

EMAILS regarding Countywide Plan PC hearing with lack of notification to stakeholders

#1 - September 4, 2020, 1:58 PM

FROM: Steve Bardwell, MBCA President  
TO: Jerry Blum, Countywide Plan Coordinator, San Bernardino County

Subject: Countywide Plan PC hearing with lack of notification to stakeholders

Dear Mr. Blum and Ms. Karen Watkins,  
CC to: Terri Rahhal, Supervisor Dawn Rowe, Mark Lundquist, Matt Knox

Yesterday, on September 3, it came to the attention of residents in the desert communities that the September 17 Planning Commission will consider recommendations to the Board of Supervisors to adopt the Countywide Plan.

A notice was not sent to all of us who have commented through the years on the Countywide Plan and EIR. We anticipate these notices, and during these difficult times we depend on them. If a meeting notice was sent and overlooked please provide the date the notice was emailed.

This was brought to our attention by Betty Munson from Homestead Valley following her conversation with Karen Watkins about zoning changes and the SH247 Scenic Highway designation. The September 17 Commission meeting was mentioned. Betty then began the alert chain.

The September 17 Commission meeting date is prominently displayed on the Countywide Plan website. This, however, is not public notification.

On August 7, the County Facebook page posted the availability of the Draft Countywide Plan revisions on Environmental Justice. No deadline for comments was posted and there is no alert for the September 17 meeting. The Facebook announcement was paired with email notices to stakeholders.

However, on the County Meetings and Events page <https://countywideplan.com/events/>  
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“The public is invited to participate in a Planning Commission meeting on September 17th. Participants may view the meeting via live stream or by attending in-person, with facial coverings and social distancing. Purpose of the Workshop At this meeting, the Planning Commission will consider recommendations to the Board of Supervisors to adopt the Countywide [...]”

After two years of planning LUS now schedules the Planning Commission meeting to take the next important step of recommending to the Board adoption of the Final Countywide Plan without the adequately noticing the stakeholders. Although this notice

says that we, the public, are invited to participate we were not sent an invitation to the party. Our participation would be substantive.

The PC meeting and agenda notice will be posted on September 11 at 5 PM or 3 working days before the meeting. This is sufficient for the Brown Act but not for the stakeholders to be prepared to participate. We request this agenda item be postponed until the October meeting and be properly noticed.

Thank you for your consideration and attention.

Steve Bardwell  
president, MBCA  
steve@infinityranch.net

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*#2 - September 8, 2020, 4:02 PM*

FROM: Jerry Blum, Countywide Plan Coordinator, San Bernardino County,  
TO: Steve Bardwell in response to Steve's September 4 email:

Dear Steve:

I received your email and wanted to get the input from several staff members before I replied to you. I appreciate the fact that you and members of your community have been involved in the Countywide Plan from the inception of the public participation program. Your input and that of many others has helped to better the final documents that are now making their way through the hearing process.

Please know that ensuring notice and public participation in the future review and consideration of the Countywide Plan (CWP) is paramount and a primary mission of the County and the Land Use Services Department. In keeping with this mission, the Department has complied with all notice and public hearing requirements required by the California Government Code, Public Resources Code, and San Bernardino County Code for a general plan of this scope and magnitude, which authorize notice via publication in a newspaper of general circulation. In addition to the required notice, the Department provided supplemental notice via electronic display and use of other social media platforms in an effort to ensure public participation. These email notices and the posting of final documents relative to the Countywide Plan on two websites were in addition to what is required by State law and were provided ahead of normal posting procedures.

Should you have any questions regarding the foregoing, please do not hesitate to contact me or the Department.

Sincerely,

Jerry L. Blum  
Countywide Plan Coordinator  
Land Use Services Department  
Phone: 909-387-4422  
Fax: 909-387-3223  
385 North Arrowhead Ave.  
San Bernardino, CA 92415

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#3 - September 9, 2020, 8:31 AM

FROM: Steve Bardwell, MBCA President  
TO: Jerry Blum, Countywide Plan Coordinator, San Bernardino County,  
in reply to Blum's September 8 email

Dear Mr. Blum,

Thank you for your response.

As stakeholders who have been tracking the County Wide Plan we expect you have met the letter-of-the-law satisfying noticing methods and timelines.

Yet we stakeholders, who have been engaged and involved with the County Wide Plan for years, were made aware of the schedule for its consideration by the Planning Commission only by happenstance. This fact belies any contention that Land Use Services has been diligent in keeping stakeholders informed and engaged. Not until September 4 was email notification given to many of the stakeholders regarding the Agenda for the Planning Commission hearing. We would hope LUS would go well beyond merely 'checking all the boxes' to assure this important information is widely broadcast.

Thorough review and consideration of this huge and important set of documents by stakeholders requires more time than the mandated minimum. To enable preparation of meaningful comments and input on the County Wide Plan, we request postponement of consideration by the Planning Commission of the County Wide Policy documents until the month of November 2020.

The request for additional time is especially relevant as we are in the middle of a global pandemic of a magnitude not seen since 1918, and because there are so many living under severe stress coping with the issues of our new reality.

Thank you for your consideration.

Steve Bardwell  
president, MBCA

steve@infinityranch.net

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#4 - September 9, 2020, 9:51 AM

FROM: Chuck Bell of Lucerne Valley  
TO: Jerry Blum, Countywide Plan Coordinator, San Bernardino County,  
following Steve Bardwell's emails

Thanks Steve – well said.

Jerry:

Thanks for your reply to all of us.

I'll take your word for it that the notices were legal and timely for a typical project notification. (I received 2 hard mail notices – one sent 9/4/20 and one on 9/2/20. May of us rural, unincorporated community residents don't get to the PO every day – maybe once or twice a week. I just got them yesterday – 9/8. The e-mail notice was sent on Sat. 9/5).

This is not a 'typical' situation.

After 3 or so years of notices – communications – back and forth e-mail correspondence (which we appreciated from you and Karen, etc.) – phone conversations – multiple comments dealing with the very future of our communities' custom, culture and land-use integrity - the County had every logical reason and responsibility to give us a longer notice of the PC hearing. It's just a matter of courtesy - and understanding how important these 10 year plans are.

With back-to-school (or sort of) – the typical virus complications to our every-day lives – fires – we having to spend tremendous amount of time dealing with illegal marijuana grows (LV has over 250 – Landers had 80 at last count) - etc. – all contributing to disruptions to the time it takes to review all the documents – especially reviewing any changes to the largely unworkable (but some feasible) "Action Items" that we are supposed to do - let alone just finding the County's responses to our EIR comments – this will be a chore. Because of the short notice - some of us may only be able to generalize our positions to the PC – just to gain some standing for a more complete response to the BOS. And this would be a disservice to the PC which should fully understand our positions prior to making recommendations to the BOS.

Early on in this process we suggested that instead of one(?) PC hearing dealing with all the community plans – it should convene maybe 2 or 3 with each session dealing with a group of plans – giving us more time to explain our respective issues - and the PC a better opportunity to do its 'due diligence' as a 'land-use jury'- which is what it is. Just

one hearing for all the plans – if that is what’s planned – would be nothing more than the County’s perfunctory attempt to gloss over everything and just get ‘this thing done’.

At the onset – we recommended just amending our 2007 plans (which were and are fine with most of us – since we helped write most of them) with updates re: renewable energy – etc. – keeping it simple and less cost to the County and taxpayers. Instead we got a new system where hopefully we can find ‘our’ stuff – trying to understand it - by searching who knows how many different web sites.

But that’s water under the bridge. It will likely be approved. This is not to disparage your and other’s work that has gone into it. You all thought this was the way to do it. Although well intended and politically correctly worded – most content in our plans – including the County’s “Vision Statement” - are more hallucinations than ‘visions’ – largely due to the County’s inability to follow-up and enforce a whole lot of stuff – including under-budgeted and staffed Code Enforcement. What’s happening now in our desert communities is a testament to the bottom-line reality that these so-called community plans won’t improve much of anything under the current circumstances – (which include we the people not wanting or affording any additional taxes).

But all is not lost just because the plans won’t change much on-the-ground. It’s the residents who will maintain some semblance of order and will keep trying to make the County accountable to its plans/goals/policies/codes/etc. If a community can’t do that – it will just be another nail in the coffin of this grand Republic.

As an aside: Lucerne Valley is not listed by the County as an “Environmental Justice” community. Pat Flanagan has provided substantiation that it should be for numerous reasons. The State Lands Commission sent us a request to respond to our “environmental justice” issues associated with its processing the Stagecoach Solar project on State lands in north LV. And we did with substantiation. Is this an example of the state of Calif. having more insight than the County about our “Severely Disadvantaged Community” and “Env. Justice” status?

After these years of working together on the Countywide and Community Plans – I was hoping to be able to respond differently.

This is just my take as an individual – not having time to run it by our LVEDA bd.

Chuck Bell

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