



December 17, 2023

Jim Morrissey, Contract Planner

County of San Bernardino

By email: jim.morrissey@lus.sbcounty.gov

Project: PROJ-2020-00292
APN: 0629-181-01
Flamingo 640

Dear Mr. Morrissey:

To preface our comments it is important to state the mission of the Morongo Basin Conservation Association:

MBCA advocates for the healthy desert that nurtures the region's rural character, cultural wealth, and economic well-being.

The effects of the Flamingo 640 Project are detrimental to all that the MBCA strives to protect, and which is protected under the Countywide Plan.

PROJECT PROPOSAL

INITIAL STUDY PROPOSAL: "Approval of a Conditional Use Permit to establish a **destination resort** consisting of tent camping with support facilities that are not open to the public, including restaurant, bar, reception, store, trails and paths, and recreation buildings on a 640-acre parcel." (Pages 1 of 84)

PROJECT DESCRIPTION

... "The proposed Project is the development of 25 acres of the Project Site as a **campground** consisting of the **uses** identified below:" (page 1 & 2 of 84)

Accommodations: Up to 75 camp sites of three distinct types:

- Camping Lofts – 1,230 square-feet (SF) each; 20 sites
- Camping Tents – 220 SF each; 35 sites
- Chalet – 850 SF each; 20 sites

Support Buildings/Areas

- Reception /Camp Store – 2,288 SF
- Restrooms – 1,120 SF each; 8 units
- Fire Pits – 700 SF each; 4 units
- Pool/Patio – 3,000 SF
- Workshops – 3,600 SF each; 2 units

- Art Barn – 5,500 SF
- Restaurant – 10,108 SF
- Agave Bar – 5,500 SF
- Helipad – 7,854 SF
- Storage Area: 25,275 SF
- Yoga Deck: 2,400 SF
- Retention area: 58,902 SF (subject to change)
- Sewage disposal area (e.g. septic system): 58,902 SF (subject to change)

Trails/Paths/Gardens:

- Gardens – 212,000 SF
- Internal Paths/Walkways between buildings/ site activities

MBCA COMMENTS

Words have meaning.

The Initial Study Project Label identifies the Project as a **destination resort**¹ in the Homestead Valley Rural Living Zone.

The Initial Study Project Description calls the project a **campground**. The Revised Letter of Intent (appended to this letter) labels the accommodations as **glamping**.²

The SBC Development Code Table 82-7 lists **Campgrounds** as an allowable use in a Rural Living Land Use Zoning District. The SBC California Code of Ordinances defines a campground as a site intended for temporary occupancy by campers traveling by automobile or otherwise which may include individual campsites, but where utility hookups or recreational vehicles are typically not provided. The SBC Development Code does not have a definition for destination resort.

The **uses** listed above from the Project Description are for a **destination resort** – *a destination in its own right*, as USA Today would call it (See 1 below). The accommodation types look plush enough (Figure 3 below) and the top-notch dining in the 10,108 SF Restaurant and drinking in the 5,500 SF Agave Bar will get raves by the patrons. The pool, fire pits, workshops, yoga deck, and art barn will please the most energetic guests.

¹ USA Today 10 Best Destinations Resorts 2023. Sometimes a hotel is simply a place to lay your head at night, but it can also be a destination in its own right. Each of these 10 U.S. resorts, voted as the best in the country by our readers, lavishes guests with plush accommodations, top-notch dining, and a host of activities — a complete vacation in a single package.

² Wikipedia: Glamping is a portmanteau of "glamorous" and "camping", and describes a style of camping with amenities and, in some cases, resort-style services not usually associated with "traditional" camping.

It is estimated that there will be 300 visitors when fully booked with 30 to 50 seasonal staff. But traffic in the AM Peak Hours is estimated to be only 6 vehicles in and 10 out. In the PM Peak Hours 13 in and 7 out³. The developer has commented that patrons will not want to leave since everything will be provided for them. Changes to the original development plan include no public access to the proposed restaurant and bar; the amenities are available only to patrons of this destination resort. Campgrounds are not developed to be so seductive but Resorts are.

MBCA COMMENT

The Project Site has a current zoning designation of Homestead Valley/Rural Living. Contrary to the Initial Study, approval of the CUP/MND would not be consistent with the Countywide Policy Plan. The **Flamingo 640 Destination Resort** is a large commercial business and would call for an amendment to the Countywide Policy Plan. CHAPTER 810.01: DEFINITIONS will also need to be updated since it does not define destination resort or even resort.

CEQA: California Environmental Quality Act

CEQA is intended to inform government decisionmakers and the public about the potential environmental effects of proposed activities and to prevent significant, avoidable environmental damage.

CEQA requires that local agencies disclose and evaluate the significant environmental impacts of proposed projects and adopt all feasible mitigation measures to reduce or eliminate those impacts. Our comments will show examples of significant environmental impacts, including cumulative impacts⁴ with another project, have not been adequately disclosed and that an Environmental Impact Report (EIR) is required.

PROJECT SITE

“The Project Site is located in an unincorporated area of the County of San Bernardino. The property is vacant land bounded on the west by Old Woman Springs Road (SR-247), on the north by Luna Vista Road, on the East by Sage Avenue, and on the south by La Brisa Drive. The 640-acre site consists primarily of bare ground and desert plants. Pipes Canyon Wash bisects the property from north to south. There is a 100-foot change in elevation from southwest to northeast at an approximate 1.8% slope. The Project Site occurs in the Land Use Category of Rural Living and has a zoning of Homestead Valley/Rural Living. Surrounding land uses are scattered single-family residences and vacant land to the north and south; commercial uses, scattered single-family residences, and vacant land to the west; and vacant land to the east.”

MBCA COMMENTS

³ Integrated Engineering Group Trip Generation Memorandum

⁴ The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. CEQA Portal Dec 18, 2020

Initial Study Biological Resources (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? Less than Significant.

Figure 3 Site Plan

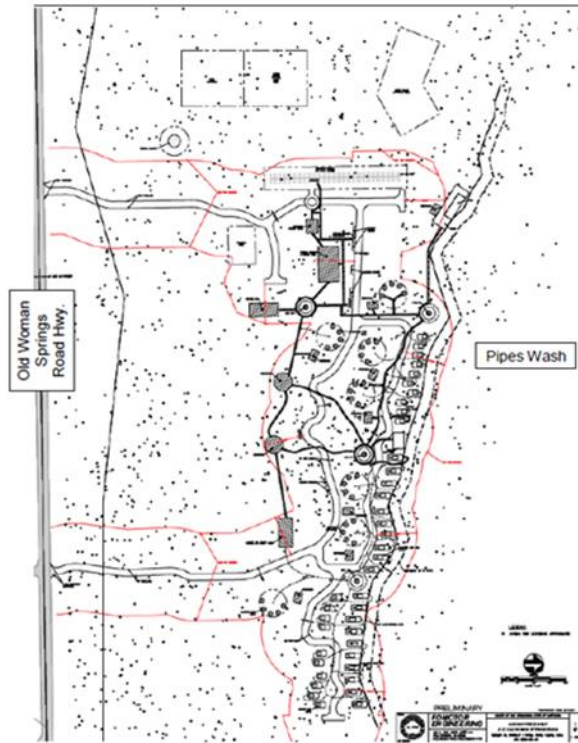


Figure 1: Flamingo 640 along west edge of Pipes Wash

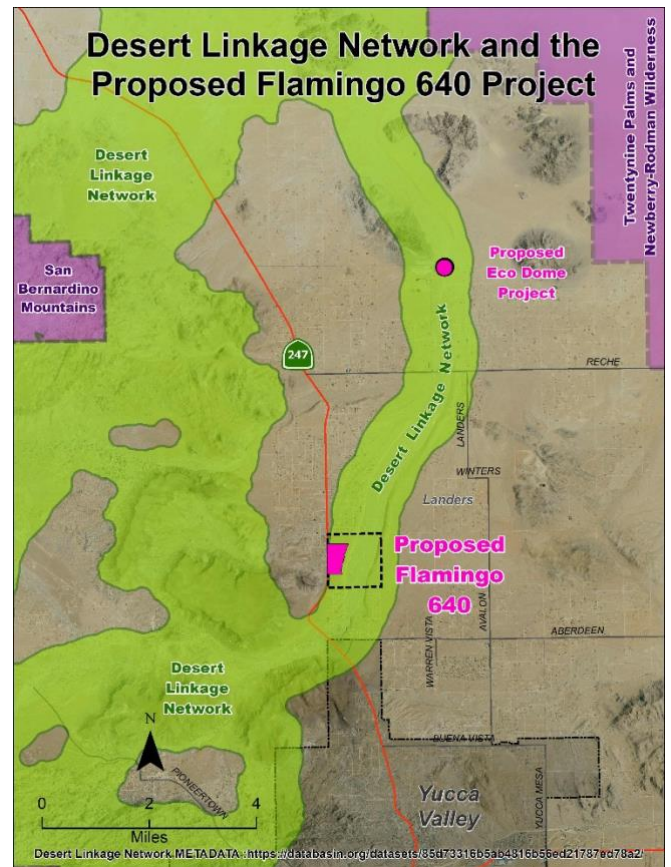


Figure 2: Desert Linkage Network and proposed Flamingo 640

The 25-acre campground footprint is linear along the edge of Pipe's Wash. (Figure 1) Pipes Wash is within a wildlife network linking the San Bernardino Mountains to the 29 Palms Matine Base and Wilderness. (Figure 2)

The importance of Pipes Canyon Wash for wildlife is described in *A Linkage Design for the Joshua Tree-Twenty-nine Palms Connection*.⁵

"Pipes Canyon Wash and Chaparrosa Wash: This habitat addition protects a key movement corridor and natural hydrological and fluvial processes, as well as preserving live-in habitat for several species. It also provides connectivity between the Joshua Tree-Twenty-nine Palms Connection and the San Bernardino-Little San Bernardino Connection. Riparian and upland habitats were added to the Union along Pipes Canyon Wash and Chaparrosa Wash to meet the habitat and movement requirements of the black-tailed gnatcatcher, desert willow, blackbrush, and desert lily, though several other focal species will also benefit from this addition, including the threatened (now endangered) desert tortoise. The minimum width of 2 km was imposed here to ensure that the functional processes of the linkage are protected."

The Pipes Canyon Wash linkage is not referenced in the Biological Resource Assessment and Jurisdictional Delineation prepared by Jericho Systems, Inc. for the Project MND.

The Initial Study, Biological Resources (d), does discuss wildlife movement and habitat fragmentation with reference to the SB Countywide Policy Plan Draft EIR. However, the environmental impact of the project on the linkage is dismissed as having no significant impact because the developed area represents only 4% of the entire site. And,

"The proposed Project would not disrupt any wildlife corridor within Pipes Canyon wash with the placement of any permanent structures. Any wildlife movement through the site would not be impeded because the development does not cut-off any north-south connection in the project vicinity."

Where and what is the 4% coverage? Up to 75 camp sites of three distinct types: • Camping Lofts – 1,230 square-feet (SF) each; 20 sites • Camping Tents – 220 SF each; 35 sites • Chalet – 850 SF each; 20 sites lining the edge of the wash (Figures 1 and 3) with lights and noise and pets (not mentioned) are a disruptive wall for wildlife moving into or out of Pipes Wash traveling either north or south toward the foothills and mountains.

We get the visuals in the Project's Revised Letter of Intent February 13, 2020, (Figures 3 and 5 below). Nothing subtle here, especially for animals that roam at night to avoid predators. This development shouts Stay Away!

⁵ A Linkage Design for the Joshua Tree-Twenty-nine palms Connection. South Cast Wildlands. Fair Oaks. CA/
www.scwildlands.org

Figure 3: Exterior lighting adjacent to Pipes Wash

EXTERIOR LIGHTING



COMMON AREAS LIGHTING



PATH LIGHTING SAMPLES



ART INSTALLATION AND NATURE LIGHTING



STRING LIGHTS SAMPLE

Figures 4: Saguaro Cactus and Agave for Project Gardens

SAGUARO FOREST



SAGUARO CACTUS

AGAVE FARM



AGAVE

The Initial Study states that the Project will respect the hundreds of endangered Joshua Trees on the parcel. The Revised Letter of Intent 21-01-06 provides examples (Figures 4) of Saguaro Cactus and Agave Farms that surround the gathering areas. The Joshua Tree is provided with its own large garden, but the non-native succulents will also have a large area to flourish.

Figure 5: Common Areas

COMMON AREAS



CEQA Cumulative Impacts

Definition: Section 15355 of the State CEQA Guidelines defines a cumulative impact as the condition under which “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts... The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.” In other words, a project that you’re evaluating within a certain area may contribute to a cumulative impact over a wider area. Figure 2 shows Flamingo 640 blocking movement at the southern end of Pipes Wash. The proposed Eco Dome Project, although smaller, blocks movement at the northern end of the linkage. Figure 4 shows the imposing non-native succulents Saguaro and Agave that are shown in the Revised Letter of Intent as large gardens surrounding communal attractions.

Initial Study: Aesthetics Factor

- a) Have a substantial adverse effect on a scenic vista? Less than Significant

“The placement of the camp sites generally along the westerly edge of the canyon would not obstruct the views of others toward the canyon or property in generally due to the size of the property and the distance of surrounding properties from the proposed improvements.”

- b) Substantially damage scenic resources...within a state scenic highway? Less than Significant

“The Project Site is adjacent to Old Woman Springs Road/SR 247, which is a County Scenic Route and Eligible State Scenic Highway... The proposed campground development will be low density and designed to avoid most Joshua trees and other desert native plants maintaining the scenic resources of the site to the extent feasible. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.”

- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? Less than significant.

“Compliance with this height limit will 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.”

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

“The proposed Project will be designed to adhere to these lighting standards, and demonstration of compliance will be required prior to issuance of a building permit. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.”

We do not agree that this Project will provide no significant aesthetic impacts and that no mitigation measures are required. Visibility mapping, using the methodology described below, demonstrates that not only will it impact the publics’ view from Hwy 247, but the project will be visible for miles along Pipes Canyon Wash and beyond. The exterior lighting (Figure 3) view, provided by the developer, demonstrates a different world from the individual house lights scattered across the historic 5-acre Small-Tract plots. The Project’s internal paths and walkways require lighting for safety and cannot be extinguished. They will most likely be solar powered storing energy for the night.

In addition, the visibility is cumulative with the Eco Dome Project. The viability of the Pipes Canyon Wash wildlife linkage network is completely compromised.

There are no mitigation measures that can offset the effects of these projects either individually or cumulatively.

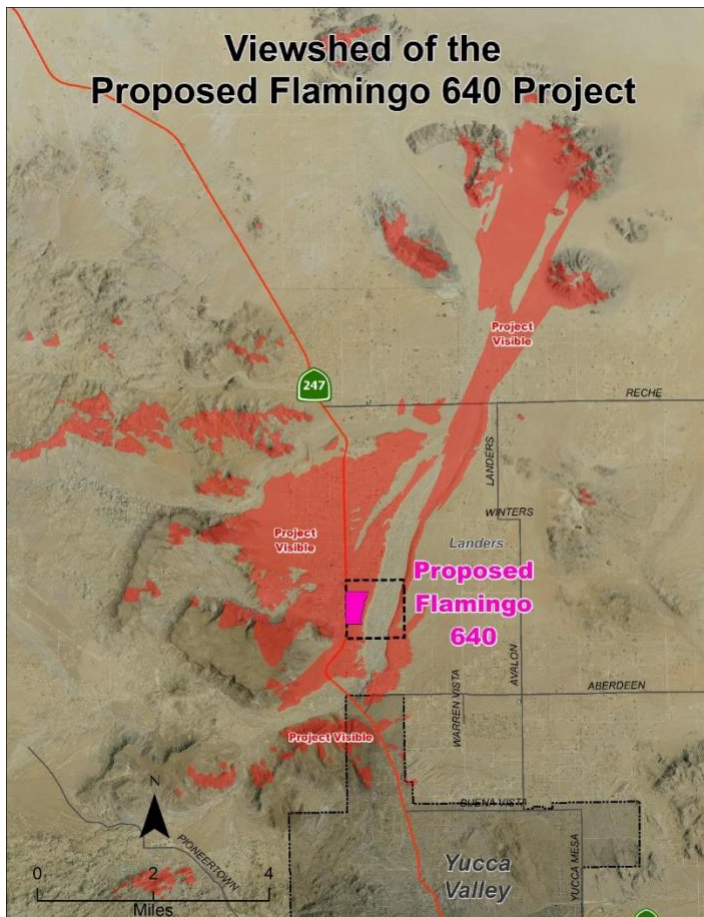


Figure 6: Viewshed of the Proposed Flamingo 640 Project

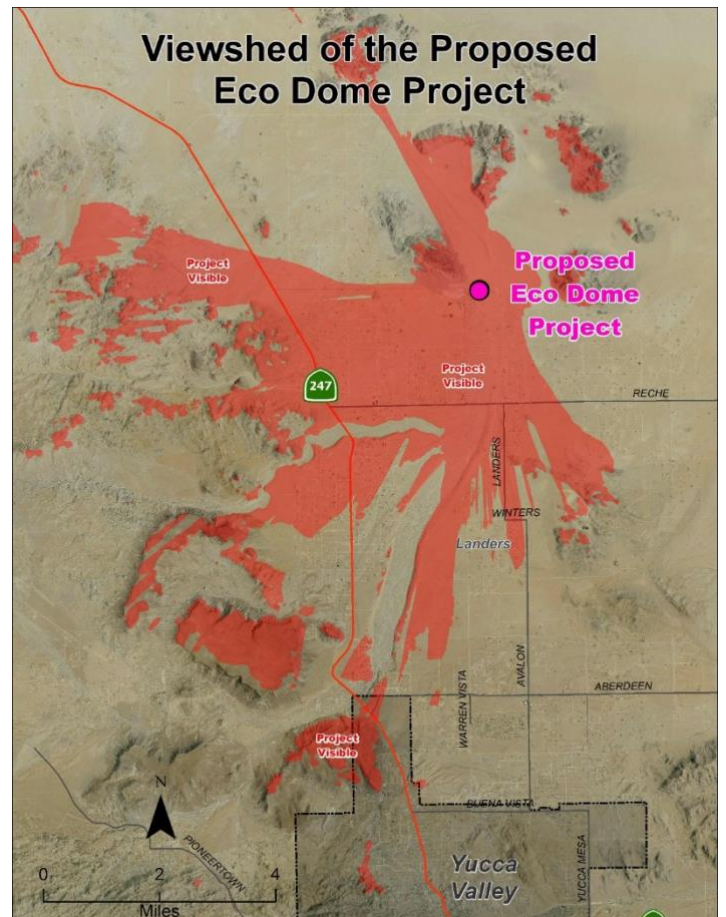


Figure 7: Viewshed of the Proposed Eco Dome Project

Methodology for Viewshed of the Proposed Flamingo 640 Project

Proposed Project Viewshed calculation

A viewshed raster was created in ESRI Spatial Analyst using the "Visibility Tool". The Input Surface Offset points are a selection of fifteen points along the periphery of the proposed developed area of the site. These points were assigned heights and locations based on the Figures and text from the 21-01-06 Letter-of-Intent-Revised.pdf

An interpolated thirty-foot DEM was used for ground surface elevations. For calculations inside the "Visibility Tool" structure heights were used indicated as OFFSETA [Surface offset] inside the point shapefile. A value of 5.25 (5 foot 3 inches) was used as OFFSETB [Observer offset]. The methodology used to calculate observer height was the standing height of an average US male (5 feet 9.5 inches, Centers for Disease Control and Prevention between 2007 and 20101) less a distance of 6.5 inches for the distance from the top of the observers' head to the eyes.

The output raster image from the "Visibility Tool" is shown on the map.

MBCA Conclusions

This large project, spanning the edge of Pipes Canyon Wash, should not be approved. This brief discussion demonstrates just a few of the adverse local, regional, and cumulative biological and aesthetic effects it will have. Contrary to CEQA we, the public, and you the decision makers, have not been fully informed about the effects of the Proposed Flamingo 640 on the community and the region.

The important Pipes Canyon Wash linkage is blocked both by this Project and the Eco Dome Project. A cumulative effect that cannot be erased if the project(s) is built.

The viewshed along Scenic Hwy 247, entering and leaving the Morongo Basin, is compromised both for the residents living on their historic 5-acre plots and for the tourists. The viewshed disruption is cumulative with the Eco Dome Project,

There is an expansive specialness to the wide-open desert vista that this Project blots with its lengthy stretch along the edge of Pipes Canyon Wash, building sizes, large non-native plant gardens, lights, and glow.

This Project is not a campground, it is a destination resort planned in a Rural Living Zone and the CUP/MND should not be approved.

This project is a perfect example of spot zoning. Spot zoning is the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property to the detriment of other owners.

Sincerely,

Pat Flanagan
Board, Morongo Basin Conservation Association

Attachments:
Letter of Intent Revised 21-01-06

Cc.
Board of Supervisors