks the view of the road ahead and increases the possibility of motor vehicle accidents, especially for drivers making a turn. For example, we turn left/north onto Gammel Road from Amboy Road when returning home from town, and more than once have almost been t-boned by speeding vehicles anxious to pass us as we slowed to turn.

This photo was taken roughly $\frac{1}{4}$ mile east of the existing commercial building (the “pink building”), and is looking west on Amboy. (Sorry for the dirty windshield; dust is a thing out here.) Note the pink building on the left:



The following photo was taken roughly $\frac{1}{2}$ mile west of the proposed Wonder Inn, and is looking east on Amboy. Note the pink building on the right, on top of the rise:



Once again, Wonder Valley residents will be burdened with more risk, further stressing an already overburdened and inadequate EMT/Paramedic response system.

- **QUESTION:** Have there been any traffic studies done for the area including at least one mile east and one mile west of this proposed project?
- **QUESTION:** Is there enough visibility for drivers heading westbound to safely turn left into the proposed wonder inn ahead of eastbound drivers coming quickly up the blind incline?
- **QUESTION:** Will there be a pedestrian sidewalk installed along Amboy Road?
- **QUESTION:** Will there be a pedestrian crossing installed across Amboy Road?
- **QUESTION:** How many traffic accidents have there been on Amboy Road between Twentynine Palms and the intersection of Amboy Road and national trails highway this year?
- **QUESTION:** How many accidents were there on Amboy Road between Twentynine Palms and National Trails Highway per year prior to 2017, when the Wonder Valley Fire Station closed?
- **QUESTION:** How many traffic accidents have there been on Amboy Road between Twentynine Palms and the intersection of Amboy Road and National Trails Highway in 2020? in 2022?
- **QUESTION:** Please define the service area that crews from Twentynine Palms station 44 are responsible for covering.
- **QUESTION:** What are the EMS services currently available in Needles?
- **QUESTION:** How many service calls for traffic collisions / accidents were there in Wonder Valley in 2016 (before the Wonder Valley Fire Station was closed)? How many service calls were there in 2020? 2022?
- **QUESTION:** How many service calls for traffic collisions / accidents were received for areas east of Wonder Valley, between our community and Needles?

Conclusion: I respectfully request a full environmental impact report be done to study these issues before this project is approved.

Swift water rescues are sometimes needed during flash floods in the desert areas, which can be a fatal event.

- **QUESTION:** How many swift water rescues were there in Wonder Valley in 2015-16, before the Wonder Valley Fire Station was closed?
- **QUESTION:** How many swift water rescues have there been in Wonder Valley since the fire station closed in 2017?

Conclusion: I respectfully request a full environmental impact report be done to study these issues before this project is approved.

OTHER PUBLIC SERVICES

The sections above include only Fire, Paramedic/EMT and EMS for traffic accidents. There are many more elements included in Public Services, which could be further stressed by this project. Here are a few brief mentions:

From the San Bernardino County Policy Plan 2020:

Goal PP-1 Law Enforcement

Effective crime prevention and law enforcement that leads to a real and perceived sense of public safety for residents, visitors, and businesses.

Policy PP-1.1 **Law enforcement services.** The Sheriff's Department provides law enforcement services for unincorporated areas and distributes resources geographically while balancing levels of service and financial

POLICE / SHERIFF: The Morongo Basin Station is the third largest Sheriff's station in both area and total number of calls for law enforcement services in San Bernardino County. Within the station's area of responsibility are the incorporated communities of Twenty-nine Palms and the Town of Yucca Valley, as well as the unincorporated communities of Morongo Valley, Landers, Johnson Valley, Joshua Tree, Wonder Valley, Pioneertown, Amboy, Cadiz and Flamingo Heights. (sbcounty.gov/sheriff)

This Sheriff station is roughly 23 miles west of the Wonder Valley Community Center (the heart of Wonder Valley.) Sheriff response to Wonder Valley has been inconsistent through the years. Calls for help sometimes will bring a police response, but often our Sheriffs are not able to respond due to higher priorities in other areas. Sometimes a report will be taken over the phone, sometimes we are told to 'call back if it happens again.' And, sometimes the sheriff is knocking on our door within 10 minutes of placing a call for help. We never know when or if we will get a response, which means we can't depend upon our sheriff's ability to respond to our calls for help. Because of this, we feel vulnerable.

The proposed Wonder Inn is to be a luxury resort hotel, with 200 daily guests and 210 parking spaces in front. It seems likely that this resort could attract thieves looking for opportunities. With the addition of proposed Wonder Inn, there will be more competition for Wonder Valley residents for sheriff attention or response.

- **QUESTION:** Does the wonder inn plan to have security staff onsite?
- **QUESTION:** Will the proposed Wonder Inn rely upon Morongo Basin Sheriff Department for services?
- **QUESTION:** What will the impact be upon Wonder Valley residents' access to police / sheriff support?
- **QUESTION:** Will Sheriff services be increased to cover this large luxury resort hotel? if so, who will pay for it? will the fees for this be added to resident's taxes?
- **QUESTION:** Have any studies been done to evaluate the possible impact upon Wonder Valley property owner's taxes?
- **QUESTION:** How many services calls for Sheriff/police have there been in Wonder Valley in 2023?
- **QUESTION:** What is the average response time for Sheriff service calls to Wonder Valley?
- **QUESTION:** How many service calls Sheriff/police for Wonder Valley were there in 2018? 2019? 2020? 2022? 2021? 2022? are the number of service calls increasing as the population increases?
- **QUESTION:** How many calls for service result in a deputy actually showing up at a resident's door in Wonder Valley?

ROADS/ROAD MAINTENANCE : Briefly, this project estimates an additional 604 daily trips, which will accelerate the deterioration of Wonder Valley roads, especially impacting Amboy Road, Godwin Road, and Gammel Road, causing increased need for more frequent road repairs, paid for by taxpayers via a \$50.00 annual assessment. Gammel Road, a direct route between the proposed Wonder Inn on Amboy and Gammel, and Hwy 62, is currently a dirt road, and would likely need to be paved to accommodate the increased visitors travelling from this hotel to Joshua Tree National Park.

- **QUESTION:** Have any traffic studies been done to assess this?
- **QUESTION:** What will the cost be to pave this 2 mile stretch of dirt road, and maintain it?
- **QUESTION:** Will the cost of paving Gammel Road be passed on to the taxpayers?

I'm also concerned about the possibility of 'poverty tourism', that is, the guests of this luxury hotel/spa wanting to explore our neighborhoods to 'see how the other half live', which would stress our already fragile dirt roads, which are maintained by CSA 70M, and paid for by resident's tax assessment. This area is listed as a "High Poverty Area", with over 22% of residents living in poverty. Many can't afford the increased taxes to support this luxury resort hotel.

- **QUESTION:** Would the increased neighborhood traffic generated by hotel guests "exploring" cause increased maintenance and repair needs and therefore increased taxes on our community?

ANIMAL CONTROL: Animal Control is a public service provided by the county of San Bernardino and paid for by the taxpayers. San Bernardino County Animal Care is a program managed by the San Bernardino County Department of Public Health (DPH). The mission of the

San Bernardino County Animal Care is to prevent rabies in humans and pets, to educate the public about responsible pet ownership, including the importance of spaying and neutering, to protect and serve the public and pets by enforcing all laws and ordinances pertaining to animal care, to care for all animals domestic and wild, to reunite lost pets with their owners, to place unwanted pets into new homes, and to maintain a high quality of service.

There are many animals in Wonder Valley, including many pet dogs that escape their enclosure, or stray dogs that sometimes roam in packs. This pack (there are 5 total dogs, but only 3 in photo) has been roaming in Wonder Valley in recent weeks and was reported as being aggressive toward people at times:



It bears mentioning that the Wonder Inn project plans to allow pets onsite, which will draw wild coyotes looking for a meal.

- **QUESTION:** Will there be any fences around this resort hotel to contain pets, and keep coyotes or stray packs of dogs out?
- **QUESTION:** Will leashes be required for guest's pets at all times when outdoors?
- **QUESTION:** Will pets be required to be current on all vaccinations to prevent exposing wildlife to disease?
- **QUESTION:** Will Animal Control services be needed to control wild coyotes near the proposed hotel?
- **QUESTION:** What measures will be in place to avoid attracting wild animals to garbage?
- **QUESTION:** Will hotel guests be educated about not feeding wildlife?
- **QUESTION:** What safety measures will be put in place to protect hotel guests from rattlesnakes?
- **QUESTION:** What measures will be put in place to protect snakes from harm on this property?
- **QUESTION:** Will the proposed hotel call animal control to remove rattlesnakes from their property?



An aerial view of a Wonder Valley property. Jay Calderon/The Desert Sun

CODE ENFORCEMENT Code Enforcement administers programs designed to protect the public's safety, welfare, and property value through enforcement of San Bernardino County ordinances and State/Federal laws relating to land use, zoning, housing, public nuisances, and vehicle abatement within the unincorporated areas of the County. This includes issues such as nuisance properties, community cleanup programs, Off Highway Vehicle education (illegal in Wonder Valley), illegal dumping, building permits, and Short-Term Rental permits including fielding complaints related to STR's in unincorporated areas. Of note, in Wonder Valley there are many, many areas and some properties that need evaluation by Code Enforcement due to public nuisance (including multiple sites of trash dumped in Wonder Valley, which is an ongoing issue), vehicle abatement (abandoned cars and RV's left on a dirt road somewhere), OHV education, etc. It seems there are not enough CE staff to adequately cover the Wonder Valley area.

- **QUESTION:** How many permits will Code Enforcement (CE) be required to issue for this project?
- **QUESTION:** How much time will Code Enforcement officers need to inspect and issue the permits required for the proposed Wonder Inn project?
- **QUESTION:** How many CE service requests come from Wonder Valley in a month (average)?
- **QUESTION:** How many CE service requests were there for Wonder Valley in 2022? 2021? 2020?
- **QUESTION:** For point of reference, how many CE service requests were there for Wonder Valley in 2017? 2015? 2013? (prior to the population growing, and the number of STR's growing)?
- **QUESTION:** Have any CE staff been added since the population of Wonder Valley increased?
- **QUESTION:** What is the average response time to requests for service from CE in Wonder Valley?
- **QUESTION:** Will the permitting needed for the proposed Wonder Inn project impact CE's ability to provide service to Wonder Valley residents?

Conclusion: We respectfully request a full environmental impact report be done to study these issues before this project is approved.

MISC POINTS OF CONCERN

The Wonder Inn proposal's description includes a 4,407 sq.ft. lobby/restaurant, a 5,000 sq.ft conference room, a 3,985 sq.ft. spa/wellness center, 106 guest rooms, plus ancillary structures for staff, a 3,300 sq.ft. multipurpose tent for gatherings, including a 1,700 sq.ft. building for restrooms, a 6,300 sq.ft./ 214,000-gallon swimming pool (almost half the size of an Olympic pool), a 40 sq ft / 1,100 gallon hot tub, an astronomy pergola, sunken gardens, etc. This proposed project also includes a 210-space parking lot onsite – and (not stated in original application) an additional 20 acres across the street, NW on Amboy for event parking. Project developer needs to explain what is planned for this additional property.

In addition, there is some discrepancy in the project maps included in this Initial Study. On page 7 and 8 (of 92), the maps are “L” shaped, and does not include the northeast 25 acres owned by the project proponents. However, on page 10 and 11 (of 92), this 25 acre parcel is included in the map. What maps or areas were all of their studies based upon? How could this affect study results? Which reports could be impacted by the addition – or, subtraction of this 25 acre parcel?

Of note, on page 584 of the Appendices, paragraph 2 states, “The project proposes the tenant improvement of an existing 4,407 square-foot single story commercial structure, to become a lodging clubhouse Improvements of the commercial building include an 1,860 square-foot clubhouse restaurant and dining room with 457 square feet of outdoor seating, and a 1,125 square-foot kitchen. The proposed 1,939 square-foot restaurant and dining room have 100 seats, 74 of which are indoor and 26 outdoor.” $1860 + 457 + 1125 + 1939 = 5,381$ square feet, not 4,407 as mentioned in the first sentence. This is confusing and needs to be clarified.

A minor point: Godwin Road is misspelled as “Goodwin” on a few pages. This is an inconsequential point, but inspires concerns about how careful the developers and their agents were in conducting these studies. When several little mistakes such as these are made, it causes one to question how accurate the reports actually are.

SUMMARY

Based upon the numerous questions raised above, it is clear that a full and complete Environmental Impact Report must be completed to thoroughly study the many significant impacts that the proposed Wonder Inn project would have on the Wonder Valley community, the safety of Wonder Valley residents, and the environmental impacts this resort hotel will have upon this rural, sparsely populated and underserved area.

To conclude, I respectfully request a full Environmental Impact Report be done to study these issues before this project is approved.

**Sincerely,
Beth Sheffield**

(Full time resident of Wonder Valley since 2013 – I'm a newbie by Wonder Valley standards!)

PUBLIC SERVICES REFERENCES:

CEQA INITIAL STUDY/MND: Public Services Area

CEQA: San Bernardino County Initial Study/Mitigated Negative Declaration Environmental Checklist, doc, page 69-71:

XV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire Protection? FINDING: "Less than significant"

>study is not sufficient to support this determination

Police Protection? FINDING: "Less than significant"

>study is not sufficient to support this determination

Schools? FINDING "Less than significant"

Parks? FINDING: "No impact"

Other Public Facilities? FINDING: "No impact"

SUBSTANTIATION: Countywide Policy Plan, 2020; Submitted Project Materials

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

>PUBLIC SERVICES IN WONDER VALLEY ARE ALREADY INADEQUATE. THIS PROJECT WOULD INCREASE THE BURDEN UPON THESE SERVICES

Fire Protection?

San Bernardino County Fire Station 44, located at 6560 Adobe Rd, Twentynine Palms, CA 92277, is approximately **7 miles** southwest of the Project Site. New development within the unincorporated county would not combine with other development in the county to result in a cumulatively considerable impact to fire and emergency services. The County would maintain sufficient services within its boundaries as well as expand to serve other incorporated jurisdictions to improve service and coverage.

>NOTE: THE FIRE STATION IN TWENTYNINE PLAMS IS FURTHER AWAY THAN 7 MILES.

Comprehensive safety measures that comply with federal, state, and local worker safety and fire protection codes and regulations would be implemented into project design to minimize the potential for fires to occur during construction and operations. The Proposed Project would be required to comply with County fire suppression standards, provide adequate fire access and pay required development impact fees. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact >study is not sufficient to support this determination

Police Protection?

The San Bernardino County Sheriff's Department (SBCSD) serves the unincorporated portions of the County. The nearest police station to the Project Site is the SBCSD-Morongo Basin station located at 6527 White Feather Road, Joshua Tree, approximately **18 miles** southwest of the Project Site. The SBCSD reviews staffing needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection. Additionally, development impact fees are collected at the time of building permit issuance to offset project impacts. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

>NOTE: SHERIFF DEPT IS FURTHER AWAY THAN 18 MILES

Less Than Significant Impact >study is not sufficient to support this determination

Schools?

The Project Site is served by the Morongo Unified School District. Construction activities would be temporary and would not result in substantial population growth. The approximately 160 guests per day would not need school services. The estimated 20 employees required for operations are expected to come from the local labor force with school children already attending school in their home district. The Proposed Project is not expected to draw any new residents to the region that would require expansion of existing schools or additional schools. With the collection of development impact fees, impacts related to school facilities are expected to be less than significant. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Parks?

The Proposed Project would neither induce residential development nor significantly increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of any facilities would result. Operation of the Proposed Project would place no demands on parks because it would not involve the construction of housing and would not involve the introduction of a permanent human population into the area. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Other Public Facilities?

The Proposed Project would not result in an increased residential population or a significant increase in the work force. Implementation of the Proposed Project would not

adversely affect other public facilities or require the construction of new or modified facilities. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required. >study is not sufficient to support this determination

SAN BERNARDINO COUNTY GENERAL PLAN: website: <https://countywideplan.com/policy-plan/personal-property-protection/>

PERSONAL & PROPERTY PROTECTION ELEMENT - Last updated: 10/27/2020

- INTRODUCTION

The benefits, public goods, and investments associated with a high quality of life in San Bernardino County—strong neighborhoods, economic prosperity, cradle-to-career education, a vibrant culture, and civic engagement—**can only be achieved when people experience a real and perceived sense of safety.** Public safety is also directly related to the County’s resilience—its ability to adapt to changing conditions and prepare for, withstand, and rapidly recover from disruption or disasters.

The County provides law enforcement, including crime prevention, in unincorporated areas and under contract to some incorporated jurisdictions. It also provides **some countywide law enforcement services, including the coroner**, and when requested, special investigation assistance to incorporated jurisdictions. **The County is also responsible for: the administration of justice, both prosecutions and public defenders, for crimes committed in the county; operation of County jails, including rehabilitation of inmates in its custody; holistically rehabilitate and assist the reentry and transition of parolees, probationers, and others living in the county engaged by the criminal justice system, and assistance to victims of and witnesses to crimes committed in the county.**

The County Fire District provides fire prevention services, fire protection for wild fires and urban fires, and emergency medical response in unincorporated areas, portions of incorporated jurisdictions included in the district, and, under contract, in some incorporated jurisdictions. The County plans for and responds to emergencies and natural disasters countywide, and **County Fire also provides regional urban search and rescue services.**

The Sheriff is responsible for law enforcement and is elected by voters countywide. The Board of Supervisors appropriates funds to supplement state and federal funding for law enforcement. Achieving the Policy Plan’s goals for law enforcement is, thus, a collaborative effort between the Board of Supervisors and the Sheriff. **The Sheriff also provides countywide wilderness rescue services.**

The County makes a maintenance of effort payment for courts, but the state is primarily responsible for funding courts and fully responsible for any expansion. However, the **County funds the elected District Attorney's office, the Public Defender's office, and the Sheriff's department's court services.** Thus, state decisions on court funding will influence the ability of the County to achieve this element's law and justice goal.

GOAL PP-1: LAW ENFORCEMENT

Effective crime prevention and law enforcement that leads to a real and perceived sense of public safety for residents, visitors, and businesses.

Policy PP-1.1 Law enforcement services

The Sheriff's Department provides law enforcement services for unincorporated areas and distributes resources geographically while balancing levels of service and financial resources with continuously changing needs for personal and property protection.

Policy PP-1.2 Contract law enforcement

When requested, the Sheriff's Department provide law enforcement services to incorporated jurisdictions by contract at the full cost of services as determined by the County, without direct subsidy by the County.

Policy PP-1.3 Holistic approach to crime prevention

We recognize that the roots of crime are found throughout a spectrum of psychological, social, economic, and environmental issues, and we coordinate proactive planning and activities among the Sheriff's Department and county and non-county agencies and organizations to intervene and effectively prevent crime. *(Continued on website)*

An equitable justice system for violations of law in the county, adequate care and effective rehabilitation for inmates in the County's custody, and the holistic rehabilitation and aided reentry and transition of parolees, probationers, and others living in the county engaged by the criminal justice system

GOAL PP-3 FIRE AND EMERGENCY MEDICAL

Reduced risk of death, injury, property damage, and economic loss due to fires and other natural disasters, accidents, and medical incidents through prompt and capable emergency response.

Policy PP-3.1 Fire and emergency medical services

We maintain a sufficient number and distribution of fire stations, up-to-date equipment, and fully-trained staff to respond effectively to emergencies.

Policy PP-3.2 Fire District

We support the expansion of the Fire District to serve additional incorporated jurisdictions, and the use of special funding and financing mechanisms to augment Fire District revenues to improve service and coverage.

Policy PP-3.3 Search and rescue

We maintain up-to-date equipment and fully-trained staff to provide urban search and rescue and swift water rescue emergency response.

Policy PP-3.4 Fire prevention services

We proactively mitigate or reduce the negative effects of fire, hazardous materials release, and structural collapse by implementing the California Fire Code, adopted with County amendments.

Policy PP-3.5 Firefighting water supply and facilities

We coordinate with water providers to maintain adequate water supply, pressure, and facilities to protect people and property from urban fires and wildfires.

Policy PP-3.6 Concurrent protection services

We require that fire department facilities, equipment, and staffing required to serve new development are operating prior to, or in conjunction with new development.

Policy PP-3.7 Fire safe design

We require new development in the Fire Safety Overlay to comply with additional site design, building, and access standards to provide enhanced resistance to fire hazards.

Policy PP-3.8 Fire-adapted communities

We inform and prepare our residents and businesses to collaboratively plan and take action to more safely coexist with the risk of wildfires.

Policy PP-3.9 Street and premise signage

We require adequate street signage and premise identification be provided and maintained to ensure emergency services can quickly and efficiently respond.

Policy PP-3.10 Community outreach

We engage with local schools, community groups, and businesses to increase awareness of fire risk, prevention, and evacuation.

Policy PP-3.12 Fire protection and emergency medical resource allocation

We use fire and emergency services data analysis and professional expertise to allocate resources, reduce fire risks, and improve emergency response.

Policy PP-3.13 Periodic needs assessment

We periodically assess our facility, equipment, and staffing needs and use the assessment to allocate funding resources in the annual budget and capital improvement program.

Policy PP-3.14 Qualified workforce

We attract and retain a qualified workforce of fire fighters, emergency medical technicians, and support personnel, and invest in training and ongoing education.

PUBLIC SERVICES COMMENT REFERENCES:

<https://countywideplan.com>

<https://www.desertsun.com/story/news/2018/05/24/wonder-valley-life-threatened-nature-authorities-and-tourists/612176002/>

<https://sbcscntinel.com/2017/07/county-takeover-of-wonder-valley-fd-presaged-issues-with-later-mergers/>

<https://www.redfin.com/neighborhood/42433/CA/Bush/Wonder-Valley/housing-market>

<https://www.theguardian.com/us-news/2022/sep/15/joshua-tree-housing-real-estate-gentrification#:~:text=Tourists%20and%20home%2Dbuyers%20from,local%20workers%20with%20dwinding%20options.>

<https://www.youtube.com/watch?v=cCu7uAV-P2o&list=PLBRjpbWGMcbvPWEXYiA08g3GGsmwUSI&t=119s>

<https://countywideplan.com/>

https://oag.ca.gov/sites/all/files/agweb/pdfs/environment/ej_fact_sheet.pdf

<https://oag.ca.gov/environment/justice>

<https://www.allianceonline.co.uk/blog/2019/06/hotel-housekeeping-101-tips-tricks-for-clean-hotel-rooms/#:~:text=It%20takes%20roughly%2045%20minutes,turn%2Ddown%20service%20is%20needed.>

<https://www.escoffier.edu/blog/food-entrepreneurship/how-many-employees-does-it-take-to-run-a-restaurant/>

<https://utia.tennessee.edu/cpa/wp-content/uploads/sites/106/2020/10/CPA-222.pdf>

<https://www.modly.com/community/joshua-tree>

<https://www.bainhospitality.com/work/thewonderinn>

<https://ceqaportal.org/tp/CEQA%20Project%20Description%202020%20Update.pdf>

<https://fire.lacounty.gov/summary-tax-rates/>

<https://sbcscntinel.com/2019/08/permanent-closure-of-fire-station-in-wonder-valley/>

<https://www.youtube.com/watch?v=c8mlH77UBPQ>

<https://firefighterinsider.com/how-fast-does-fire-spread/>

<https://z1077fm.com/page/2/?s=fire+wonder+valley>

<https://www.weather.gov/safety/wind-ww#:~:text=not%20caught%20outside.-,NWS%20offices%20issue%20this%20product%20based%20on%20local%20criteria.,should%20be%20taken%20if%20driving.>

<https://www.desertsun.com/story/news/2022/05/26/elk-fire-threatens-homes-yucca-valley-near-joshua-tree/9951357002/>

<https://z1077fm.com/vegetation-fire-in-flamingo-heights-confined-to-15-acres/>

<https://www.fire.ca.gov/incidents/2022/5/26/elk-fire/>

<https://www.latimes.com/environment/story/2020-09-06/mojave-desert-fire-destroys-the-heart-of-a-beloved-joshua-tree-forest>

<https://www.fire.ca.gov/incidents/2006/7/9/sawtooth-complex/>

<https://youtu.be/locy-iZboQs?t=43> at 0:42

<https://medlineplus.gov/ency/article/001435.htm>

<https://sbcfire.org/statistics/#div4-anchor>

<https://wp.sbcounty.gov/sheriff/patrol-stations/morongo-basin/>

XV. RECREATION

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

In the Initial Study/Mitigated Negative Declaration (IS/MND) the developers are indicating the adverse physical effects on the environment of the Project as “less than significant.”

This on the face of it is an unreasonable assertion. The Wonder Valley environment can be characterized as: quiet, rural, with unimpeded views, a dark sky night, and with residents that have made a choice to live here in large part because of those characteristics.

It is clear that this project will significantly and adversely affect all these elements.

It will do so by itself and also by the precedent it will create for like projects.

Like projects that will also need rezoning, will bring more traffic, will bring more dust, will bring noise, will bring unwanted light, and will bring more trash.

To not recommend this element to be investigated much more thoroughly under an Environmental Impact Report process would be a disavowal of the responsibilities of the San Bernardino Land Use Services Department.

On the other hand, were an Environmental Impact Report recommended, and subsequently decided as required by the San Bernardino County Board of Supervisors, this County would show its forward-thinking ability, would maintain and preserve the rich and diverse natural resources of Wonder Valley, resources that in years to come will be of great value, historically, environmentally and economically to this, perhaps the most opportunity and resource rich County in the State of California.

XVII. TRANSPORTATION

We disagree with the Initial Study/Mitigated Negative Declaration (IS/MND) assessment of Criteria a, b, and c as documented below and state that they should be judged to have "Potentially Significant Impact." A full Environmental Impact Report (EIR) should be performed.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVII. TRANSPORTATION – Would the project:				
<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:
Countywide Policy Plan; Submitted Project Materials; Wonder Inn Project Trip Generation & Vehicle Miles Traveled Screening Assessment, Ganddini Group, May 19, 2021 (Appendix H-1); Wonder Inn Hotel Project Vehicle Miles Traveled Analysis, Environment, Planning, Development Solutions, July 15, 2021 (Appendix H-2)

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

IS/MND States:

Goal TM-2: Roads designed and built to standards in the unincorporated areas that reflect the rural, suburban, and urban context as well as the regional (valley, mountain, and desert) context.

Consistent: Project improvements along Amboy Road include right-of-way dedication and widening the existing roadway 29 feet from the centerline to facilitate driveway entry, which creates a 40-foot-wide roadway section from the centerline to the Project Site curb. The Project is not in an urbanized area, therefore, only curb and gutter are proposed, and no sidewalks are required. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

OUR RESPONSE to Criterion a): Upon examination we assess that this mitigation is incorrect, inadequate and does not address the reality of the environment of Wonder Valley.

We *disagree* with the IS/MND. Considering all road factors and the Wonder Valley Community as it exists the developer's proposal would drastically change that "rural ... context". There are currently NO business developments existing in Wonder Valley of this type and scale and therefore no current need for such "road designs". This is quiet, rural/residential area. The proposed resort's establishment would be drastically different than the existing character of this area. There are currently NO traffic controls (e.g., stop signs) from the entry to Wonder Valley eastward at Adobe Road in Twentynine Palms in the approximately 60 miles through the Sheephole Pass to the town of Amboy. Wonder Valley residents and visitors enjoy the wide-open vistas and unimpeded access on Amboy Road, with, of course, taking into account the normal safety concerns of cross traffic. The establishment of the proposed resort at the intersection of Amboy Road and Gammel Road would create congestion from entry and exit to this resort in the normal course of business and would increase in concerns with the potential of special events, such as music festivals, that the developers may plan to host. There is no mention of, much less any mitigations in the IS/MND, related to traffic and congestion caused by travel north and south on the unpaved Gammel Road that bounds the proposed development on the east.

The developers proposed road modification are not in the current "rural ... context" and are inappropriate in that "context" and contrary to most of the LU-2 Land Use Mix and Compatibility elements of the Countywide Plan.

IS/MND States:

***Policy TM-2.3:** We require new development to mitigate project transportation impacts no later than prior to occupancy of the development to ensure transportation improvements are delivered concurrent with future development.*

The Proposed Project would be consistent with the goals and policies as set forth in the Transportation and Mobility Element of the Countywide Policy Plan. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

OUR RESPONSE to Criterion b): Upon examination we assess that this mitigation is incorrect, incomplete and inadequate and does not address the reality of the environment of Wonder Valley.

We *disagree* with the IS/MND. The proposed mitigations are inconsistent with the LU-2 goals of the Countywide Plan. The establishment of the proposed resort at the intersection of Amboy Road and Gammel Road would create congestion from entry and exit to this resort in the normal course of business and would increase in concerns with the potential of special events such as music festivals, that the developers may be planning to conduct. There is no mention, much less

any mitigations in the IS/MND, related to traffic and congestion caused by travel north and south on the unpaved Gammel Road that bounds the proposed development on the east.

In addition, outside of the proposal and text of the IS/MND we have learned that the developers are marketing, and soliciting deposits for an additional housing development south to the proposed Wonder Inn Hotel/Resort. None of the impact of such as housing development is addressed in any way related to transportation concerns. (See “Size, Scope, and Piecemealing” in these Response Comments.)

An EIR should be conducted to explore and address the above concerns that the developers and the County’s mitigation do not deal with the existing “rural ... context” nor conform to the LU-2 goals of the Countywide Plan.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)

OUR RESPONSE to Criterion b): Upon examination we assess that this mitigation is incorrect, incomplete and inadequate and does not address the reality of the environment of Wonder Valley.

The traffic “assessment and technical information” used as a basis for this mitigation is incomplete and inadequate. It justifies the impacts “to be less than significant” based on the conclusion that because there are already adequate accommodations in the Joshua Tree National Park vicinity this project “would not induce additional travel to the area.” This begs the issue. Even if this were true, once established, if the Project is successfully marketed and implemented it would logically impose increased traffic to it and the adjacent areas. Additionally, the project proposal indicates that the Wonder Inn resort applicants have marketed the facility to conduct events (e.g., music, weddings, conferences, etc.) that will draw additional traffic that would exceed that which would be generated from hotel room guests. Those factors are not addressed or accounted for in the Initial Study mitigations or associated appendices.

In the applicant’s Project proposal and marketing there appears to be a lot of promotions for and infrastructure dedicated to hosting Events. If these facilities are made available for anyone other than a registered guest, San Bernardino County has consistently designated these as separate “Meeting Facility, Public or Private” Uses. This would have a significant impact on the Vehicle Miles Traveled (VMT) study, Noise Study, parking demand, and water use calculations. If this is not the case, the Project should be conditioned to allow events only for registered guests. We have no documented information related to the number of projected sizes of these events such as a wedding or music events as to how many attendees and associated vehicles will appear in concentrated period both arriving and departing, or how big the conference center is and how many attendees and associated vehicles will create peaks in traffic during such events. Detailed information is needed to understand what impacts this will have. An EIR regarding this must be performed. Of course, there will be increased impacts related to lighting, noise, and dust that will increase related impacts not considered in the IS and appendices.

There is no mention, not to mention mitigation, of factors caused by visitors to the proposed Inn of “exploration” of the surrounding neighborhood or Wonder Valley at large that will cause additional traffic on the surrounding dirt roads, causing increased disruption, noise, dust, and potential thefts of residents’ property.

In addition, outside of the proposal and text of the IS/MND we have learned that the developers are marketing, and soliciting deposits for an additional housing development south to the proposed Wonder Inn Hotel/Resort. None of the impact of such as housing development is addressed in any way related to transportation concerns. (See “Size, Scope, and Piecemealing” in these Response Comments.)

An EIR should be conducted to explore and address the above concerns that the developers and the County’s mitigation do not deal with the existing “rural ... context” nor conform to the LU-2 goals of the Countywide Plan.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

IS/MND States:

... the Proposed Project will be subject to review by the County Department of Public Works: Traffic Division to ensure that the Project does not substantially increase hazards

... no significant impacts are identified or anticipated, and no mitigation measures are required.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

OUR RESPONSE to Criterion c): Upon examination we assess that this mitigation is incorrect, incomplete and inadequate and does not address the reality of the environment of Wonder Valley.

When will the “review by the County Department of Public Works” take place? The community deserves such review to take place and be made public before the approval of this project to assure that it doesn’t “substantially increase hazards”.

We anticipate that there are and will be hazards imposed by current road conditions and geography on Amboy Road in front of the proposed project. There is a significant rise in road in front of the existing building that causes a dangerous “blind spot” impeding visibility in both directions on Amboy Road. Current residents and travelers on that road have experienced impatient, speeding drivers attempting to pass vehicles that are attempting to make turns off of Amboy Road to their homes. This hazard will be exacerbated by entries and exits to the proposed Inn as visitors to the proposed Inn enter and exit it. In addition, the IS/MND make NO mention of any additional traffic that will occur from new traffic both north and southbound on Gammel Road. There are no mitigations proposed for any traffic control in this area. The two photos below document the hazard.

Road rise blind spots hazards heading west & east bound:



In addition, outside of the proposal and text of the IS/MND we have learned that the developers are marketing and soliciting deposits for an additional housing development south to the

proposed Wonder Inn Hotel/Resort. None of the impact of such as housing development is addressed in any way related to transportation concerns. (See “Size, Scope, and Piecemealing” in these Response Comments.)

Conclusion: An EIR should be conducted to explore and address the above concerns that the developers and the County’s mitigation do not deal with the existing “rural ... context” nor conform to the LU-2 goals of the Countywide Plan.

XIX. UTILITIES

UTILITIES AND SERVICE SYSTEMS - Would the project:

- a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Comment: The Wonder Inn project requires the building of a new septic/ wastewater treatment system which has not been studied in a manner to determine if it would have significant environmental effects. See section “X: Hydrology and Water Quality” and section “VII: Geology and Soils” in these Response Comments regarding the lack of an approved percolation report. The Wonder Inn’s Initial Study/Mitigated Negative Declaration (IS/MND) does not address any impact on the broader environment beyond municipal water, wastewater and stormwater systems which are unaffected by the project.

Page 80/92 IS/MND:

“The Project would be served by an on-site water well, an on-site septic system, therefore, there would be no impact to water and wastewater systems. Stormwater will be handled on-site via swales and allowed to percolate into the ground; therefore, there would be no impact to stormwater drainage facilities. The Project Site would also be serviced by commercially available propane, electrical and telecommunications facilities. The commercial building on site and former uses were previously served by commercially available propane, electrical and telecommunications facilities, therefore, these utilities are established on site. (p.80)”

The Wonder Inn developers state that propane, electrical and telecommunication utilities are already established onsite. However, given the scale of the Wonder Inn Project those utilities will have to be expanded and rebuilt. Will new electric lines result in planned outages that will affect residents of Wonder Valley?

Conclusion: An Environmental Impact Report (EIR) is needed to determine the environmental impact of the construction of new wastewater systems and the expansion of the on-site utilities to accommodate a project the size of the Wonder Inn.

Comment: The estimated 1 GWh per year by the developers will stress an already stressed electrical grid in Wonder Valley. In addition to the many scheduled power shut down periods that Southern California Edison (SCE) does during the year in Wonder Valley, there are many random outages that occur unannounced, affecting the community.

“Electrical service to the Proposed Project would be serviced by Southern California Edison (SCE), which provides the electrical service to the general area. The Proposed Project will receive electrical power by connecting to existing power lines. The increased demand from the Proposed Project is expected to be sufficiently served by the existing SCE electrical facilities. According to the California Energy Commission, the commercial building sector of the Southern California Edison planning area consumed 36,202.653241 GWh of electricity in 2019.17 The estimated electricity demand for the Proposed Project is approximately 1 GWh per year. The Proposed Project’s estimated annual electricity consumption compared to the 2019 annual electricity consumption of the overall commercial building sector in the SCE Planning Area would be insignificant. (p.80)”

Using the commercial building sector as a metric to determine the impact of the additional 1GWh consumed by the Wonder Inn is not an accurate comparison. Additionally, the impact of a project this size would affect electrical service in the entire area of Wonder Valley. Wonder Valley is part of the Yucca Valley service district which has one of the worse reliability metrics in the state of California. Reference: 2020 San Bernardino Countywide Zero-Emission Bus Study Master Plan (https://www.gosbcta.com/wp-content/uploads/2020/08/SBCTA-ZEB-Final-Master-Plan_04.24.20.pdf)

The charts below illustrate the vulnerability of the local grid independent of the broader SCE commercial building sector. The Wonder Inn IS/MND also fails to take into consideration the impact of our incredibly hot summers (averaging over 102 degrees in Wonder Valley during the summer) that would put increased burden on the local electric grid. Since the Wonder Inn plans to operate during the summer the increased HVAC demand would likely result in power outages for the low-income, elderly, and vulnerable local community.

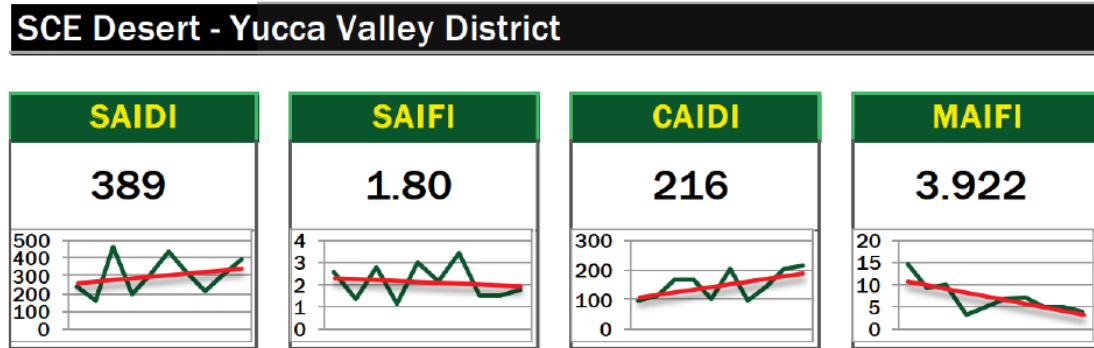
Table 1-15: Reliability by SCE District

District Name	SBCTA Sites	2014		2015		2016		2017		2018		Average	
		District SAIDI	District SAIFI	District SAIDI	District SAIFI	District SAIDI	District SAIFI	District SAIDI	District SAIFI	District SAIDI	District SAIFI	SAIDI Avg	SAIFI Avg
VICTORVILLE	Hesperia	58.9	0.6	87.0	0.9	79.4	0.9	84.1	0.9	125.9	0.9	87	0.8
ONTARIO	West Valley	97.9	1.0	94.0	0.7	105.1	3.9	100.4	1.1	80.0	0.7	95	1.5
FOOTHILL	Fontana	93.4	0.9	109.6	1.0	142.8	1.0	110.5	1.1	117.6	1.0	115	1.0
SCE System Wide		112.1	1.0	114.8	0.9	134.5	1.1	139.7	1.2	136.8	0.9	128	1.0
REDLANDS	East Valley, Yucaipa, SBTC	154.3	1.0	124.5	1.0	137.1	1.0	142.6	1.0	88.9	1.0	129	1.0
BARSTOW	Barstow	201.5	1.3	187.1	1.2	134.8	1.4	357.5	2.6	115.7	1.4	199	1.6
YUCCA VALLEY	Joshua T., 29 Palms, YVTC	304.3	1.5	389.1	1.8	463.7	3.4	300.3	2.0	353.8	1.9	362	2.1
ARROWHEAD	Crestline	193.3	1.6	362.6	4.0	659.5	2.9	816.5	3.9	68.5	1.5	420	2.8

Source: SCE

From a resiliency perspective, all of the MBTA sites are located in SCE’s Yucca Valley district. This district has one of the worst reliability metrics in the state of California. See Section 1.5.1.3 for more details about reliability of SCE’s electric grid. WSP recommends that MBTA consider a diesel generator at this site to help improve reliability and redundancy. Figure 3-9 shows the reliability figure for Joshua Tree. The left side of each chart is 2006, and the end of each chart is 2015, when this comprehensive overview was completed. Despite some blips in years, performance improved generally over time. The red line is the overall trend line. The most recent reliability data published by SCE is 2018 currently.

Figure 3-9: Joshua Tree Yard (SCE Yucca Valley District) Energy Reliability Figures



Source: SCE

The 2015 SAIDI score of 389 minutes indicates that each customer was without power for an average of 389 minutes throughout the year. The SAIFI score of 1.8 indicates that most customers had less than 2 average outages per year, but it took nearly 4 hours to restore power (CAIDI). 1.8 outages * 216 minutes per outage = 389 total outage minutes. Finally, in 2015, Yucca Valley customers experienced 3.9 momentary outages, which will reset all chargers, unless they are provided with uninterrupted power supplies, which adds cost.

Conclusion: An EIR is needed to determine the impact of the additional load on the local grid and the community surrounding the Wonder Inn.

UTILITIES AND SERVICE SYSTEMS - Would the project:

- b) *Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?*

Comment: See section “X: Hydrology and Water Quality” in these Response Comments. There is no proof that the Wonder Inn’s use of the Dale Basin Aquifer will be sufficient to serve the project and not impact the surrounding residential wells as no recent studies have been completed to assess the health and availability of groundwater in the area. To make comparisons of the proposed resort to long-ago jojoba farm watering is irrelevant, as well as the questionable methods used to compare them. The population of Wonder Valley has grown along with the increase in short-term rentals, and it has been many, many years since the jojoba farm was active (30? 40 years inactive?), and we currently are in a severe drought. The

transient non-community water system (TNC) well certification is also questionable based on the realistic staffing levels of a 106-room 5-star hotel, restaurant, spa and event center.

Page 80-81/92 IS/MND:

“The Project Site has two existing wells, one of which will serve as the source of domestic, irrigation, and fire suppression water for the Proposed Project. Because the well will be providing water for human consumption to at least 15 service connections or to at least 25 people for at least 60 days per year, the water system proposed for the Project meets the classification as a public water system, more specifically, a transient non-community water system (TNC), which limits the number of employees to less than 25 and limiting guest stays to less than 60 days. It is anticipated that the smaller capacity well, located near the existing commercial building may be used for irrigation only. The TNC designation was approved by the County of San Bernardino Environmental Health Services on August 20, 2021 (Appendix F-2) (p.80-81)

**** The analysis in Appendix F-2 identified that the Proposed Project is estimated to utilize 20.7-acre feet annually (approximately 6.7 million gallons). The former use of the jojoba farm was anticipated to utilize approximately 35.04 acre-feet (9.51 million gallons) annually. Therefore, the Proposed Project is anticipated to consume approximately 14.29-acre feet less annually than the jojoba farm had previously for decades. The hotel would be equipped with modern low-flow fixtures, and the Proposed Project includes a grey water reclamation system that would return approximately 65 percent of the hotel’s consumption to the aquifer. Because the Proposed Project is anticipated to use less than the previous use of a jojoba farm, and because the Proposed Project includes water-saving fixtures and a grey water reclamation system for water return, it is estimate that the Proposed Project would have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years. No significant impacts are identified or anticipated, and no mitigation measures are required. (p.81)”***

Conclusion: An EIR is needed to determine if there is enough available groundwater to serve this project and any future phased construction over drought conditions and multiple dry years.

UTILITIES AND SERVICE SYSTEMS - Would the project:

c) *Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project’s projected demand in addition to the provider’s existing commitments?*

Comment: Since there are no municipal wastewater/ sewage services in Wonder Valley, a San Bernardino EHS approved percolation report should have been provided by the developers when the Conditional Use Permit (CUP) was submitted, as it is one of the requirements to process the CUP. The statement below implies that the system has not been designed or approved by any San Bernardino agency so any assertion by the developers that there will be adequate capacity is an unverified assumption.

Page 81/91 IS/MND:

“The Proposed Project would connect each proposed structure to a sewer system and leach field. The system will also require approval by the San Bernardino County Department of Health Services. Therefore, as the Project would not be connecting to a wastewater treatment provider, the Proposed Project would not result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project’s projected demand in addition to the provider’s existing commitments. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.”

Conclusion: The Wonder Inn CUP should be withdrawn until a septic/ wastewater system or percolation test has been reviewed and approved by San Bernardino EHS and Department of Health Services. If the San Bernardino Land Use department decides to circumvent their own requirements then an EIR is needed to assess that the proposed future septic system will have an adequate capacity to serve the Wonder Inn.

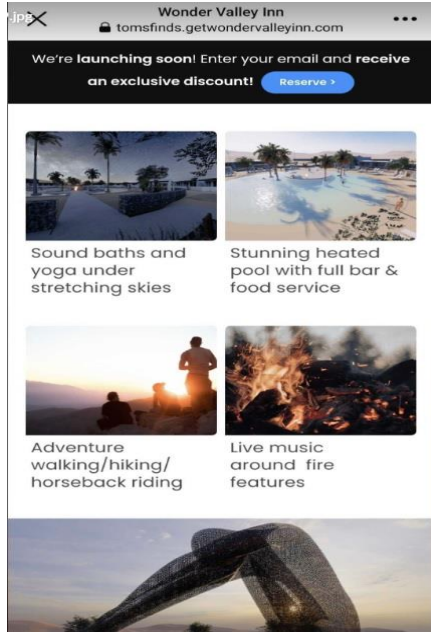
XX. WILDFIRE

“As of 2010, about one-third of California’s housing units were located within the wildland-urban interface.¹⁷ Residential developments in the wildland-urban interface and other wildfire prone areas can significantly increase the risks of wildfires and the risk to public safety for several reasons. First, introducing more people—via additional development—into a flammable landscape increases the likelihood of: (1) a wildfire igniting due to the increased presence of people; and (2) the ignition becoming a wildfire because of the placement of homes amongst the flammable vegetation. Second, building housing units in the wildland-urban interface puts more people in harm’s way. Wildfires, particularly those that impact developments in relatively remote locations, may impede the evacuation of communities and emergency access, making it more difficult to ensure public safety and to limit, control, or extinguish wildfires. Finally, fires in remote locations require significant fire-fighting resources and mobilization of fire-fighters from all over the State—putting a major strain on the State’s fire-fighters and the State’s budget. Put simply, bringing more people into or near flammable wildlands leads to more frequent, intense, destructive, costly, and dangerous wildfires.” (Source: oag.ca.gov)

California has seen record breaking destruction from wildfires in recent years, due to years of extreme drought and weather conditions. People may think that a wildfire cannot happen in the desert because there’s ‘nothing to burn.’ However, wildfires do happen in the desert. Within this geographical area, it is common to have multiple wind advisories and wind warnings several times per month for several months of the year. During a wind advisory, winds can blow sustained 25-35 mph with gusts up to 60 mph (<https://www.weather.gov/safety/wind>). Winds such as these will fan the flames of a wildfire and spread the fire quickly. Here are a few examples of wildfires threatening our area:

- The Elk fire burned 431 acres in the area between Yucca Valley and the village of Joshua Tree, threatening homes in 2022 (<https://www.desertsun.com>)
- 25 acres vegetation fire Flamingo Heights (<https://z1077fm.com>)
- The Elk Fire, south end of Yucca Valley burned 431 acres in 2022 (fire.ca.gov)
- The Dome Fire in the Mojave Preserve burned 43,273 acres in 2020 (latimes.com)
- The Sawtooth Complex fire burned 61,700 acres in 2006 (fire.ca.gov)

Of note, the proposed Wonder Inn project’s promotional materials portray outdoor bonfires:



*Note: this promotion refers to the “Wonder Valley Inn”, but the promotional image of the pool and sound bath areas are from the Wonder Inn’s own architect images.
(<https://www.aearchitect.com/wonder-inn>)*

Regarding Criterion a), emergency response:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

“The Project Site does not contain any emergency facilities.”

In the Wonder Valley Community Meeting, held in May of 2022 at the Wonder Valley Community Center, the project proponent stated that they planned to buy their own firetruck and have their own volunteer fire department (source: <https://www.youtube.com> @ 0:42). Yet, this is not mentioned in the Initial Study, nor the Appendices.

QUESTION: will the proposed Wonder Inn be dependent upon county fire services for either primary response or back up response to wildfires?

QUESTION: will the proposed Wonder Inn have their own fire engine?

QUESTION: will the proposed Wonder Inn have their own trained fire response team?

QUESTION: what training and/or certification will this team have?

QUESTION: will the team members be paid firefighting staff?

QUESTION: will this in-house team be dedicated to fire services, or will they have other duties too?

QUESTION: who will oversee this team and evaluate their effectiveness? what qualifications will this person(s) have?

QUESTION: how will this in-house fire response team interface with the county fire department?

QUESTION: will their fire response team have adequate training in *wildfire suppression?

QUESTION: will their equipment be adequate for wildfire suppression?

QUESTION: what if a fire occurs on a windy day? will they be able to control a fire and prevent the spread of wildfire into nearby neighborhoods?

QUESTION: what exactly is their plan for fire response, to ensure that nearby residential homes are not threatened by wildfire?

QUESTION: have any studies been done on this issue??

Regarding Criterion a), evacuation plan:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

“Project Site is adjacent to Amboy Road, which is not a designated evacuation route within the County.”

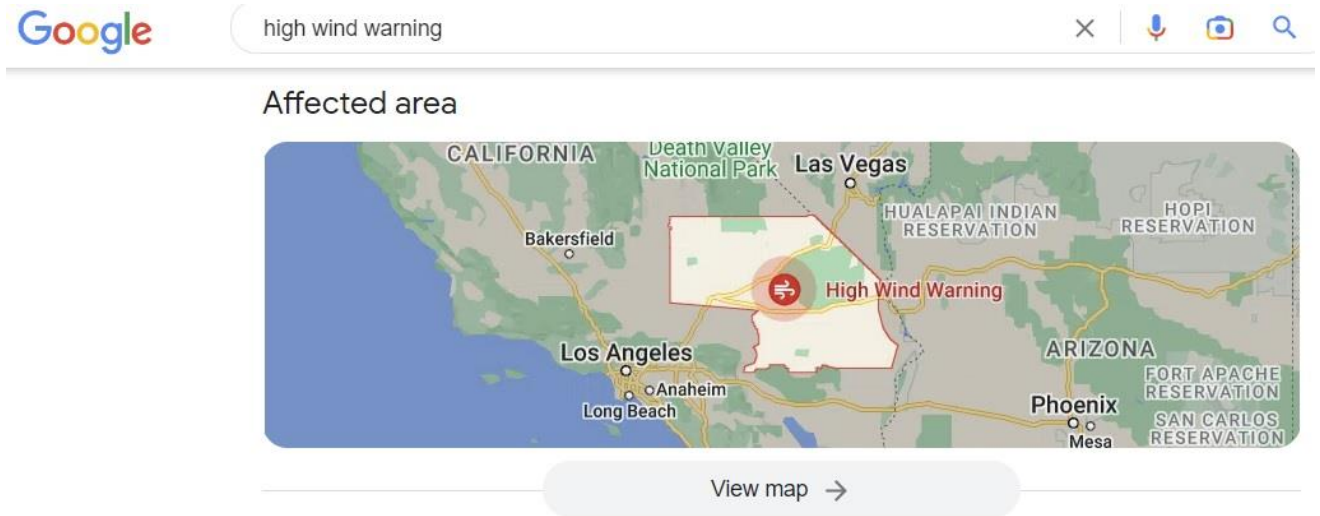
There are only 2 paved east-west roads through Wonder Valley: Hwy 62 and Amboy. Both of these roads are little rural 2 lane roads. In the event that a wildfire moved through this area – especially the fast-moving wildfires that are fanned by the high winds that frequent our valley, these are the only roads that Wonder Valley residents would be able to evacuate through to the east to escape a fire. There are over 1,000 residents in Wonder Valley, plus 60 Short Term Rentals with guests; this luxury hotel will add about 220 people per their estimates – plus the occupants of the 24 homes they also plan to develop (not included in their application, but currently being sold through online websites such as Modly), increasing population by roughly 25%. (See Public Services section.) Is *one* 2 lane road enough to evacuate 1300+ people if a wildfire came from the west, moving toward the east? Would emergency vehicles be able to get through? Remember, our roads have soft, sandy shoulders, prohibiting passing around any other vehicles. We could be looking at a situation like Paradise, CA if we have a fast moving wildfire and inadequate evacuation routes.

QUESTION: Have any studies been done to analyze this?

Regarding Criterion b):

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?

Wonder Valley has numerous high wind events per year, that can have sustained winds of 25-35 mph and wing gusts of up to 60 mph. Here is a wind warning from today, 2/13/23:



...HIGH WIND WARNING REMAINS IN EFFECT FROM 3 AM TO 10 PM PST TUESDAY...

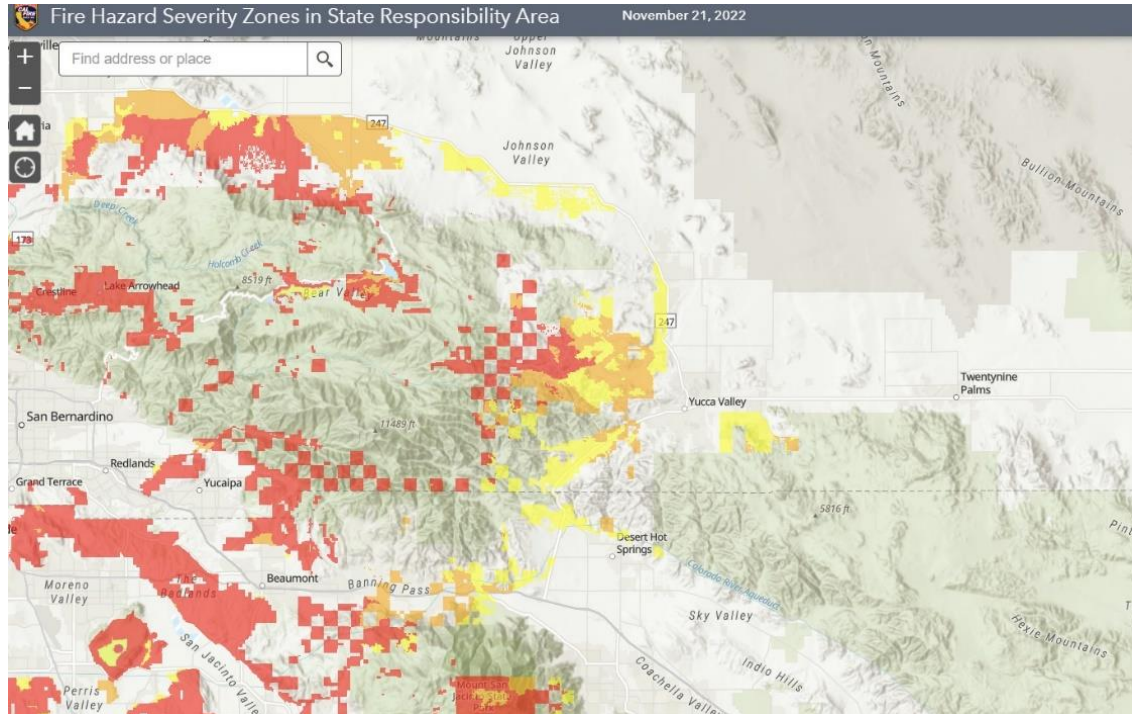
* WHAT...West winds 25 to 35 mph with gusts up to 60 mph possible.

* WHERE...Western Mojave Desert, Eastern Mojave Desert, Morongo Basin and Cadiz Basin.

* WHEN...From 3 AM to 10 PM PST Tuesday.

* IMPACTS...Damaging winds could blow down trees and power lines. Some power outages are likely. Travel will be difficult, especially for high profile vehicles due to hazardous crosswinds and low visibility due to blowing dust.

Winds like these usually come from the west, blowing towards the east – towards Wonder Valley from the more densely populated areas in the Morongo Basin. In addition, there are fire hazard zones to the west of Wonder Valley, as close as Yucca Valley.



Wonder Valley is bordered by Bullion Mountains to the north and Pinto Mountains to the south, creating a channel for high winds. As has been evident in the past several years of California's devastating wildfires, high winds will move a wildfire very quickly. As cited earlier, there have been wildfires / vegetation fires in our area. Most of these fires were exacerbated by high winds. These are but a few mentions in local news about winds exacerbating fire suppression efforts:

- “Despite the erratic winds, high temperatures, and extremely dry vegetation, fire crews managed to contain the wildfire to 160 acres, and prevented the fire from spreading into BLM land. More than 40 county firefighters and BLM firefighters, along with hand crews, and water tenders worked to contain the fire.” (Source: Z1077)
- “Throughout the afternoon strong erratic winds pushed the fire through the dry vegetation. By 5PM the fire had grown to more than 200 acres.” (Source: Z1077)
- “...the winds were a significant factor in fanning the blaze.” (Source: Z1077)

QUESTION: Have any studies been done on this issue?

CONCLUSION: I request that a full Environmental Impact Report be done to effectively study the possible dangers of wildfires to Wonder Valley before this project is considered.

Wildfire Comment References:

<https://oag.ca.gov/system/files/attachments/press-docs/Wildfire%20guidance%20final%20%283%29.pdf>

<https://www.desertsun.com/story/news/2022/05/26/elk-fire-threatens-homes-yucca-valley-near-joshua-tree/9951357002/>

<https://z1077fm.com/vegetation-fire-in-flamingo-heights-confined-to-15-acres/>

<https://www.fire.ca.gov/incidents/2022/5/26/elk-fire/>

<https://www.latimes.com/environment/story/2020-09-06/mojave-desert-fire-destroys-the-heart-of-a-beloved-joshua-tree-forest>

<https://www.fire.ca.gov/incidents/2006/7/9/sawtooth-complex/>

<https://www.youtube.com/watch?v=locy-iZboQs&t=43s>

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

Regarding Criterion a):

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

The potential to substantially degrade the quality of the environment is detailed throughout these Response Comments and must be considered Mandatory Findings of Significance.

In particular, as documented in section “IV: Biological Resources” of these Response Comments, the Initial Study/Mitigated Negative Declaration (IS/MND) fails to include a study the applicant commissioned to be done on 40 acres of the project site by Circle Mountain Biological Consultants, Inc., that revealed evidence of the presence of the threatened Agassiz’s Desert Tortoise. This omission is critical and significant, should be graded as a “Potentially Significant Impact,” and should trigger an Environmental Impact Report (EIR). Based on this omission, the extremely opposing data, the lack of a valid focused desert tortoise survey, and other issues noted in Section IV, a full, certified Environmental Impact Report per California Environmental Quality Act (CEQA) requirements should be completed for the Project and Project Site of the proposed Wonder Inn.

Also, of particular importance under Criterion a), the potential to “eliminate important examples of the major periods of California history or prehistory” is discussed in detail in section “V: Cultural Resources” of these Response Comments. The IS/MND has failed to properly evaluate for historical significance both the existing commercial building and the setting as a Small Tract Act homestead legacy community. The potential for significant impact to the historical significance of these resources and for elimination of the resources as important examples of California history is clear and must be considered a Mandatory Finding of Significance. Adequate evaluation will require a thorough EIR as require by CEQA.

Regarding Criterion b):

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

We contend that our documentation of shortcomings throughout the IS/MND in multiple environmental factor areas demonstrate that the Project will have impacts that may be

individually limited but cumulatively considerable. See especially but not only sections “I: Aesthetics”, “V: Cultural Resources”, “X: Hydrology and Water Quality”, “XI: Land Use and Planning”, and “XIV: Population and Housing” in these Response Comments.

Of greatest concern are the issues detailed in section “Size, Scope, and Piecemealing” in the Response Comments. Inconsistencies in the representation of the Project size and scope and most especially the discovery of an undisclosed plan for a luxury housing development on adjacent acreage owned by the developers *already in promotion* but not included in the Project description raise serious questions of piecemealing. These issues must be clarified and a complete evaluation of potential cumulative impacts as a Mandatory Finding of Significance must be performed in a full Environmental Impact Report as required by CEQA.

Regarding Criterion c):

c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?

The IS/MND substantiation of Criterion c) reads as follows:

All potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse effects upon the region, the local community or its inhabitants. At a minimum, the Project will be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval will further ensure that no potential for adverse impacts will be introduced by construction activities, initial or future land uses authorized by the project approval.

The incorporation of design measures, County of San Bernardino policies, standards, and guidelines and proposed mitigation measures as identified within this Initial Study would ensure that the Proposed Project would have no significant adverse effects on human beings, either directly or indirectly on an individual or cumulative basis.

Contrary to the above contention, our Response Comments amply demonstrate that potential impacts have NOT been thoroughly evaluated, determinations of potential impacts cannot properly be made, and the proposed mitigations cannot be supported based on the information contained in the IS/MND. We believe our documentation of shortcomings found throughout the IS/MND and our contentions in these Response Comments that the Project would cause “environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly” amount to Mandatory Findings of Significance and therefore must trigger a complete, Certified EIR as required by CEQA.

CONCLUSION

As a large luxury hotel and event center, the Proposed Wonder Inn Project is starkly different from the community it plans to locate into, and it does not fit in with the existing local character of Wonder Valley (<https://countywideplan.com>). There is only one other parcel zoned Services Commercial in Wonder Valley, which is the Palms restaurant, roughly 6 miles east of the Project Site. The Palms is a historic community gathering place, established in 1961, owned and operated since 1996 by a local Wonder Valley family. Of note, the Palms is a rustic, rural, tavern-type establishment, and is quite consistent with the laid back, rural character of Wonder Valley. The Palms does not have streetlights, nor outdoor building lights. The Palms preserves the dark desert night, which supports stargazing, one of our favorite activities in Wonder Valley. The Palms welcomes its neighbors.

This is the Palms, as viewed on Google Maps Street View:



Though humble, the Palms is emblematic of a unique, historical, homestead community that retains wild desert homestead values and has built a character that suits the unpretentious but resourceful folks who live in Wonder Valley. The contrast with the Proposed Project could not be greater. The Wonder Inn would destroy the community, setting, resources, assets, and values that it hopes to exploit and then replace.

It is not welcome to do so.

Given the existing rural/residential environment, the Project's conflict with the Goals stated in the Land Use Elements of the Countywide Plan that apply to Wonder Valley, and the fact there is *nothing* of this type of major development in existence in Wonder Valley, a hotel/resort of this type is anomalous, inappropriate, and undesired. It would establish an unacceptable precedent in the Wonder Valley area that would likely open the door to further highly undesired development.

We therefore request that the rezoning applied for in the Conditional Use Permit and the amendment to the General Plan be denied.

Further, as documented in these pages, the IS/MND contains numerous deficiencies and further study is needed to adequately evaluate potential significant impacts on the Wonder Valley community, environment, and resources. Substantial evidence demonstrates that impacts from the Project are individually and cumulatively significant.

Accordingly, the County must prepare a complete, certified EIR addressing these impacts, in full compliance with CEQA, before it can approve the Project.

We ask to be kept fully informed of any and all developments in the CEQA and permitting processes, as our interest in this matter is vital. Email correspondence may be sent to info@stopwonderinn.org. Postal correspondence may be sent to PO Box 1722, Twentynine Palms, CA 92277. We ask that the undersigned be kept informed at their individual addresses, as well.

Again, we thank you for the opportunity to comment on the Wonder Inn Project Proposal.

Sincerely,

The Stop Wonder Inn Project Working Group



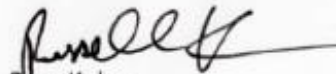
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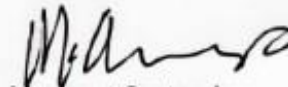
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