



CHURCH OF THE WOODS PROJECT UPDATE

A lively crowd gathered at the Twin Peaks Community/Senior Center Saturday afternoon, November 12, to hear the latest information on the Church of the Woods proposed project on Highway 18 between Bear Springs Road and Daley Canyon Road.

Concerned community members from Crestline to Green Valley Lake gathered to prepare for the upcoming, but yet unscheduled, Planning Commission Hearing. Mark Taylor, Deputy Chief of Staff for Supervisor Janice Rutherford, was present to learn more about the proposed development and to listen to citizens speak about the problems identified with the project.

SOFA President Hugh A. Bialecki welcomed those attending and described the Planning Commission Hearing process, which includes the opportunity for anyone to address the Planning Commissioners for up to three minutes. Several people from the audience delivered their comments on topics including the aesthetics of the project, fog problems, traffic signals, zoning, grassy swales for water management, and the history of failed developments on the mountain.

Sierra Club Conservation Chair Steve Farrell presented a concise overview of the project, using material and visuals taken from the draft and final Environmental Impact Report. Topics included mountain-top removal (over 350,000 cubic yards of soil and all vegetation to be graded for the project), the parking lot with 540 spaces which would promote excessive water run-off and contamination of Little Bear Creek (which runs into Lake Arrowhead), the radical change in aesthetics along the designated Scenic Byway, the disruption of the County recognized wildlife corridor, the installation of over ten stoplights, the potential destruction of riparian habitat and meadow, the potential loss of sensitive species such as the Southern Rubber Boa, and the violations of both the San Bernardino County General Plan and the Lake Arrowhead Community Plan.

Many questions were asked from the audience in order to better appreciate the huge scale of this proposed project (over 20 times the size of the current Church of the Woods location) and its potential downstream effects, which include the flooding of businesses in Agua Fria, erosion damage to Highway 189, and silt running into Blue Jay Bay.



*Concerned residents at the November COW information meeting.
Photo by Kristen Stephen*

This project was originally approved in May, 2004, but was withdrawn by the applicant after a challenge of the original Mitigated Negative Declaration. The Church of the Woods resubmitted the project application in September, 2004, as currently proposed. The draft EIR was released in April, 2010, and the final EIR was released in July, 2011. The Planning Department is expected to release their Staff Report and recommendation to the Planning Commission soon, which will lead to scheduling a hearing. The results of the Planning Commission Hearing will then go to the Board of Supervisors for a final vote on approving or denying the project.

Your involvement at both the Planning Commission Hearing and the Board of Supervisors Hearing is a critical component of mountain residents being heard. Car pools will be organized for travelling to the hearings and public comments will be coordinated to deliver a compelling message of why this project should not go forward. Contact Sue Walker at (909) 337-1279 or Trudie Blank (909) 337-3222 to volunteer, learn more, or make a contribution.

SOFA AWARDED LEGAL FEES IN HAWARDEN LAWSUIT

In 2005, SOFA, The San Bernardino Valley Audubon Society, The Sierra Club and The Center for Biological Diversity jointly challenged the unsafe Hawarden development project in Lake Arrowhead, a 52-lot subdivision on a steep 40-acre hillside. The project was flawed by lax fire-safety protection, lack of water supply, and significant harmful impacts to the natural resources of the local national forest.

Stating that "there were important rights involved" and "the litigation conferred significant benefits," Superior Court Judge Frank J. Gafkowski, Jr. awarded attorney fees and costs to the four non-profit conservation groups under California's citizen's attorney general statute. The litigation involved hearings before three different trial courts judges and two appellate panels, including an opinion by the 4th District Court of Appeal that ruled the San Bernardino County Board of Supervisors had violated both county policies and state environmental laws in granting its approval to the Hawarden Development Project.

"The supervisors failed to acknowledge the significant land-use constraints of the mountain area, which must be treated differently from other urban development," said Dr. Hugh Bialecki, president of the Save Our Forest Association. "All the problems were clearly pointed out to them, and yet they chose to ignore the facts, their own policies, and state law. Hopefully this case will help to end the kind of carelessness we have often witnessed in respect to mountain issues."

Attorney fees are not automatic; they are awarded only when a lawsuit has conferred a significant benefit to the general public but was not brought for financial gain; and only in cases where private enforcement of the law was necessary due to inaction by the attorney general.

"The law is written this way to encourage citizen suits that promote the public good," said Adam Keats, director of the Center for Biological Diversity's Urban Wildlands program. "Without the possibility of getting fees reimbursed, it would be extremely difficult for ordinary Americans to ensure that our government obeys the law."

The \$757,451 fee award will be distributed first to the citizens groups, reimbursing them for the thousands of dollars they had invested in the case out-of-pocket. The bulk of the award will then be distributed to the lawyers who litigated and won the case. The Center, having assigned a staff attorney to the case, will be awarded approximately 10 percent of the total fee award while the rest will go to Chatten-Brown and Carstens, the outside law firm that handled most of the litigation.

Drew Feldmann, conservation chair of the San Bernardino Valley Audubon Society, said, "Hopefully the court's decisions will be an object lesson for the supervisors: They should stop letting developers get what they want just because they're developers."



Lori Semeniuk explains the impact of the proposed COW project.
Photo by Kristen Stephen

THE SAVE OUR FOREST ASSOCIATION: A BRIEF HISTORY

Our local mountain environment of peaks, forests, lakes and streams is an exceptional treasure found in Southern California--an outstanding place to enjoy renewal, uplift, adventure and inspiration! It is a rare sanctuary of beauty and revitalization, a refuge from the common everyday world. The Save Our Forest Association's (SOFA) credo is: Let's celebrate these higher values and protect the unique qualities of this irreplaceable treasure.

SOFA was formed in 1988 by ordinary citizens outraged over the management of the public forest lands in the San Bernardino Mountains, and the exchange of valuable forest open space out of public ownership into private hands. SOFA's efforts on behalf of the Grass Valley (Eagle Ridge, 160 acres), Strawberry Peak (242 acres) and the Valley of Enchantment (340 acre) parcels led to the preservation of the latter two parcels as public national forest. SOFA was incorporated as a 501 (c) 3 not-for-profit public benefit corporation in 1992, with the express goal to preserve the mountain quality of life.

SOFA was the first organization on the mountain to support timber thinning of overstocked trees for greater forest health and fire safety as early as 1991 and also participated in the historic watershed council meeting in Lake Arrowhead in 1994. SOFA was instrumental in persuading the US Forest Service to remove destructive cattle grazing from Deep Creek, a famous wild trout stream. Upper Deep Creek, a

301-acre parcel slated for development, became part of the national forest in 1996 after a three-year effort by the Deep Creek Open Space Coalition and SOFA. Located on this parcel is the steep gorge known as the "Narrows," long favored by rock climbers and as a practice site for many Search and Rescue teams in Southern California.

SOFA was the leading force in creating the Land Ownership Adjustment Oversight Committee which for over a decade reviewed all land exchange proposals in the Mountain Top Ranger District of our national forest. Our efforts with other environmental groups resulted in a successful legal challenge, settled in 2003, against the State of CA over the detrimental impacts of a Lake Silverwood construction project that destroyed the local fishery.



*Creek at the proposed COW site which flows into Lake Arrowhead.
Photo by Hugh Bialecki*

Years of hard work by SOFA was rewarded in the fall of 2008 when the State Appellate Court ruled that the County of San Bernardino violated state law in approving the controversial Hawarden (Blue Ridge) development. It was recognized as a major victory for greater accountability in local government, especially for mountain quality of life issues, fire safety, water supply, and forest integrity.

Recently SOFA, in collaboration with the Sierra Club, Audubon Society and the Center for Biological Diversity was able to negotiate an out-of-court settlement with the Royal Rangers Adventure Camp proponents to sell their property. The San Bernardino Mountains Land Trust was able to acquire and preserve this property after the camp project was repeatedly rejected by the local communities.

SOFA monitors, comments on, and provides assistance to local residents and groups who have concerns on any large development projects which affect the long term health and vitality of the forest ecosystem in the San Bernardino Mountains.

SOFA supports our local Chambers of Commerce in enhancing our mountain community through sensible economic development, tourism, and positive governmental relations. We share the

core values of preserving the quality of life; integrity and hard work; excellence in reputation and productivity as a team. If you care about these issues, we urge you to add your support to this highly dedicated group of grassroots activists and volunteer your time, energy and expertise to help maintain our irreplaceable forest.

**** SOFA HOLIDAY PARTY ****
Saturday, December 17th – 6:00pm
Community Senior Center – Twin Peaks
Information: Call 336-7504
Please Join Us!

NEW SOFA BOARD MEMBERS

Trudie Blank has been a full-time mountain resident since 1999 and part time since 1986. She has served on the boards of her homeowner's association and the Mountains Jewish Community, a philanthropic organization, and has been an activist for environmental and social issues since high school. She has two daughters who live in Madison, Wisconsin, both of whom are scientists and are active in their communities. Trudie and her husband Carl enjoy life here and strive to keep our community safe and green.

Sherry Noone graduated from UCLA with a B.A. in Philosophy, but then spent over thirty years working in the computer field. She says most of it was fun, "playing with computer systems just to figure them out." She then became more interested in people than in computers and went into management. She worked for a corporation that encouraged management training, and was able to learn a great deal about working with people in a business environment. Throughout these years she continued to take ballet classes and sang in the company chorus. She says that, "A balance of left and right brained activity has always been important to me." She became disenchanted with the business world when it was decided that short term stock price was the only measure of corporate success. She took early retirement and went back to school to retrain as a psychotherapist. She worked in psychotherapy for several years with children, adults, and families. Last fall she retired from active work and increased her volunteer activities. She currently volunteers with The Mountain Arts Network, The Sierra Club, The Children's Forest, and with the Bear Valley Center for Spiritual Enrichment, where she edits the monthly newsletter.

SOFA welcomes these wonderful new additions to the Board!

Important Membership Notice

Please take the time right now to complete the renewal form below and return it along with your membership contribution. The future of this fragile forest environment depends on your commitment. **THANK YOU.** We hope to see you soon.

RENEWAL

Name: _____

Address: _____

E-Mail: _____

Phone or Fax: _____

Contribution: \$25 - Basic \$100 - Sustaining \$1000 - Guardian
(Check One) \$50 - General \$500 - Benefactor \$ _____ Other

Please make check payable to SOFA and mail to:

**Save Our Forest Association, Inc.
P.O. Box 126, Rim Forest, CA 92378**



Save Our Forest Association, Inc.
"Preserving the Mountain Quality of Life"
PO Box 126
Rim Forest, CA 92378
909-338-4930

Please Join Us!!!
HOLIDAY PARTY
Saturday, December 17
6:00 pm.

Senior Center
675 Grandview Dr.
Twin Peaks

Potluck – Auction
Live Christmas Music
Call 336-7504
For more information

