

## Altamira Appeal 5, Notes for Slides

### SLIDE 1

#### **Good Afternoon Chairman Ramos and Honorable Supervisors**

My name is Pat Flanagan, You should know

I am a member of the Morongo Basin MAC

And I have submitted comments on this project for MBCA

My professional background includes my work as a biologist and an educator.

Today I am speaking as a member of the JT 105 Alliance

My presentation will cover our issues under two headings

1. The Joshua Tree Community Plan
2. The Traffic Impact Analysis

### SLIDE 2

#### **According to the California Government Code §66473.5.**

No local agency shall approve a tentative tract map unless the development is **consistent** with the General Plan and any adopted specific plan.

The **Joshua Tree Community Plan** was adopted into the General Plan and the Development Code in 2007 and its Ordinances in 2013. This allows for implementation of **special development standards** in specified areas and to insure any proposed development is **consistent** with these standards.

### SLIDE 3

The policies in a Community Plan are the **refinements** that **customize the general plan goals to meet the specific needs and circumstances** of individual communities. These policies deal with the **unique land use issues** that fundamentally contribute to the **character and form of the community**.

We **anticipated** the specific goals and policies of the Community Plan would be called out for analysis in the Initial Study's Analysis and Findings.

Unfortunately, our anticipation was premature as I will demonstrate with the following examples.

### SLIDE 4

#### **The unique characteristics of the Joshua Tree Community are a reflection of Joshua Tree National Park.**

The Plan states: The **Joshua Tree community** *shares many of the rural characteristics of Joshua Tree National Park – including its **open space**, and **natural resources**.*

The Initial Study ignores the adjoining National Park except to confirm its recreational value for future Altamira residents.

The Community LU Policy 1.3 states that *Development shall be required to maintain, conserve, and be complementary to environmentally sensitive areas and elements.*

There is then a list of flora and fauna followed by mention of: hillsides, scenic vistas, drainage areas, habitat, and unique geological features.

In reality, The rich naturally vegetated foothills and drainages that flow from within the Park boundary and out through the neighborhoods define the southern boundary of the **Community** with the **Park. Humans drew the park boundary**, not the wildlife, and thus the need for functioning wildlife linkages to allow animals to roam and to prevent the Park from becoming an island unto itself.

#### SLIDE 5

The Altamira project has been in the works since 2007 and the developer has presented at multiple MAC meetings as well as before the Planning Commission. Community members were always on hand to make known their concerns for the natural environment in their open desert neighborhoods with frequent sightings of wildlife including desert tortoise, bobcats, and other critters. The community fears the effects that a walled development would have on the natural movement of their wild neighbors.

In the immediate surrounding area, the Mojave Desert Land Trust has spent 4.2 million dollars for the acquisition of 2,750 acres of conservation lands to protect the wildlife linkage that connects the National Park with the Marine Base. (The sections are Identified in red on the left map). On the right, the green sections and bits show positive presence of Desert tortoise during multiple surveys by Circle Mountain Biological Consultants.

#### SLIDE 6

The Wildlife Linkage works\_ it functions because of the **low density residential development** in the area. (See JT 2.1) From above, and to the east of the project, you can see the **lots are large** – 1 acre - and the homes are placed **variously in relationship** to one another. This allows for connected open space around the homes through which wildlife moves and water can flow.

#### SLIDE 7

Neither the Initial Study nor the Staff Report call out the Joshua Tree Community Plan policies and goals specifically nor is the plan listed in the References Section. Specific references first appear in the Staff's *Supplemental Responses to the to Issues Raised in the JT105 Appeal* Sept. 13, 2016.

Despite Community Plan LU policy 1.10 **to not impose urban level requirements on our rural landscape**, the developer would scrape 105 acres, obliterating the natural drainage system, to build a barricade of 248 houses with no natural interior flow as seen in the previous slide connecting to the land beyond. The developmental footprint reverberates far beyond the enclosing walls.

The plan shown on this slide was the original for the project, found on an investor's website. It shows their original design did not allow for the blue-line streams which require a Streambed

Alteration Agreement. They had to redesign and remove houses --thus by default decreasing the density -- to allow for that condition.

Likewise, they also need to redesign the project to fit the conditions of the CP. This **consistency is a mandatory requirement of both the State and County Codes**, that must be met for project approval.

#### SLIDE 8

The Community Plan describes important features of the Joshua Tree area that the government is required to analyze when approving a housing development.

One feature is the hydrology (See JT1.2.3). The high peaks of Queen Mountain to the south are storm catchers. In addition to sporadic thunderstorms, at least once a decade, many times more frequent than every hundred years, storms drop several inches of rain in a single event causing flash flooding, erosion and mud flows. The localized microburst on September 16, 2014 delivered 2 inches of rain in one hour, carrying large volumes of water and silt across the project site, and resulting in destruction of houses and infrastructure, and one death.

The hydrology issue was minimally addressed in the 2011 Drainage Study. A full Hydrology Study is required to analyze the entire watershed's downstream effect on the site, including, among other issues, the "storm catcher" effect, microburst frequency, outcomes, and realistic mitigation measures. This issue is deadly serious. The reader of the Initial Study finds only that there are *less than significant impacts with mitigation*. However, no mitigation measures are described -- just a direction to the Biological Resources where we read a statement relying on approval gained from a California Fish and Wildlife Streambed Alteration Agreement -- that has yet to be issued. Given the location and multiple issues, the agency could likely require an EIR rather than rely on the lower level of analysis used for a Mitigated Negative Declaration.

#### SLIDE 9

This montage of pictures reminds us how devastating that September storm events was. The flood waters washed away the wall of the house pictured on the right, and carried an 18 month old baby downstream. Fortunately, he was rescued.

#### SLIDE 10

The Initial Study analysis of the Population and Housing issue (#XIII) is another concrete example of how our Community Plan was not incorporated into the CEQA analysis.

**Initial Study question:** Will the proposed new houses induce substantial population growth?

**Answer:** No, Less than significant

**Staff Substantiation:** 248 new units with an average of 2.68 persons per unit for a total of 665 persons will not substantially increase **the population of San Bernardino County. This is true.** There were 2,035,210 **County** residents in 2010. The growth rate from Altamira would be a mere 0.032%, substantially under the estimated 4.6% change in the county from 2010 to 2015. However, it is an irrelevant comment, these 665 persons would be moving into the Joshua Tree community, where 7,414 persons live and where the historical growth rate over 20 years is

1.5%. Altamira would increase our Community population by 8%. This development does not satisfy any recognized public housing needs in the area.

**Density** is also an issue addressed in the CP. Joshua Tree is spread across a landscape of 37 square miles with 200 persons/square mile. The Altamira project would jam **665 persons on less than two tenths of a square mile**. That's just shy of Orange County's density. There are no similar, successfully built out walled developments of this type in Joshua Tree.

#### SLIDE 11

#### **The 2011 Traffic Impact Analysis is incomplete and out-of-date.**

The Deficiencies:

#1. The Traffic Impact Analysis does not call out the two nearby schools in the narrative or on the maps. The school traffic volumes at their peak hours are not counted.

#2. The Park visitation numbers have increased by 78%, swelling from 1.4 million (2013) to 2.5 million (2016 projected). Alta Loma Dr. is a popular alternative to Hwy 62 for access to the Park Boulevard entrance station. The study does not include the Alta Loma terminus on Park Blvd. (1 mile east of the site) nor count and model for traffic volumes entering and exiting at that intersection.

#3. The CP Circulation element 3.2 shows that Alta Loma Dr. provides a direct connection to and from Yucca Valley. This road, parallel to Hwy 62, has become increasingly popular with residents, as well as tourists, because it lacks traffic signals and is faster than driving through the business sections of Yucca Valley and Joshua Tree. (distance is 6 miles)

The IS and Staff Report accept that the traffic study has both adequately assessed traffic in the vicinity of the site and predicted traffic levels from 2010 to 2030. The Survey is based on peak-hour weekday traffic only. It does not analyze for and predict how the projected 2,412 daily trips from the project would interact with the schools, and the increasing local and tourist traffic.

#### SLIDE 12

So,- What schools? See the red stars on the right map

Friendly Hills E.S. – which would share the development's east wall, has

**400 students with Peak traffic hours from 9:00 to 9:30 am and 3:30 to 3:45 pm**

and

**La Contenta M.S.-- 2 miles west has 727 students with Peak hours from 6:45 to 7:10 am and 1:30 to 2:05 pm**

The Traffic analysis counted only peak hour traffic volumes from 7:00-9:00 am and 4:00 to 6:00 pm (Page 8) – The study missed all but 10 minutes of the mornings' school traffic and all the afternoon traffic. Based on this Study, the Findings conclusion that *the project does not present conflicts with surrounding land uses*; i.e. the schools, is ludicrous. Particularly to the parents that experience the daily traffic jams at drop off and pick up times at the intersections of Alta Loma Rd with Sunny Vista Rd. or La Contenta Rd.

## SLIDE 13

The overarching goal in the Joshua Tree Community Plan is to maintain the character of the community while maintaining as priorities

1. the existing balance of land uses and
2. insuring adequate infrastructure and public services.

The Staff Recommendation maintains that the Project meets a high standard of low density, low impact development. This is a stunning assertion without basis in fact, as we have shown.

## SLIDE 14

According to the Development Code for Tentative Tract Map Approval or Disapproval the following Mandatory Findings are required:

- A) **That** the proposed map, subdivision design, and improvements are **consistent** with the General Plan and **any applicable community plan**.

The 'applicable Community plan' is the Joshua Tree Community Plan. As we have shown, this development is not consistent with the policies and goals of the Community Plan. The Planning staff simply ignored its existence.

Therefore, the following mandatory findings should read

- A) This proposed map is not consistent with the JTCP and many elements of the Development Code and General Plan.
- B) The site is not physically suitable for the type and proposed density of development.
- C) The density is likely to cause substantial environmental damage or substantially and avoidably injure wildlife or their habitat.
- D) There are unanswered questions of safety and a EIR is necessary to fully understand the scope.

**Circling back to the California Development Code §66473.5.**

The Tentative Tract Map will be ready for approval following full disclosure of its impacts to the public, analyzed per State CEQA Guidelines, and determined to be **consistent** with the General Plan, CP, the Development Code and all its ordinances.

## SLIDE 15

Not a sunset but a view across the project looking east toward the mountains.

In closing, We favor these actions to be taken, in order of preference:

- 1) The Project design should be denied due to its lack of compliance with many of the Land use goals and policies of the Joshua Tree Community Plan.
- 2) The County should take no further action on the Project pending preparation and certification of an environmental impact report (EIR) as required for CEQA.

Thank you for your attention and your considerable thought over your decision.