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ELECTRONICALLY FILED
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF SAN BERNARDINO
 SAN BERNARDINO DISTRICT
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 By: Sen Yeung Shu, DEPUTY

Attorney for Petitioner:
JOSHUA TREE VILLAGE NEIGHBORS

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF SAN BERNARDINO**

**JOSHUA TREE VILLAGE
 NEIGHBORS**, an unincorporated
 association,

Petitioners and plaintiffs,

vs.

**COUNTY OF SAN BERNARDINO, SAN
 BERNARDINO COUNTY BOARD OF
 SUPERVISORS, DOES 1 to 10, inclusive,**

Respondent and defendant,

**LOVEMORE INVESTMENTS, LLC,
 AXEL CRAMER**

Real Parties in Interest

Case No.: **CIVSB2513295**

**PETITION FOR PEREMPTORY WRIT
 OF MANDATE AND COMPLAINT
 FOR DECLARATORY AND
 INJUNCTIVE RELIEF**

Code Civ. Proc. §§ 1085, 1094.5, & 1021.5;
 Pub. Res. Code § 21000, *et seq.*

Petitioners and plaintiffs **JOSHUA TREE VILLAGE NEIGHBORS** hereby
 alleges as follows:

INTRODUCTION

1. Through this action, Joshua Tree Village Neighbors (“Petitioner” or
 “JTVN”) challenges the San Bernardino County Board of Supervisors and San
 Bernardino County’s (collectively “County”) approval of Tentative Tract Map 20443
 for the Lovemore Ranch subdivision (“Project”). Petitioner contends the Initial
 Study/Mitigated Negative Declaration the County relied on for this approval

1 violated the California Environmental Quality Act (CEQA). Petitioner further
2 contends that the County violated its own regulations by (1) not preparing a Traffic
3 Impact Study to assess the Project's impact on the level of service in the Project's
4 vicinity and (2) approving various project components without requiring the
5 applicant to apply for appropriate permits.

6 THE PARTIES

7
8 2. Petitioner and plaintiff, JOSHUA TREE VILLAGE NEIGHBORS, is
9 whose members are residents of Joshua Tree and neighboring communities who
10 would be subject to adverse health and safety impacts should the Project develop as
11 proposed. Petitioner brings this action for the benefit of its members and the
12 residents of San Bernardino County, particularly those who live or work in the
13 Project's vicinity.

14 3. Respondent and Defendant SAN BERNARDINO COUNTY is a
15 political subdivision of the State of California and the Lead Agency for the approval
16 of the Project. The County is responsible for complying with, and implementing, the
17 Laws of the State of California, including CEQA (Pub. Resources Code §§ 21000, *et*
18 *seq.*), the Planning and Zoning law (Gov. Code §§ 65000, *et seq.*), and the Subdivision
19 Map Act (Gov. Code §§ 66410, *et seq.*). Further, the County is responsible for
20 insuring that the agencies, instrumentalities, officials, and employees of the County
21 comply with the Laws of the State of California.

22 4. Respondent SAN BERNARDINO COUNTY BOARD OF
23 SUPERVISORS ("BOS") is the legislative body and highest administrative body in
24 the County. The Board has the authority to approve or disapprove tentative tract
25 maps and other land use entitlements.

26 5. Petitioner is informed and believes and on that basis alleges that
27 LOVEMORE INVESTMENTS, LLC and Axel Cramer are Real Parties in Interest
28 by virtue being the applicant and/or owner of the parcel at issue.

JURISDICTION AND VENUE

6. This Court has jurisdiction over this action pursuant to California Code of Civil Procedure sections 1085 and 1094.5, and Public Resources Code section 21167. This Court has the authority to issue a writ of mandate directing Respondents to vacate and set aside their approval of the Project under the Code of Civil Procedure sections 1085 and 1094.5. This Court also has authority to award attorney's fees and costs under Code of Civil Procedure section 1021.5 where, as here, Petitioners seek to enforce important rights affecting the public interest.

7. Venue for this action properly lies in the Superior Court of San Bernardino because Respondents are the San Bernardino County Board of Supervisors, a municipality located within the County of San Bernardino, and its highest legislative body and because the action concerns the approval of a General Plan Update that will guide land use in Joshua Tree.

PROCEDURAL ALLEGATIONS

8. Petitioner and its members have performed any and all conditions precedent to filing the instant action and have exhausted any and all administrative remedies to the extent required by law, by *inter alia*, opposing the Project in written and oral comments prior to the County's approval.

9. The Petition is timely filed less than 30 days from the date the County posted a Notice of Determination for its approval of this Project.

10. On May 9, 2025, Petitioner sent written notice of intent to commence litigation against the City. A true and correct copy of that notice is attached hereto.

11. Petitioner has complied with the requirements of Code of Civil Procedure section 388 by notifying the Attorney General of the State of California about this case.

12. Petitioner and its members have no plain, speedy, or adequate remedy in the ordinary course of law unless this Court grants the requested writ of mandate to require Respondents to set aside the County's unlawful approval of the

1 Project. In the absence of such remedies, Respondents' approval will remain in
2 effect in violation of CEQA and other state and local laws and regulations.

3 FACTUAL ALLEGATIONS

4 13. The Project is the approval of a Tentative Tract Map (TTM No. 20443)
5 to subdivide an 18.49-acre parcel into 64 single-family parcels. In addition to the 64,
6 residential lots, the proposed map also includes three letter lots (A, B and C).
7 (Initial Study/Mitigated Negative Declaration ("IS") at p.1-2 and staff report at p
8 10.)

9 14. The Project is in the Community of Joshua Tree, an unincorporated
10 area of San Bernardino County, east of Yucca Valley between the Joshua Tree
11 National Park and the San Bernardino Mountains. According to the IS, Lot A (0.52
12 acre) will house the Wastewater treatment facility (WWTF), other communal
13 utilities and onsite services staff quarters. Lot B (2.23 acres) will include
14 recreational facilities including an area for social gathering, learning zone and
15 entrance, multipurpose and entrance multipurpose space and other recreational
16 facilities and pool. (IS at p. 2.) Lot C (approximately 2.72 acres) contains private
17 roads, the entrance, and utilities.

18 15. The IS and staff reports misrepresent the surrounding densities and
19 naturally occurring open space of the surrounding built and vacant parcels. The
20 primarily 0.17 acre lots as proposed are significantly smaller than the vast majority
21 of the surrounding lots. Due to natural attrition (some are built on, some are not),
22 the surrounding subdivisions leave 22% up to 100% native plants in place. There
23 has never been a blade-entirely-subdivision as the proposed here; nor has there ever
24 been an Home-owner Association, gated community in Joshua Tree as proposed
25 with this Project. This of development is clearly inconsistent with Joshua Tree's
26 former Community Plan, current Community Action Guide, and the General Plan
27 and Development Code.

28 16. The existing lots to the north are .22 to .36 acres, the lots to the South are
1.06 to 2.27 acres, the lots to the East are .40 to .48 acre, and the lots to the West are 1.43

1 to 2.5 acres, with most blocks maintaining 22% to 80% native open space. The proposed
2 Project claims to maintain just 2 acres of open space out of 18.49 – about 10%, but with
3 the new building they added at the BOS Appeal – a “Welcome Center” on Lot A, that
4 means less open space remains. A more appropriate Land Use Designation for this lot
5 would be the Very Low-Density designation.

6 17. A building permit application was submitted in November 2024 for one of
7 the Phase 1 homes that includes an Accessory Dwelling Unit or ADU, clearly
8 demonstrating the intent of the applicant to develop ADUs on this subdivision. Thus, the
9 IS should have analyzed the potential of ADUs doubling the number of dwelling up to
10 possibly 128. The County failed to analyze the environmental impacts associated with 64
11 ADUs.

12 18. The Project site is currently a relatively undisturbed and unoccupied
13 parcel. There is a graded area in the center of the parcel where a prior residence
14 was located. The 18.49-acre parcel has existing desert scrub vegetation including
15 Western Joshua Trees, Creosote bush, Mojave Yucca, and Parish’s Daisy. There are
16 two ephemeral stream channels on the property, one located in the eastern section
17 of the property and the other located in the northwest corner of the property.

18 19. The Project site is in the Low Density Residential (LDR) Land Use
19 Category designation per the General Plan and the Single Residential (RS) Zoning
20 District. The General Plan was adopted on October 27, 2020; however, the
21 comprehensive Zoning Map update has not been completed, creating potential
22 inconsistencies with the General Plan and the Development Code densities, where
23 in the case of this Project, the zoning would allow a higher density than the General
24 Plan.

25 20. Because the proposed lots are too small for individual private septic
26 systems, the Project calls for an onsite waste-water treatment facility. As set forth
27 more fully below, however, the IS does not describe the WWTF and fails to analyze
28 or discuss its potentially significant impacts on the environment and the
neighboring residents.

1 21. The IS admits that Project site has been scoured as a result of flooding
2 and that the volume of floodwater leaving the site is large enough to warrant a
3 drainage easement over the neighboring property in order to accommodate the
4 offsite flows. As set forth below, the IS was belatedly revised only 4 days before the
5 BOS's final approval to finally admit that the Project will substantially increase
6 stormwater flows which would need to be mitigated. No adequate mitigation was
7 proposed or analyzed by the IS.

8 22. The IS is deficient and violates CEQA because it is not entirely unclear
9 whether or not the Project would include a wastewater treatment facility. In Section
10 XIX "Utilities and Service Systems," the IS states: "The Proposed Project is not
11 anticipated to require or result in the relocation or construction of new or expanded
12 water, wastewater treatment or storm water drainage" and "[t]he Proposed Project
13 would utilize a shared package treatment plant for wastewater disposal."

14 23. The Project description specifically includes a WWTF in its project
15 summary: "The following uses are proposed for the lettered lots: Lot A (0.52 acre):
16 Wastewater treatment facility, Other communal utilities, Onsite resident services
17 staff quarters." An October 2024 hydrology report, however, suggested that a
18 detention basin could also be proposed on Lot A.

19 24. The Project site includes a number of protected plants, including the
20 Mojave Desert scrub and Mojave yucca, Creosote bush, Joshua tree, and Parish's
21 Daisy. A total of 50 Western Joshua trees occur within the Project site and 5
22 Western Joshua Trees occur within the 15-meter (~50 foot) buffer surrounding the
23 Project Site. All protected plants must be removed to make way for the Project. To
24 mitigate the impacts on Western Joshua Trees to a less than significant level, the
25 County has proposed Mitigation Measure BIO-2. This mitigation requires the
26 applicant to obtain an Incidental Take Permit under the California Endangered
27 Species Act or a permit under the Joshua Tree Conservation Act, whichever is
28

1 applicable. This wholesale destruction of native plants on the site is inconsistent
2 with the conservation goals and policies of the General Plan.

3 Environmental Review Process
4

5 25. The Project was considered and approved by the Planning Commission
6 on January 23, 2025. Many local residents, including some who had attended early
7 meetings to learn about the Project and had either provided early comments or
8 asked the County to provide subsequent notice, where not provided notice of the
9 availability of the IS or the Planning Commission hearing.

10 26. Morongo Basin Conservation Association ("MBCA") timely appealed
11 the Planning Commission's approval of the Project. As described in the MBCA
12 appeal documents, only two neighbors of the Project received notification of the
13 Planning Commission hearing. Many members of the MBCA had signed up to
14 receive notifications from the County regarding Desert Region planning documents,
15 but did not receive any notices regarding the release of the IS or the January 23,
16 2025 Planning Commission hearing. Similarly, none of the residents who signed an
17 email list at a public hearing regarding the Project received any subsequent
18 notifications.

19 27. The County's failure to provide transparent, complete and timely
20 notice of time sensitive comment periods and hearings substantially impaired the
21 public's ability to participate in the administrative review process.

22 28. The public's ability to participate in the public process was further
23 compromised when the few members of the public who had been notified that they
24 could take part in the Planning Commission hearing were told their only option was
25 to travel all the way to San Bernardino which is over an hour's drive. The County
26 had not secured the remote location (Bob Burke Center) in time to list it on the
27 public notice. The County listed the Bob Burke Center as an option on the agenda
28 itself, but due to a lack of notification, members of the public were not made aware
of this amenity. It is still unclear if the Bob Burke Center was in fact open for

1 public comment. The County Staff misled the Planning Commission by failing to
2 inform the Commissioners of the lack of public notice, leading the Commissioners to
3 believe the Burke Center had been open to the public but that no one showed up to
4 comment on the Project because the public did not care about this Project. This
5 directly impacted the Planning Commission's decision as they stated during the
6 hearing.

7 29. San Bernardino County failed to make publicly available multiple
8 public comment letters that were submitted after two noticed public comment
9 periods of 2022 and 2024 . Amongst others, two substantive comment letters by
10 MBCA dated May 27, 2022 and August 7, 2024 were not included in the Staff
11 Report sent to the Planning Commission. Thus, the Planning Commission received
12 an incomplete record for review of the project.

13 30. The County BOS heard and denied the appeal on April 8, 2025.
14 Petitioner JTVN and other members of the public participated in the hearing by
15 submitting extensive written and oral comments urging the County BOS to grant
16 the appeal and not to approve the Project.

17 The Initial Study/Mitigated Negative Declaration

18
19 31. The IS and County staff reports and County findings in support of the
20 Project are inconsistent and unreliable. For example, the sixth County findings in
21 support of map approval states that "The discharge of sewage from the proposed
22 subdivision into the community sewer system will not result in violation of existing
23 requirements prescribed by the California Regional Water Quality Control Board"
24 (see, Findings at p. 2 of 8, Staff Report p 33 of 122.) In support of this finding, the
25 County claims that "the Regional Water Quality Control Board for the Colorado
26 River Basin ("Water Board") has "tentatively approved" the onsite WWTF. (Ibid.)
27 Public comments, however, established that the Water Board had not tentatively
28 approved the WWTF, and that in fact, the applicant had not even completed a Form

1 200 application for the WWTF with the County Environmental Health Services or
2 the Regional Water Quality Control Board.

3
4 32. The IS does not include any detailed or meaningful discussion of the
5 WWTF. The Staff Report explains that “the proposed Project would utilize a shared
6 package treatment plant for wastewater disposal. Subsurface wastewater disposal
7 would be subject to approval of the Regional Water Quality Control Board. No
8 unique conditions are known to exist that would adversely affect the proposed use of
9 an on-site septic system.” This statement demonstrates that the County Planning
10 Staff did not investigate the suitability of the site for a wastewater disposal facility
11 or its potential impacts on the environment.

12 33. Elsewhere, the IS claims that “subsurface wastewater disposal would
13 be subject to approval of the County Health Services Division. No unique conditions
14 are known to exist that would adversely affect the proper use of an on-site septic
15 system. Therefore, no significant adverse impact is identified or anticipated, no
16 mitigation measures are required.” (IS at p. 37.) The record available to the public
17 does not include any evidence that the County Environmental Health Services
18 reviewed or conducted any studies, such as a percolation test, to determine whether
19 any adverse impacts are likely to occur, with the seepage pits as drawn or that
20 would require mitigation.

21 34. Section XIX of the IS specifically asks whether the Project could result
22 in the construction of a new wastewater treatment facility which could potentially
23 result in significant environmental impacts. (IS at p.64.) The IS supports its
24 conclusion that no significant environmental impact would result by claiming that
25 “[t]he Proposed Project would utilize a shared package treatment plant for
26 wastewater disposal. Therefore, the Proposed Project would not require or result in
27 the construction or expansion of existing sewer facilities.” (IS at p. 65.) The IS
28 makes no attempt to describe the difference between a wastewater treatment
facility and a “shared package treatment plant for wastewater disposal,” or explain

1 why in County's view a "shared package treatment plant" is not the same as a
2 wastewater treatment facility.

3 35. The IS does not explain why, in the County's view, a shared package
4 treatment plant is incapable of causing any environmental impacts.
5

6 36. The MBCA appeal also questioned the County's decision not to require
7 a Level of Service ("LOS") Analysis to assess the Project's potential transportation
8 impacts on local roads and intersections. The County reached this conclusion
9 because the County assumed the Project would not generate 100 or more trips
10 during any peak hours. However, relying on the ITE Trip Generation Manual, 10th
11 Edition, it was demonstrated that a 64-residence subdivision is capable of
12 generating more than 100 total trips during evening peak hours of 3-4, 5-6 and 6-7
13 hours. The County never meaningfully responded to these comments and there is no
14 evidence in the record to show how or why the County concluded the Project would
15 not generate 100 or more daily trips during any peak hours.

16 37. The appeal also claimed the Project applicant failed to apply for all the
17 necessary permits to construct various Project amenities and infrastructure,
18 including the WWTF, pool and multipurpose room. In its response, the County Staff
19 claimed that "Development Code Section 82.02.030(a)(1)(b) provides that where a
20 single parcel is proposed for development with two or more allowed land uses, the
21 overall project shall be subject to the highest permit level required by Subdivision
22 (c) for any individual use. The amenities for the subdivision are being obtained
23 concurrently within the tract map." The Staff went on to claim that "[t]he Tract
24 Map is of equal or higher permit level as the various uses: pool, open space/park,
25 wastewater treatment facility, and multipurpose room. The applicant will still be
26 required to obtain any other building permits as necessary." Staff's argument that
27 "the Tract Map is equal or higher permit level as the various uses, ..." is not
28 supported by the County Code, which does not consider a tract map a "permit"
within the meaning of Development Code Section 82.02.030.

1 38. In its August 2024 comments, MBCA had pointed out that the Project
2 site is “within a larger wash flowing from the south which occasionally floods” and
3 that in 2014 the area to the south flooded, leading to the death of one man.”
4 Additional comments were provided by counsel for JTVN, questioning the IS’s
5 conclusion that the implementation of the Project would NOT result in a substantial
6 increase in stormwater leaving the Project site.

7 39. In an April 1, 2025, letter in support of the appeal from the Planning
8 Commission’s approval of the Vesting Map, JTVN’s counsel, Babak Naficy,
9 questioned the IS’s conclusion that the post-development stormwater flows from the
10 Project site would be less than the pre-development estimates. Naficy pointed out
11 that IS did not explain how or why post-development rates would be lower, and
12 questioned the analysis and conclusions of a May 30, 2024, Hydrology Report that
13 had concluded that post-development flows would be less than pre-development
14 flows.

15 40. In response to these comments, the County posted a last-minute
16 Errata to the IS on April 4th, 2025, which admitted the IS’s earlier conclusions and
17 analysis with respect to the stormwater issue were incorrect. The Errata explained
18 that the IS had relied on an outdated Hydrology Study, and that the Errata was
19 based on a October 30, 2024 Hydrology Study whose existence the County had not
20 previously disclosed to the public or even to the Planning Commission. According to
21 the County, this Study was reviewed and approved by the County’s own hydrologist
22 on November 11, 2024, months before the Planning Commission approved the
23 original IS in January 2025. The October 2024 Study confirmed that post-
24 development peak stormwater flow rates would be substantially greater than the
25 pre-development peak flow. See, October 30, 2024 Hydrology Study. The Study also
26 confirmed that a detention basin or other mitigation measures would be needed
27 detain stormwater on site.

28 41. The Errata describes the two potential options for mitigating the
potential impact associated with the increased stormwater flows. One option is to

1 construct a detention basin that would hold 20,233 cubic feet of stormwater flows at
2 a depth of about 2.5 feet. The other option would be to construct 1,900 feet of 48"
3 diameter storm drainpipe with the tract which would serve both to collect the onsite
4 runoff and to serve as a detention basin holding the 20, 233 CF. The Errata states
5 that the final stormwater management systems will be designed "after County
6 conditions of approval are received for the Tentative Tract Map."

7 42. The claim in the Errata that the stormwater management mitigation
8 would be designed after the County had already approved the Tentative Map is
9 contradicted by the County Staff's response to Naficy's comments, where County
10 Staff stated: **"The project as proposed includes the appropriate sized**
11 **detention basin.** No mitigation measures are required." This claim is not
12 supported by the evidence in the record because neither the IS nor the Staff's own
13 description of the Project includes a detention basin. Likewise, the Project drawings
14 the applicant and the County Staff used during their presentation to the Board of
15 Supervisors do not depict a stormwater detention basin.

16 43. The October 2024 Hydrology Report included a "conceptual" detention
17 basin design on Lot A, but a detention basin does not appear on the Tract Map that
18 was submitted with the IS, nor the one approved by the Planning Commission or
19 the BOS. The IS did not describe a detention basin. The Study explains that "a
20 detention basin will need to be designed" [page 381 of 455] but goes on to explain
21 that "for concept purposes and to show viable options for the final grading plan we
22 have included a detention basin layout ..."

23 44. This discussion clearly indicates that contrary to the Staff's contention,
24 the Project does not "include" an appropriate detention basin, but that the 2024
25 Hydrology Report includes a "conceptual" basin which has not been included in the
26 Project design. However, the conceptual detention basin depicted in the Hydrology
27 Report is located immediately adjacent to the proposed onsite wastewater facility.
28 The IS does not include a discussion of whether locating a stormwater detention
basin immediately adjacent to a wastewater facility is appropriate. The Hydrology

1 Report further notes that “[i]f the detention basin option is used, the maintenance
2 buildings planned for this location may get moved to another lot on the project.”
3 Accordingly, it is unclear whether placing a detention basin on Lot A is feasible.

4 **FIRST CAUSE OF ACTION**

5 **(Violation of CEQA)**

6
7 45. Petitioner incorporates herein by this reference all preceding
8 paragraphs, inclusive, of this Petition as though fully set forth herein.

9 46. The County violated CEQA because

- 10 • The IS fails to adequately describe the Project, which includes a
11 wastewater facility and a stormwater detention basin or other
12 mitigation measure required to address the project’s potential
13 stormwater impacts,
- 14 • The IS fails to adequately analyze the Project’s potential
15 impacts, including impacts associated with required mitigation
16 measures such as the proposed detention basin and the waste
17 water facility,
- 18 • The IS fails to describe the feasibility and efficacy of potential
19 mitigation measures, such as the proposed detention basin and
20 the waste water facility,
- 21 • The IS unlawfully defers the formulation of mitigation
22 measures, including, for example, mitigation measures
23 necessary to address the Project’s potential stormwater impacts;
- 24 • The County failed to provide adequate notice of the IS and
25 subsequent hearings where the County Planning Commission
26 and Board of Supervisors considered approval of the Project,.
- 27 • The County failed to recirculate the IS after discovering the IS’s
28 analysis of stormwater impacts was deeply flawed and based on
an inadequate hydrology study,

- The County's CEQA documents (e.g. IS and response to comments relative to the IS) are internally inconsistent and contain erroneous information. For example, the County has falsely claimed that the Regional Water Quality Control Board has tentatively approved the wastewater facility.

WHEREFORE, Petitioner prays for judgment against Respondents, as set forth herein below.

SECOND CAUSE OF ACTION

(Violation of County Development Code and Guidelines)

47. Petitioner incorporates herein by this reference all preceding paragraphs, inclusive, of this Petition as though fully set forth herein.

48. The County Transportation Impact Guidelines provides that "[t]he requirement to prepare a TIS should be based upon, but not limited to, one or more of the following criteria: • If a project generates 100 or more trips without consideration of pass-by trips during any peak hour."

49. The County concluded that a Transportation Impact Study was not needed because the Project is not capable of generating 100 or more trips during any peak hour. Substantial evidence in the record, however, shows that the Project is capable of generating 100 or more trips during three afternoon peak hours. Accordingly, the County violated its own Transportation Guidelines by failing to require the preparation of a Traffic Impact Study.

50. The County unlawfully failed to require the applicant to obtain separate permits (e.g. Conditional Use Permit or Minor Use Permits) for the various component of the Project, including the wastewater facility and the onsite pool and community center because the County Staff claimed that under County Development Code Section 82.02.030(a)(1)(b), where a single parcel is proposed for

1 development with two or more allowed land uses, the overall project shall be subject
2 to the highest permit level required by Subdivision (c) for any individual use.

3 51. The Staff claimed that "[t]he Tract Map is of equal or higher permit
4 level as the various uses: pool, open space/park, wastewater treatment facility, and
5 multipurpose room." However, a tract map is not considered a "permit" within the
6 meaning of the County Development.

7
8 **PRAYER FOR RELIEF**

9 WHEREFORE, JOSHUA TREE VILLAGE NEIGHBORS prays for
10 judgement against COUNTY OF SAN BERNARDINO and SAN BERNARDINO
11 BOARD OF SUPERVISORS, as set forth below:

12 a. That the Court issue an alternative and peremptory
13 writ of mandate commanding Respondents to set aside, invalidate
14 and void the County's approval of Vesting Tentative Tract Map No.
15 20443;

16 b. For declaratory judgment, stating that Respondents
17 approval Vesting Tentative Tract Map No. 20443 was in violation of
18 the CEQA and the County Code;

19 c. For a temporary restraining order, preliminary
20 injunction, and permanent injunction prohibiting any actions in
21 furtherance of Vesting Tentative Tract Map No. 20443;

22 d. For an award of costs and attorney's fees, and

23 f. For such other and further relief as the Court deems

24 just and proper.

25 Dated: May 9, 2025

26 LAW OFFICE OF BABAK NAFICY

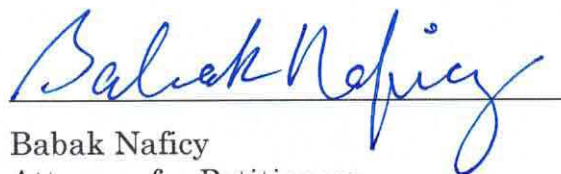
27 By: 
28 Babak Naficy
Attorney for Petitioner

VERIFICATION

I, Babak Naficy, am counsel to petitioner/plaintiff and have personal knowledge of the following facts. The offices and governing boards of petitioner/plaintiff, Joshua Tree Village Neighbors, I have read the foregoing Verified Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief. The facts alleged in the above petition are true to the best of my knowledge and belief, and, on that ground, petitioner/plaintiff alleges that the matters stated herein are true.

I declare under the penalty of perjury under the laws of the state of California that the foregoing is true and correct.

Executed this 9th of May, 2025 in San Luis Obispo, California.



Babak Naficy
Attorney for Petitioners



VIA EMAIL

May 9, 2025

County of San Bernardino Board of Supervisors

Clerk of the Board of Supervisors

Lynna Monell

COB@sbcounty.gov

***Re: Notice of Intent to Bring Suit Against San Bernardino County
(Lovemore Ranch Tentative Tract Map)***

Honorable Supervisors and Clerk of the Board:

This letter serves as Joshua Tree Village Neighbors' ("JTVN") notice of intent to commence litigation against San Bernardino County and San Bernardino County Board of Supervisors ("County") for violating the California Environmental Quality Act ("CEQA"), Pub. Res. Code §21000 et seq., in connection with the County's approval of the above-referenced Project.

JTVN contends the County violated CEQA and abused its discretion by certifying a Mitigated Negative Declaration (MND) instead of an Environmental Impact Report (EIR) because substantial evidence supports a fair argument that the Project may result in one or more significant environmental impacts, including impacts associated with stormwater discharge and the proposed wastewater facility. The County violated CEQA also because the MND failed to adequately describe all Project components (e.g. the proposed wastewater facility and stormwater detention basin) or to meaningfully assess the Project's potential impacts on the environment.

JTVN also contends that the Board violated the County's own regulations by failing to prepare a Traffic Impact Study to assess the Project's impact on the Level of Service in the Project's vicinity.

Sincerely,

Babak Naficy

Babak Naficy

Attorney for JTVN

cc: Lovemore Ranch, LLC, c/o Axel Cramer

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