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# MENTONE MATTERS

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BY AND FOR MENTONITES, ABOUT MENTONE, CALIFORNIA

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## The “Early Edition”

# GREENSPOT RESIDENTS WIN PARTIAL VICTORY

On June 27, 2018, the Honorable Donald Alvarez ruled in plaintiffs’ favor on one Petition for writ of Mandate filed by Greenspot Residents against the City of Highland, asking the Court to stop the proposed “Harmon” development on the flood plain, on the grounds that some of its provisions violated CEQA (the California Environmental Quality Act).

According to a e-mail from Wendy Rea, who has been spearheading Greenspot’s efforts, “the hard work on developing the Harmony lawsuit has paid off. Round one of the two lawsuits filed against the city resulted in 5/7 points [Ed.’s note: there were three multi-part sections to the decision; see more complete explanations below] being won by the plaintiffs, the decision made by Judge Alvarez.”

Wendy continued “We are incredibly pleased with the results, although we understand there is also much still to be done and the possibility of appeal. However, I wanted to take a moment to thank each and every one of you personally for your incredible contributions to this project. When reviewing my emails over the last three years, compiling this list of over 70, I was moved to tears by the number of the people I needed to thank for their contributions, assistance, education, volunteer efforts, and support. This particular case became a beautiful composite of political and social backgrounds, roles, and opinions - and I think we made tremendous progress in creating a truly bipartisan effort to stop what is clearly an ill-conceived project in a disastrous location. We have taken a beautiful first step towards a better, more permanent solution in protecting this land,” she continued.

In his written decision, Judge Alvarez first stated the legal standard by which all decisions are made. Then, he listed the plaintiffs’ contentions in set forth in the Petition, including the disparities between the defendants’ statements and facts which are reasonably deduced. For example, in discussing that “the City must consider the whole of the project” he found that the proposed new Mill Creek/Newport Avenue bridge was an integral part of the project, which had been denied by the defendants; he stated “In this instance the contemplated relationship between the Project and the Bridge the express condition of approval of completion of the Newport Road extension and the Bridge’s impact on certain mitigations required for approval of the Project indicate that the Bridge should be considered part of the Project. Accordingly, the writ will be granted on this issue and it is found that the EIR does not analyze the whole of the action.”

The judge found that the City’s Greenhouse Gas emissions analysis, as stated in the project’s final environmental impact report (“FEIR), was adequate and denied the petition on that ground.

The judge then noted that the City of Highland contradicted itself in statements that the floodplain would be elevated but quoted the City as also saying ‘ “no import or export of soils is anticipated and encroachment into a future development may occur in order to achieve earthwork balance within a development phase,” ’; he found that the FEIR was inadequate on the issues of water resources and drainage.

The judge also cited a related case, “CIVDS 1615347 Sierra Club et al v City of Highland,” which contains a fuller discussion of all of the issues common to both Writ Petitions.

All such decisions can be appealed to the Fourth District Court of Appeals within a certain time frame.

For our readers’ convenience, we quote here The Center for Biological Diversity’s posting on its website:

### **“Judge Rules Against Destructive Harmony Development in Southern California**

#### ***“Project Would Have Devastated Wildlife Habitat, Increased Traffic, Air Pollution***

“HIGHLAND, Calif.— In an important victory against sprawl, a judge has ruled against a large proposed development in Southern California. The ruling comes in a lawsuit filed by public interest groups over the Harmony project, which proposed constructing 3,600 houses in habitat for endangered species, rare wetlands and crucial wildlife connectivity corridors while bringing more air pollution and traffic to the community.

“The [ruling](#) by Judge Donald Alvarez found the City of Highland’s environmental review for the development was inadequate under the California Environmental Quality Act for failing to analyze the entire scope of the project and its potential threats to water and sensitive wildlife habitat.

“This is a major victory against an ill-planned, destructive project,” said Aruna Prabhala, a staff attorney with the Center for Biological Diversity. “The ruling affirms concerns raised by the public for many years about this

project's major environmental threats to the community and wildlife. People don't want the traffic headaches and air pollution caused by building more sprawl near sensitive habitat and limited open space."

"Located at the confluence of Mill Creek and the Santa Ana River and adjacent to San Bernardino National Forest lands, the proposed development site is far removed from Highland's city services and vulnerable to episodic fire and earthquake risk. The ruling found the environmental review improperly ignored a key piece of the project — a bridge over Mill Creek. The city also failed to address the potential risk for flooding, both on-site and in downstream communities.

"The need for housing must be balanced against public safety, and this is a publicly owned property that is absolutely unfit for large-scale leapfrog development. It's a dinosaur project that is too far from transportation and public safety resources, on a flood plain, in high-risk wildfire and earthquake hazard zone," said Wendy Rea with the Greenspot Residents Association and Executive Director of Alliance for Mill Creek. "We must be smarter; focusing on realistic and sustainable economic development, urban renewal, and better leverage the local resources we have in mobile community development and GIS expertise — and absolutely avoid putting the existing community at increased risk. We can, and should, do better."

"The project will also harm rare and protected species, including critical habitat for endangered San Bernardino kangaroo rats and federally threatened [Santa Ana sucker fish](#), as well as habitat for endangered birds called southwestern willow flycatchers.

"It's developments such as this that push rare plants and animals to the brink of extinction," said Drew Feldmann with the San Bernardino Valley Audubon Society. "The amount of rare wildlife and habitat already existing on the site points to conserving it, not developing it."

"The lawsuit was filed in September 2016 by the Center for Biological Diversity, San Bernardino Valley Audubon Society and the Greenspot Residents Association, who are represented by the law firm Shute, Mihaly and Weinberger. Judge Alvarez also [ruled](#) in a related case that the project's environmental review violated CEQA on a host of other issues including not adequately analyzing water resources, wastewater and energy impacts from the development."

## ANOTHER PRE-ANNEXED PROJECT IN MENTONE

The July 3, 2018 Redlands City Council's agenda included "3. Consideration of Resolution No. 7883 of Pre-Annexation Agreement No. 17-03 for the provision of water service for the construction of a single-family residence located at the southeast corner of Jasper Avenue and San Bernardino Avenue in the unincorporated community of Mentone (Assessor's Parcel Number 0298-013-23-0000). The project is exempt from environmental review in accordance with the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15172 and 15303 (Development Services Director Desatnik)."

The property owner agreed to pre-annex the project, located on San Bernardino Avenue two streets east of Wabash, in October 2017; the pre-annexation was approved unanimously this month by the City Council.

Pre-annexed properties are automatically annexed into Redlands' city limits when there is another property adjacent to it – or within a specified distance from it - that is already within the city limits.

### *OP-ED*

We're very happy for the Greenspot residents and especially happy that Mentone's potential destruction (by CalTrans) has been staved off for a while – hopefully permanently. As Wendy has stated other times, the City can correct the wrongs and re-submit for approval to build on the other hand, they still might not obtain that approval. It will take continued efforts by everyone.

However, we're also sad: another property has been pre-annexed to Redlands. We just wish we had someone in Mentone who was as diligent in pushing back against greedy Redlands as Wendy has been with the Orange County developers, in order to save Mentone from being overrun by Redlands someday soon. While we have community events to look forward to, once we are taken over – and it's not inevitable or within the law, as some think – our identity as a community will cease to exist, no matter what our efforts now. We need to stop Redlands.

We also need more subscribers and actually need a website developer and manager (not necessarily the same person). This old lady is just not able to put her vision down on paper without lots of help. It would be on a voluntary basis, of course, just as this newspaper is. Please ask around among your friends and relatives – preferably someone who really cares about Mentone's future. Thanks much

And, as always, if you know someone who would be interested in receiving the newspaper in its present form, please tell them to e-mail their address to [mentonematters@aol.com](mailto:mentonematters@aol.com).

### WE GET E-MAILS!

Great newsletter. Appreciate the GPAA flyer. Thank you! Kelly K.

### **MACA:**

July 2018 meeting on the 10<sup>th</sup>; speaker, if any, TBA.

**Coming events:** Weeklong celebration planned in 2019. Chili Cookoff, date TBA; Thanksgiving parade. Film festival in a tent: date TBA.

**C.O.M.E.T./CHAMBER OF COMMERCE:** Met on June 26; Comet Chairman/Chamber President David Wilder, who serves on the San Bernardino County Senior Commission, announced that he was elected a Senior Senator from the California Senior Legislature. That

group meets in Sacramento in October; they write proposals for legislation benefitting seniors all over the State but particularly in this County. That Legislature was formed in 1983 and has a 75% success rate, of getting the State Legislature to approve their proposed litigation.

Chamber members also discussed Westernizing the rest of the businesses on the Boulevard and various members promised to talk to business owners about some inexpensive board fronts (according to some old-timers, some stuccoed businesses were previously board-fronted).

***ORGANIZATIONS MEETING LOCALLY\*:***

(Religious organizations meet on Sundays unless otherwise noted)

Rocky Point Fellowship  
2116 Mentone Blvd.,  
Mentone, 92359

Avodah Fellowship (Friday nights)  
Rocky Point Fellowship (in the fellowship hall)  
2116 Mentone Blvd.,  
Mentone, CA 92359

Congregational Church UCC  
1205 Beryl Ave,  
Mentone, CA · (909) 794-2893

Sandals Church East Valley  
1325 Amethyst Ave.,  
Mentone, CA

Faith Chapel  
1259 Agate Ave.,  
Mentone, CA 909-863-8145

Seventh-Day Adventist Church of Mentone (English and Spanish) (Saturdays 8:30 and 11:00 a.m.)  
1230 Olivine Ave.,  
Mentone, CA 909-794-1610

Mentone Indonesian-American Seventh-Day Adventist Church  
1331 Turquoise Ave.,  
Mentone, CA 909-799-3521

New Life Christian Women's Luncheon @ Mill Creek Cattle Co.,  
1874 Mentone Blvd., First Wednesday each month, 10-2  
Mentone, CA

Republican Committee Tea Party  
Mill Creek Cattle Co., 1<sup>st</sup> Thursday of the month  
1874 Mentone Boulevard,  
Mentone, CA

COMET and Chamber of Commerce: Rocky Point Fellowship,  
2116 Mentone Boulevard, at 7 p.m. on the last Tuesday of the month.  
AA/NA Rocky Point Fellowship, Tuesdays

MACA: Mill Creek Cattle Co., in Diamond Jim's Saloon,  
1874 Mentone Blvd., second Tuesday of the month,  
Mentone, CA 909/389-0706

*\*Organizations that aren't listed here are welcome to contact [mentonematters@aol.com](mailto:mentonematters@aol.com) to have their information included.*

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**VILLAGE NEWS** (Where available):

GREENSPOT

According to their Facebook page, Judge Alvarez is expected to announce his decision sometime in July.

CRAFTON

MENTONE BEACH

DOWNTOWN MENTONE: