



## Law suit filed against Lake Arrowhead developer

20 December 2005

LAKE ARROWHEAD- Four leading mountain organizations have united to contest the San Bernardino County Board of Supervisors' November 15 decision to approve the Hawarden Development Project in Lake Arrowhead. Together the Center for Biological Diversity, San Bernardino Valley Audubon Society, Save Our Forest Association, and the Sierra Club filed suit on Dec. 15th in Superior Court.

The project failed to comply with critical policies of the County General Plan intended to safeguard public safety, unique mountain habitats and sound planning practices. The suit also asks that a defective environmental impact report (EIR) be amended as prescribed by state law.

"The enormous public value of the San Bernardino Mountains as a scenic recreational paradise and wildlife sanctuary is compromised whenever the county shirks its duty to safeguard this treasure," points out Peter Jorris of the

Audubon Society.

"Fortunately the public's willingness to step in to compensate for county deficiencies is growing and increasing."

Dr. Hugh Bialecki, president of Save Our Forest Association, noted, "In the first significant test of its commitment to public safety following the historic Old Fire of October 2003, the County Board of Supervisors seems to have already forgotten the major lessons and responsibilities revealed by that terrible event."

"Approving the Hawarden Project sends a highly discouraging message that public safety in the mountains is not a high priority for them", added Bialecki.

Lack of water for the Hawarden Development Project has been another unjustifiably disregarded issue.

"Approving any project without first guaranteeing that water will be available for it is a serious mistake

and a very irresponsible precedent to set," says Steven Farrell, vice-chair of the Mountains Group Sierra Club. "In a community like Lake Arrowhead beset by a major water crisis and facing a state-mandated water permit moratorium, it especially doesn't make sense. It seems a shame that citizens have to go to court to force the County to do the right and reasonable thing."

In characterizing the feelings of mountain residents, Robert Reed, vice-president of Save Our Forest Association, points out, "during the past three years, the mountain area has faced a series of hazardous events including the worst fire on record, an unprecedented evacuation of the entire mountain population of some 80,000 people, historic drought, a ravaging epidemic of massive tree mortality, floods, landslides, recurring road closures and a major water supply crisis. In the midst of all these hazards, it is clear that underestimating

the needs of public safety is unacceptable.”

As the San Bernardino National Forest Supervisor, Gene Zimmerman, stated at a recent Sept. 22nd town meeting on fire safety, “these mountains face the most hazardous recurring fire threat in the entire country.”

Attorney Douglas Carstens points out, “The County has recognized that having dense development on extremely steep slopes is inconsistent with environmental and public safety, and so incorporated

prohibitions on such development into its general plan. Nevertheless, it approved a project that builds 57 houses on steep hillsides in violation of its own policies and state law.”

The project site is located in the southeast part of Lake Arrowhead on a steep summit overlooking the former Santa’s Village, which now supports a temporary logging operation. The forest setting is part of a County-designated major wildlife corridor, a maximum fire hazard zone and a landslide and seismic area.

The project area has long been mapped as prime southern rubber boa habitat, an imperiled species found only in the San Bernardino National Forest. Expert biologists presented the County with detailed evidence documenting that the biological report in the EIR was inaccurate. A deficient EIR cannot be legally relied upon to formulate accurate assessments or mitigations for a project. It is also improper for the County to certify a deficient EIR.