

# LAND USE SERVICES DEPARTMENT

ADVANCE PLANNING DIVISION  
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COUNTY OF SAN BERNARDINO  
PUBLIC AND SUPPORT  
SERVICES GROUP

JULIE RYNERSON ROCK  
Director

July 27, 2009

To: Interested Parties

## NOTICE OF AVAILABILITY FOR THE DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR NURSERY PRODUCTS HAWES COMPOSTING FACILITY

The Draft Supplemental Environmental Impact Report (SEIR) for the proposed Nursery Products Hawes Composting Facility project is available for public review and comment. The project site is 80 acres of a 160-acre parcel located south of State Route 58, approximately 12.3 miles east of Kramer Junction and 8 miles west of Hinkley, in the County of San Bernardino. The proposed project consists of a request for a Conditional Use Permit to develop a biosolids and green material composting facility to produce agricultural grade compost. The facility would store a maximum of 7,000 cubic yards of green material feedstock on site. The maximum amount of biosolids that will be stored in the facility will be limited to 2,000 cubic yards. The Facility will process approximately 400,000 tons per year of compostable material. The total amount of active compost is not expected to exceed 250,000 tons.

In December 2005, Nursery Products LLC (Nursery Products) filed a discretionary application with the County seeking approval of the Project. Pursuant to the California Environmental Quality Act (CEQA) the DEIR was prepared for the Project and circulated commencing in September 2006 for public review. The public review period extended through November 2006. A Final EIR was issued November 21, 2006, and certified by the County Planning Commission on November 30, 2006. This approval of the Project was appealed to the County Board of Supervisors, which denied the appeal, approved the Project, and certified the FEIR on February 27, 2007.

The Center for Biological Diversity and HelpHinkley.Org jointly filed a lawsuit in the Superior Court of the State of California, County of San Bernardino, Barstow District alleging that the County had violated CEQA in certifying the FEIR. The case, titled *Center for Biological Diversity, a California non-profit corporation, and HELPHINKLEY.ORG, an unincorporated association vs. County of San Bernardino (Nursery Products, LLC)*, San Bernardino County Superior Court Case No. BCV 09950 was heard on February 8, 2008. On April 11, 2008, the Court issued its Statement of Decision and Order thereon and found partially in favor of the Petitioners and set aside the 2007 Final EIR. The Court directed the County to provide additional evidence in the Administrative Record that an enclosed composting facility was not economically feasible, and to identify a single water source and conduct a water supply assessment thereof. This Draft SEIR has been prepared to respond to the Court's Decision and will be used by the County in its consideration of the water supply and economic feasibility of the enclosed facility alternative to the Project. In addition, the Draft SEIR evaluates greenhouse gas (GHG) emissions and climate change impacts associated with the Project.

The Executive Summary is attached for your information. The complete text of the Draft SEIR is posted on the County web page at [www.sbcounty.gov/landuseservices](http://www.sbcounty.gov/landuseservices). Click on "Public Notices-Projects" and then scroll down to Nursery Products "Draft Supplemental EIR".

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County Administrative Officer

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Public and Support  
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Board of Supervisors  
BRAD MITZELFELT ..... First District      NEIL DERRY ..... Third District  
PAUL BIANE ..... Second District      GARY C. OVITT, Chair ..... Fourth District  
JOSIE GONZALES ..... Fifth District

A copy of the Draft SEIR may be viewed at the following locations:

- San Bernardino County Land Use Services Department, 15456 West Sage Street, Victorville, CA 92392
- San Bernardino County Land Use Services Department, 385 North Arrowhead Avenue, San Bernardino, CA 92415-0182
- Hinkley Senior Citizens Center, 35997 Mountain View Road, Hinkley CA 92347 Note: Senior Center Hours are 8:00 a.m. to 1:00 p.m. Monday through Friday, and First Saturday of each month 8:00 a.m. to 10:00 a.m.
- San Bernardino County Library, Barstow Branch, 304 East Buena Vista, Barstow, CA 92311

The public comment period will end on **September 13, 2009**. Comments and questions may be directed to Carrie Hyke, Principal Planner, Land Use Services Department, 385 North Arrowhead Avenue, San Bernardino, CA 92415-0182. For further information, please contact me by telephone: (909) 387-4147, or by email at [chyke@lusd.sbcounty.gov](mailto:chyke@lusd.sbcounty.gov)

Sincerely,



CARRIE HYKE, Principal Planner  
Advance Planning Division

Attachment: Executive Summary