



Date: February 15, 2022

From: [Sonia Diaz](mailto:urbantrailrunnerssd@gmail.com)
urbantrailrunnerssd@gmail.com

To: Robert Hingtgen (Robert.Hingtgen@sdcounty.ca.gov)
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, California 92123

CC: Bronwyn Brown (Bronwyn.Brown@sdcounty.ca.gov)
StopCottonwoodSandMine.org (info@stopcottonwoodsandmine.com)

Subject: Cottonwood Sand Mining Project Draft Environmental Impact Report Issued 12/16/21
(PDS2018-MUP-18-023), (PDS2018-RP-18-001); LOG NO. PDS2018-ER-18-19-007;
SCH# 2019100513

Dear Mr. Hingtgen:

Thank you for considering the following comments pertaining to the Cottonwood Sand Mining Project draft Environmental Impact Report issued on December 16, 2021 for public review.

I believe that the Cottonwood Sand Mining Project draft Environmental Impact Report is a flawed and incomplete document that does not adequately analyze the significant environmental impacts of the Cottonwood Sand Mining Project to the people, wildlife, water, air, traffic, and quality of life.

I am particularly concerned that the location of this proposed sand mine is adjacent to a vital wildlife corridor (San Diego National Wildlife Refuge), which includes several threatened species and will limit the enjoyment of recreational opportunities in the area. The Project could potentially contaminate the air, water, and soil that humans and wildlife depend on. Even though I am not a local resident, I

Page 1 of 3

D-O12 – Urban Trail Runners San Diego

D-O12-1 The County acknowledges these introductory comments; however, they do not raise a specific issue concerning the environmental analysis or adequacy of the DEIR. Please see Topical Response 2, *CEQA Requirements for Responding to Comments*, as well as the responses below to specific comments raised in this letter. General comments on potential Project impacts related to “the people, wildlife, water, air, traffic, and quality of life” and the adequacy of the proposed mitigation measures and alternatives are addressed in more detail, where applicable, in the following responses.

D-O12-1

- D-O12-1 cont. frequently hike and run along the trails in the vicinity, especially at Par 4 trailhead, Sweetwater River Trail, and Steele Canyon. I cannot imagine what kind of traffic and noise impacts from large trucks during the week this sand mine will impose on the local population, particularly since it is in a highly developed residential area with schools nearby. Children will be breathing in the particulate matter created from sand mining dust that travels for miles. Toxic runoff from the site would contaminate local groundwater supplies and be carried just a few miles downstream right into the Sweetwater Reservoir, a source of local drinking water.
- D-O12-2 **However, this Draft EIR, as written, does not propose adequate mitigation measures or alternatives to address these environmental and public health impacts. Moreover, the report admits “Impacts to Aesthetics, even with mitigation measures, would remain significant and unavoidable.” Aesthetics is a significant environmental impact that affects quality of life for local residents and for the people who enjoy recreating in a natural landscape.**
- D-O12-3 Moreover, the draft EIR does not comply with applicable goals, policies or requirements of the San Diego County General Plan as well as the Valle De Oro Community Plan.
- D-O12-4 Upon review, it seems that the draft EIR is incomplete and overlooks irreversible impacts that would not make it in compliance with CEQA and therefore must be revised and reissued to the public for review.
- D-O12-5 The most significant issues noted in the Cottonwood Sand Mining Project draft EIR include:
1. Aesthetics is a significant unmitigable environmental impact.
 2. The proposed project is inconsistent with the Valle de Oro Community Plan.
 3. Biological Resources are significant environmental impacts with incomplete analysis.
 4. The draft EIR states that “the Project would result in significant impacts” to Federally and State Endangered or Threatened Species. Proposed mitigation plans are not sufficient to protect endangered and threatened species in the area.
 5. Noise is a significant environmental Impact with incomplete analysis.
 6. The health risk associated with Valley Fever is drastically minimized in the draft EIR.
 7. The draft EIR appears to gloss over the impact on air quality as not being significant. However, even a moderate impact could be catastrophic and should be considered and studied. Studies have shown that increasing particulate matter in air increases the risk of children developing asthma later in life.
 8. The EIR must be revised to describe mitigation related to VMT and GHG that will occur onsite.
 9. The draft EIR does not properly address that the Project may have a significant impact to property water wells near the property site.
 10. The proposed Project is inconsistent with the Land Use Element of the County of San Diego General Plan. The designation for the entire project site is Open Space-Recreation which applies to large, existing recreational areas and allows for active and passive recreational uses.
 11. The Major Use Permit Findings cannot be made.

D-O12-2 This comment correctly summarizes the conclusions of the aesthetics impact analysis presented in the DEIR. Impacts associated with aesthetics would be minimized to the extent feasible through the implementation of Project Design Features/Conditions of Approval presented in Section 7.2 of the DEIR. Impacts to the quality of life for residents are not an environmental issue and are not required to be assessed under CEQA. Areas of extraction are proposed to be reclaimed and restored to an end use of open space, multi-use trails, and land suitable for recreation.

D-O12-3 Please see Topical Response 11. The Project’s consistency with the General Plan and Valle de Oro Community Plan is analyzed in detail within the EIR. Appendix B, *Land Use Consistency Analysis*, provides a comprehensive and accurate analysis of General Plan and Community Plan (in)consistencies subsequently summarized in the DEIR. A project is consistent with a general plan if, “considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment.” (*San Francisco Tomorrow v. City and County of San Francisco* (2014) 229 Cal.App.4th 498, 513-514.) State law does not require conformity with each and every individual goal and policy of a general plan prior to a finding that a project is generally consistent and compatible with the general plan. (*Ibid.*) Here, the County has determined that the Project is consistent with 55 goals and policies of the General Plan, and in the long-term will be compatible with the remaining three. Despite non-permanent visual impacts to select viewers as mining proceeds across the Project Site in 30-acre subphases, the Project does not obstruct the attainment of any goal or policy of the San Diego County General Plan, including COS-11, COS-11.1, and COS 11.2, and therefore is consistent with the San Diego County General Plan. Please also see Responses to Comments D-O1052 through D-O1055 related to the Project’s consistency with the Valle de Oro Community Plan.

D-O12-4 The comment includes a general statement that “the draft EIR is incomplete and overlooks irreversible impacts that would not make it in compliance with CEQA and therefore must be revised and reissued to the public for review.” The comment does not provide a specific explanation or supporting details; thus, a specific response cannot be provided. Nonetheless, the County D-

O12-4 (cont.) disagrees with the general comment. The County peer reviews all technical reports, and the text of the EIR itself. Technical specialists reviewed analyses subject to their expertise and approved those analyses as being consistent with County report content and format guidelines, as well as consistent with County guidelines for significance thresholds. As explained in Topical Response 1, *Reason for the Recirculation of the DEIR and the Recirculated DEIR Process*, portions of the DEIR were significantly revised and recirculated as part of the RDEIR based on updates and DEIR comments received. Additional revisions to the EIR and further recirculation are not required.

Relative to irreversible impacts, Section 2.7 of the EIR states that irreversible changes must be evaluated in an EIR for projects that involve: (a) the adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency; (b) the adoption by a Local Agency Formation Commission of a resolution making determinations; and (c) the requirement for preparing an environmental impact statement pursuant to the National Environmental Policy Act. None of these circumstances applies to the Project; therefore, analysis of significant and irreversible environmental changes is not required per CEQA Guidelines Section 15127.

D-O12-5 This comment lists general comments related to “significant issues” noted in the DEIR. As described in Topical Response 2, comments that touch upon, but do not expand upon or raise specific issues with, topics covered in the DEIR or RDEIR, do not directly raise a “significant environmental issue” requiring a detailed response. Each of the specific issues listed in this comment is addressed in corresponding level of detail to match the individual topics, below.

1. This statement regarding aesthetics impacts is consistent with the findings of the EIR; no further response is required.
2. Please see Response to Comment D-O12-3 regarding Project consistency with the Valle de Oro Community Plan.
3. The County notes that this comment letter was received during the public review and comment period on the DEIR. As explained in Topical Response 1, the biological resources analysis contained in the DEIR was significantly revised and recirculated as part of the RDEIR. The revised biological resources analysis circulated in the RDEIR wholly supersedes the original biological resources analysis contained in the DEIR. Please refer to the updated analysis in the FEIR (Subchapter 2.2), the Biological Resources Technical Report

- D-O12-5 (cont.)** circulated as Appendix C, and responses to comments received during public review of the RDEIR.
4. As stated above in item 4 and explained in Topical Response 1, the biological resources analysis contained in the DEIR was significantly revised and recirculated as part of the RDEIR. The revised biological resources analysis circulated in the RDEIR wholly supersedes the original biological resources analysis contained in the DEIR. Please refer to the updated analysis in the FEIR (Subchapter 2.2), the Biological Resources Technical Report circulated as Appendix C, and responses to comments received during public review of the RDEIR.
 5. Please see Topical Response 2; Topical Response 7, *Noise Impacts*; and Response to Comment D-O12-4. This comment states that the noise analysis is “incomplete,” but does not provide a specific explanation or details to support this comment. The noise analysis was completed by a qualified technical consultant on the County’s CEQA Consultants List for Privately Initiated Projects, consistent with County requirements. Through implementation of mitigation, noise levels from the Project’s mining operations at residences and wildlife habitat would be reduced to below a level of significance based on the applicable County Guidelines.
 6. Please see Topical Response 6, *Public Health Effects*, under the heading “Valley Fever” for information on why Project area soils do not favor the occurrence of *Coccidioides* fungus, as well as dust control measures to be implemented under the Fugitive Dust Control Plan (please see also Response to Comment D-O8-28).
 7. The EIR’s conclusion that the Project would result in less than significant air quality impacts is based upon detailed review of projected Project-related emissions and comparison of emission volumes against approved state and federal thresholds. Please see Topical Response 3, *EIR Errata and Updated Technical Reports*, for a discussion of the revisions to the air quality analysis since public circulation of the DEIR based on changes to the Project Description. Please see FEIR Tables 3.1.1.7 and 3.1.1.8 for numerical data on projected air quality emissions from the various specified sources during the construction and operational periods, respectively, and where those emissions fall relative to regulatory thresholds. In addition, an addendum to the Air Quality Technical Report is included as part of Appendix I to the FEIR. The Addendum includes the full analysis conducted to address the comments raised during public review of the DEIR and the additional truck trips and associated mining activity. The Addendum shows that none of the minor

- D-O12-5 (cont.)** technical revisions to the analysis would result in new significant impacts, or substantially more severe significant impacts, than were disclosed in the original DEIR.
- Related to the statement that “increasing particulate matter in air increases the risk of children developing asthma later in life,” please see Topical Response 6, under the heading “Allergies and Asthma.” By resulting in less than significant impacts related to emissions, the Project would not adversely affect children with asthma.
8. Please see Topical Response 3, *EIR Errata and Updated Technical Reports*, for details related to the updated VMT and GHG analyses; as well as Topical Response 8 under “Congestion and VMT,” which describes the methodology used to evaluate the Project’s VMT impacts. As described, impacts related to GHG and VMT were found to be less than significant, thus requiring no mitigation.
 9. Please see the Response to Comment D-O4-5, which addresses a similar comment that the EIR did not address impacts to groundwater wells.
 10. Please see Topical Response 11 and the Response to Comment D-O12-3 regarding the Project’s consistency with the General Plan. See also the Response to Comment DO1050 regarding the existing General Plan designation of the Project site and how the proposed extractive use is allowed within such areas with the issuance of a MUP. The noted recreational type of use allowed within a site designated as Open Space-Recreation as described in this comment is acknowledged; however, zoning for open space categories also includes mining as an allowable use. This comment does not raise a specific issue related to consistency with the General Plan Land Use Element or adequacy of the DEIR; therefore, no additional response is required.
 11. Please see the Response to Comment D-O8-59. The comment does not provide a specific explanation or supporting details regarding the statement that “Major Use Permit Findings cannot be made”; thus, a specific response cannot be provided.
 12. Please see Topical Response 11 and the Responses to Comments D-O8-48 and D-O12-3 regarding the evaluation of the Proposed Project’s consistency with the General Plan.
 13. Please see Response to Comment D-O12-3 regarding Project consistency with the Valle de Oro Community Plan. Please also see the Response to Comment

- D-O12-5 (cont.)** D-O8-56 and FEIR Appendix B, pages B-56 through B-64 related to the Project's consistency with the applicable Conservation policies of the Valle de Oro Community Plan.
14. Please see Topical Response 9, *Wildlife Corridors and Species Connectivity Impacts*. As detailed throughout the RDEIR and Biological Resources Technical Report recirculated with the RDEIR (FEIR and DEIR Appendix C), proposed mining activities would primarily occur within disturbed and developed portions of the Project site which have previously been disturbed by golf course development and operations. Of the 216.74 acres that would be impacted by Project implementation, a small portion, 2.34 acres (one percent), would occur to riparian habitat and other sensitive natural communities. In contrast, the Project would preserve 0.7 acre of existing sensitive upland habitat, 13.85 acres of existing wetland and riparian habitat, and would preserve and rehabilitate 7.36 acres of existing disturbed wetland and riparian habitat (refer to Figure 1-10 of the RDEIR). The Project would ultimately contribute approximately 150.7 acres of preserved, rehabilitated, revegetated, and restored habitat to the preserve system through placement of these areas within a biological open space (BOS) easement.
 15. This comment states that "Transportation/Traffic is a significant environmental impact with incomplete analysis," but does not provide a specific explanation or details to support this comment. The Local Mobility Analysis and Transportation Impact Analysis were completed by a qualified technical consultant on the County's CEQA Consultants List for Privately Initiated Projects, consistent with County requirements. No further response is required.
 16. Please see Topical Response 8 under "Roadway Improvements," as well as Response to Comment D-A3-7, which describe roadway improvements and implementation of a Traffic Control Plan to notify local residents and motorists of construction activities associated with the Project and ensure the safe and efficient movement of traffic through the Project area.
 17. The Fire Protection Plan prepared for the Proposed Project was reviewed and accepted by the County prior to release of the DEIR. The San Miguel Fire District reviewed the Fire Protection Plan during public review of the DEIR and provided comments. Responses to these comments have been provided as Responses to Comments D-A5-1 through DA513.

D-012-5
cont.

12. The draft EIR does not specify how the impacts and location of the sand mine will be consistent with the San Diego County General Plan.
13. The draft EIR is incompatible with the Valle de Oro Community Plan regarding Conservation.
14. The draft EIR did not adequately address how its proposed sand mining activities will conserve rather than destroy wildlife habitats.
15. Transportation/Traffic is a significant environmental impact with incomplete analysis.
16. The draft EIR did not address Emergency Access adequately. The report indicates that a "Traffic Control Plan would establish procedures" however these procedures are not described.
17. A Fire Protection Plan has been prepared for the project per the draft EIR. However, it does not state that the plan has been reviewed and approved by the San Miguel Fire District and the County of San Diego.

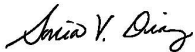
D-012-6

I stand with hundreds of community members and other stakeholders who are seriously concerned about the significant impacts the Cottonwood Sand Mining Project's ten-year sand mining operation will have on the residential community in Rancho San Diego, surrounding communities, to the people who recreate here, and to the San Diego National Wildlife Refuge. As much as the sand, for concrete, is a needed commodity, the location proposed by the Applicant is highly inappropriate. Industrial sand mines do not exist in developed, residential areas – nor should this one at the expense of the community and the environment.

D-012-7

Governor Newsom has proposed that California conserve 30% of its land and water by 2030 to fight climate change. We propose that the owner of the property convert it into a park instead of a mine, which would be beneficial for everyone and we would not have to worry about negative environmental and public health impacts that this proposed project will impose. In doing so, we could decrease our carbon footprint and conserve the green spaces we so desperately need at this time.

Sincerely,



Sonia Diaz
Founder, Urban Trail Runners San Diego
urbantrailrunnerssd@gmail.com
San Diego, California 92105

D-012-6 The commenter's concerns about the potentially significant impacts of the Proposed Project on the surrounding communities and SDNWR are noted. Proposed Project construction and implementation is analyzed in the DEIR specific to its design, location, existing conditions, surrounding setting, etc., as relevant, for each of the technical topical areas addressed in the DEIR. Please see Topical Response 11 regarding the Project's consistency with the County's land use plans, policies, ordinances, and codes, which allow extractive use within the MUP area.

D-012-7 This comment suggests that, as an alternative to the Proposed Project, the property owner convert the site to a park. However, conversion of the site to a park would not meet the project objectives described in the EIR. Therefore, a park-only alternative is rejected from further analysis. The end result of reclamation would be improved natural open space, better drainage flow, and an end use of open space on the rest of the property, which can be considered overall consistent with the comment.

February 28, 2022

By U.S. Mail and Electronic Mail to: Robert.Hingtgen@sdcounty.ca.gov

Robert Hingtgen
County of San Diego
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

Re: Valle de Oro Community Planning Group Comments on Draft Environmental Impact Report for Cottonwood Sand Mine Major Use Permit (PDS2018-MUP-18-023) and Reclamation Plan (PDS2018-RP-18-001)

Dear Mr. Hingtgen:

Valle de Oro Community Planning Group ("VDO CPG") appreciates the opportunity to provide comments and input regarding the Draft Environmental Impact Report ("DEIR") in accordance with the California Environmental Quality Act ("CEQA"), along with a Major Use Permit ("MUP") and Reclamation Plan ("RP") for the Cottonwood Sand Mining Project ("Project"). Specifically, this letter responds to the County of San Diego's ("County") Notice of Availability of the DEIR and invitation to submit comments.

As an advisory group to the County's Planning & Development Services Department, Planning Commission, and Board of Supervisors, the VDO CPG is particularly interested in and concerned about this Project because it is located directly within our Planning Area. The Valle de Oro Community Planning Area encompasses approximately 19 square miles of the unincorporated portion of the County of San Diego, located more specifically to the south of the City of El Cajon and to the east of the city of La Mesa. The VDO CPG requests that all direct and indirect impacts related to the Project's proximity to sensitive land uses, viewsheds, and natural resources be thoroughly reviewed, analyzed, and mitigated.

I. Background

The Cottonwood Sand Mining Project would convert the existing Cottonwood Golf Club golf courses to a ten-year sand mining operation with an additional two-year reclamation period. Approximately 214.4 acres of the approximately 280-acre site are proposed for extractive use which would occur in a total of four phases. The extraction process would occur in three phases over the span of ten years and the cleanup, equipment removal, and final reclamation would occur in the fourth phase over 2 years. Areas included within the Project boundary that are not disturbed by mining would be subject to habitat improvement through removal of invasive species in the river channel (if necessary) or would be left in their current condition including the existing Sweetwater River channel. The project would make certain improvements to Willow Glen Drive prior to beginning mining operations.

D-O13 – Valle de Oro Community Planning Group

D-O13-1 The County acknowledges these introductory and background comments; however, they do not raise a specific issue concerning the environmental analysis or adequacy of the DEIR. Please see Topical Response 2, *CEQA Requirements for Responding to Comments*, as well as the responses below to specific comments raised in this letter.

D-O13-1

D-013-1
cont.

The Project's mining operations would extract, process, and transport aggregate consisting primarily of sand suitable for Portland cement concrete. Approximately 4.3 million cubic yards (cy) (6.40 million tons) of material are proposed to be extracted, with approximately 3.8 million cy (5.7 million tons) produced for market use. Sand excavation and processing would occur Monday through Friday, between the hours of 7:00 a.m. and 5:00 p.m. Trucking operations for material sales would occur Monday through Friday from 9:00 a.m. to 3:30 p.m. There would be no processing of materials or trucking from the site on Saturdays, Sundays, and major holidays. Reclamation of the site would include the removal of all manmade structures, grading to achieve final landforms, incorporation of accumulated wash fines and salvaged topsoil, and revegetation and monitoring. The Project requires a Major Use Permit (MUP) and Reclamation Plan (RP).

II. Discussion

The DEIR identified significant environmental impacts to the following environmental factors: Aesthetics, Biological Resources, Cultural Resources, Noise, Paleontological Resources, and Tribal Cultural Resources. Impacts to Aesthetics, even with mitigation measures, would remain significant and unavoidable. All other potential significant impacts would be reduced to less than significant with implementation of mitigation measures. Accordingly, the County must determine whether this DEIR is complete in order to eventually certify a final EIR.

The VDO CPG believes that the DEIR is flawed and incomplete, since it neither adequately analyzes the significant impacts of the Project to the community's residents, natural resources, and roadways, nor does it propose adequate mitigation measures or alternatives to address those impacts. Furthermore, the DEIR does not comply with applicable goals, policies, or requirements of the San Diego County General Plan and Valle De Oro Community Plan. Therefore, because the DEIR is incomplete and fails to comply with CEQA, it must be revised and reissued to the public for review.

We focus our comments on providing robust input on key issues from the Valle de Oro Community Plan that cross many elements of the DEIR.

A. The DEIR Correctly Determines that the Aesthetic Impacts Are Significant and Unmitigable.

D-013-2

The impacts to aesthetics are correctly characterized as significant and unmitigable, but the DEIR is still incomplete in this section. The DEIR identifies here that 67 mature trees will be removed, a six-foot-high chain link fence added, and both the green/open space and golf course removed. These existing features will all be replaced with exposed soil, industrial mining equipment and operations, and unsightly stockpiles. The VDO CPG agrees that these aesthetic impacts cannot be mitigated. Furthermore, the community would be subjected to these impacts for over a dozen years.

D-013-2 This comment correctly summarizes information presented in the DEIR relative to aesthetics. The statement that the "existing features will all be replaced with exposed soil, industrial mining equipment and operations, and unsightly stockpiles" excludes information about the proposed mining and reclamation subphasing, which has been planned to reduce the overall visual effect, although not to a less-than-significant level. Concurrence on the conclusions of the aesthetics impact analysis is noted.

B. The DEIR Is Inadequate Because It Fails to Consider Other Alternatives, Such as Sand Mining and Material Dredging from Local Reservoirs

The CEQA Guidelines provide several factors that should be considered with the feasibility of an alternative, including 1) site suitability, 2) economic viability, 3) availability of infrastructure, 4) general plan consistency, 5) other plans or regulatory limitations, 6) jurisdictional boundaries, and 7) whether the project applicant can reasonably acquire, control, or otherwise have access to the alternative site (if an off-site alternative is evaluated).

However, the DEIR is inadequate because it does not offer enough reasonable alternatives for a project of this scope to aid the County of San Diego as the Lead Agency to determine the environmentally superior project. The DEIR presents only three project alternatives:

- *Alternative 1: No Project Alternative*
- *Alternative 2: Biological Resources Avoidance Alternative*
- *Alternative 3: Noise Receptor Setback Alternative*

The DEIR states that, "CEQA does not require a particular number of alternatives, only that a reasonable range be considered. The alternatives studied constitute a reasonable range because they contain enough variation to facilitate informed decision making and public participation that leads to a reasoned choice (Sections 15126.6(a)-(f) of the CEQA Guidelines)."¹ The VDO CPG disagrees. The DEIR provides what we view as a bare minimum to comply with CEQA by simply checking a box but fails to serve its meaningful purpose to facilitate informed decision-making and public participation. By failing to identify and analyze other alternatives, the DEIR deprives decision-makers of additional solutions that may be in the public interest and present an environmentally superior project.

The VDO CPG proposes that the DEIR be revised to include two additional alternatives based on the San Diego Region Aggregate Supply Study ("Study");²

- *Alternative 4: Local Reservoirs Alternative*
- *Alternative 5: Recycled Aggregate Alternative*

The Study identifies 24 reservoirs in the County. There have been numerous other studies, and some water districts are currently investigating sand mining and material dredging from our local reservoirs. Alternative 4 would solve the social problem of removing sand from our local reservoirs, which would increase their capacity and have the extra benefit of the local use of the sand. This alternative would help to solve rather than create a problem by considering several (up to 24) new local sources of sand.

¹ DEIR, Chapter 4.0 Project Alternatives, at p. 4-2.

² San Diego Association of Governments (SANDAG), published January 2011. Available at: https://www.sandag.org/uploads/publicationid/publicationid_1558_12638.pdf.

D-O13-3 Please see Response to Comment D-O11-42 regarding the Project's evaluation of potential alternatives. Relative to the noted "Alternative 4: Local Reservoirs Alternative" and "Alternative 5: Recycled Aggregate Alternative," please see also Responses to Comments DO10-89 and D-O10-90, respectively.

D-O13-3

D-O13-3
cont.

The Study also addresses recycled aggregate: "The use of recycled aggregate reduces the need for natural aggregate and lowers transportation costs when it is used on-site in new construction."³ This would also be an environmental and sustainable alternative.

C. The DEIR Fails to Adequately Analyze and Consider the Land Use and Planning Impacts, Which Are Significant.

1. County of San Diego General Plan under Section 3.1.6 Land Use and Planning

- a. The proposed project is very much in conflict with the land use plans of the County.*

The proposed Project is inconsistent with the Land Use Element of the County of San Diego General Plan updated August 3, 2011. The designation for the entire project site is Open Space-Recreation which applies to large, existing recreational areas and allows for active and passive recreational uses.

The project site is currently zoned as Open Space, Specific Planning Area, and Holding Area. Mineral extraction is allowed in Open Space and Holding Areas with a Major Use Permit, but mineral extraction is supposed to be balanced with freedom from the disturbing effects of mining. To assure that freedom, there is supposed to be conservation of construction aggregate. No effort was made to investigate how much aggregate is currently disposed in landfills, how much could be reclaimed, whether existing facilities could be expanded, and if there is in fact any need beyond existing facilities for aggregate. The 2011 SANDAG report was, in fact, internally inconsistent on this point, with input from EnviroMine clear when it says new facilities are needed, but elsewhere in the document indicating that in fact the County is unusually rich in aggregate resources.

The DEIR then proceeds to minimize and gloss over all of those existing goals and policies, by solely referencing allowances noted in the County Zoning Ordinance, instead of relying on the clearly defined policies stated in all of the land use elements noted above. The DEIR notes that CEQA Guidelines and County staff guidance, when determining the significance of a project, the following: "A significant impact would occur if the proposed project would... Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect."

D-O13-5

In accordance with Section 7358 of the Zoning Ordinance, before any use permit may be granted or modified, it shall be found that:

³ San Diego Association of Governments (SANDAG), published January 2011. Available at: https://www.sandag.org/uploads/publicationid/publicationid_1558_12638.pdf.

D-O13-4 Please see Response to Comment D-O10-44, which addresses the same comments related to project consistency with the County of San Diego General Plan, as well as Topical Response 11, *Consistency with Plans and Policies*. Please also see Response to Comment D-O12-3 regarding Project consistency with the Valle de Oro Community Plan.

D-O13-5 Please see Response to Comment D-O10-45, which addresses the same comments related to evaluation of project compatibility with adjacent uses.

D-O13-5
cont.

1. The location size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
 - Harmony in scale, bulk, coverage and density;
 - The availability of public facilities, services and utilities;
 - The harmful effect, if any, upon desirable neighborhood character;
 - The generation of traffic and the capacity and physical character of surrounding streets;
 - The suitability of the site for the type and intensity of use or development which is proposed;
 - Any other relevant impact of the proposed use; and
2. That the impacts and the location of the proposed use will be consistent with the San Diego County General Plan.
3. That the requirements of the California Environmental Quality Act have been complied with.

The DEIR failed to properly study and report how the location size, design, and operating characteristics will be compatible with adjacent uses, residents, buildings or structures, giving consideration to harmony in scale, bulk, coverage and density; the harmful effect, if any, upon desirable neighborhood character; the generation of traffic and the capacity and physical character of surrounding streets; the suitability of the site for the type and intensity of use or development which is proposed; and any other relevant impact of the proposed use.

- b. The DEIR does not specify how the impacts and location of the sand mine will be consistent with the San Diego County General Plan.*

D-O13-6

The DEIR fails to properly analyze, per requirements of the California Environmental Quality Act, potential significant impacts to Air Quality, Energy, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, and Transportation/Traffic. These areas must be thoroughly analyzed to measure potential impacts and the EIR revised to include a comprehensive review. The true potential impacts must be available and known to the community and decision makers prior to any decision being made about approval of a Major Use Permit to allow sand mining. Such approval will set a precedent in San Diego County as well as any developed, semi-rural area in California. Decision makers cannot take this immense responsibility lightly.

D-O13-6 Please see Response to Comment D-O10-46, which addresses the same comments related to project consistency with the County of San Diego General Plan.

- c. *The DEIR must be rejected because it does not adequately address how its proposed sand mining activities will conserve rather than destroy wildlife habitats.*

The Valle de Oro Community Plan addresses Conservation by promoting “conservation and planned management of all valuable resources, natural and manmade, and prevent wasteful exploitation and destruction of the resources”. The plan specifies guidelines:

- 1) Conserve unique resources in VDO by utilizing Resource Conservation Area (RCA) overlays and appropriate land use and zoning controls
- 13) Only uses compatible with flooding, such as agriculture, parks, recreation, riding and hiking trails, and other open space activities shall be allowed in significant natural drainage areas
- 14) Significant drainage areas as Resource Conservation Areas
 - a. Sweetwater River Floodplain and identified contiguous high value habitats (RCA No.77)
- 15) Require retention of native vegetation
- 18) Conserve unique functional plant and wildlife habitats, particularly those supporting rare, endangered, or threatened or depleted species.
- 21) Protect wildlife refuge areas from noise impacts, outdoor lighting impacts, and pollution impacts from stormwater runoff
- 29) Discourage new sources of air pollution in the Valle de Oro area

The Valle de Oro Community Plan designates the Sweetwater River Floodplain (RCA 77) as a Resource Conservation Area. Resources include riparian, riparian woodland, oak woodland, Coastal sage, chaparral, and grassland habitats. These habitats are important for wildlife, supporting a great diversity including many threatened and endangered species. Resources to be protected include trees, including willows, sycamores, cottonwoods, and oaks; riparian vegetation, including cattails, sedges, rushes, and aquatic vegetation; and native non-riparian vegetation including Coastal sage, chaparral and grasslands. Adjacent native vegetation should be conserved as viable edge habitats contributing to wildlife diversity of the local ecosystem. Page 53 of the Valle de Oro Community Plan shows Figure 7, the Valle de Oro Resource Conservation Area Map, highlights RCA 77, the Sweetwater River Floodplain, as an area to conserve.

D-O13-7 The County notes that this comment letter was received during the public review and comment period on the DEIR. As explained in Topical Response 1, *Reason for the Recirculation of the DEIR and the Recirculated DEIR Process*, the biological resources analysis contained in the DEIR was significantly revised and recirculated as part of the RDEIR. The revised biological resources analysis circulated in the RDEIR wholly supersedes the original biological resources analysis contained in the DEIR. Please refer to the updated analysis in the FEIR (Subchapter 2.2), the Biological Resources Technical Report circulated as Appendix C, and responses to comments received during public review of the RDEIR.

D-O13-7

d. The DEIR must be rejected since it does not address the above findings in the San Diego Region Aggregate Supply Study, of which the Developer was involved as part of the Expert Review Panel.

The San Diego Region Aggregate Supply Study (January 2011) studied “how to meet the increasing demand for aggregate at a time when the locally based supply is shrinking, while at the same time preserving environmentally sensitive lands and communities”. The report’s intent “is to identify issues and develop tools that decision makers could use as a starting point in adaptive management strategies”. The Expert Review Panel included persons working to develop the Cottonwood Sand Mine Project: Jon Cloud of Hester’s Granite; Warren Coalson of EnviroMine Inc.; and Crystal Howard of EnviroMine Inc.

Principal Findings of the San Diego Region Aggregate Supply Study report included:

- While river deposits and drainage systems provide a high-quality source of sand and gravel, they may be considered to be environmentally sensitive areas or contain endangered species and habitats, so access is limited.
- Analysis identified over 1,000 possible aggregate sites of 20 acres or greater in the San Diego region. These potential sites are not developed and have not been conserved for environmental reasons.
- The development of a mine changes the topography of a site, and can reduce habitat and biodiversity, and alter the visual scene. Operations associated with extraction and processing include noise, dust, truck traffic near the site, visually disturbing landscapes, and affected surface or groundwater.
- Report identifies the Sweetwater River as having a good source for sand and gravel. However, it also states “it is important to note that while these drainage systems potentially provide a good source of sand and gravel, they may be considered environmentally sensitive areas if endangered species and habitats occur there”.
- Overlay analysis removed Sweetwater River in Rancho San Diego as a potential sand mine due to it being environmentally conserved lands.
- Areas with a land use classification of “open space” were handled separately. These were eliminated as potential candidates for aggregate supply if they overlapped with environmental areas that already were conserved or identified (per South County Multiple Species Conservation Plan or MSCP) for conservation at the 90% level.

D-O13-8 Please see Response to Comment D-O10-49, which addresses the same comments related to the findings of the San Diego Region Aggregate Supply Study.

D-O13-8

D-O13-8
cont.

- Representatives from environmental agencies noted that from a resource management standpoint, the expansion of existing mines and extension of existing permits likely would have fewer negative impacts to the environment and, therefore, could be more desirable than establishing new mines.
- Proximity to Existing Residential Land Uses – report indicates that “a 1,300-foot setback from residential areas is considered in the County of San Diego’s mineral resource evaluation methodology guidelines to mitigate noise”.
- Report, on Figure 7-9, shows a Map of Available Land (60 acres or greater after 1,300-foot setback from existing residential land).

e. The long-term impacts of the project must be considered in total, against all applicable County standards, while considering the overall scope and sheer length of the development.

D-O13-9

The project property is currently zoned “Special Use Permit/Major Use Permit” (SUP/MUP). These permits supersede any other use designation that may have been on the property until those Special/Major Uses are modified by the County Land Use process. Any claim of other permitted use must follow the underlying zoned use which defaulted to Open Space. When the applicant abandoned golf operations on the western half of the property its lack of continued use caused the SUP/MUP to expire due to non-use. Since the western portion of the Project’s property has been four years as Open Space, at this point the western portion of the property should remain zoned as Open Space. No permit to mine sand should be permitted on the western portion of the property.

D-O13-10

Reclamation Plan – the draft EIR does detail the future positive condition of the site. This includes references such as:

- “The Project would leave the site suitable for uses allowed by the existing land use designation... with the site remaining as open space.”
- “...the Project would specifically provide only open space uses, including recreational trails.”
- “At maturity (approximately five to seven years post reclamation for each phase), the visual character of the Project site would be enhanced with native vegetative cover...”
- “As part of the Reclamation Plan, the Project would create new on-site trails that would be accessible by the public and local residents.”

D-O13-9 Please see Response to Comment D-O10-50, which addresses the same comments related to proposed permitted use of the western half of the property.

D-O13-10 Please see Response to Comment D-O10-51, which addresses the same comments related to the Project’s Reclamation Plan.

DO13-10
cont.

- "...ultimately, the Project would be consistent with scenic highways policies in the long-term condition."

While these long-term benefits are duly noted, the developer would already be expected as a matter of course to return the site to its current condition, and it is nearly a given that efforts would be made to enhance some of those conditions.

Focusing on reclamation efforts that would most likely be an expectation by the County only minimized the real long-term impacts of this project. This is not an 18-month or 2-year project, in which the area residents would face and accept some short-term annoyances and less than optimum conditions in exchange for an improved site just on the horizon. The project proposes 10 years of mining, followed by a 2-year reclamation plan, not counting any delays caused by unforeseen conditions or other circumstances. In addition, the developer notes "five to seven years post reclamation for each phase" to gain full maturity for any regrowth of vegetation.

Visual Impacts – the Land Use and Planning element of the draft EIR addresses some of the long-term significant visual impacts resulting from the proposed project. This includes:

- "These Project elements would be visible and highly contrasting, affecting the composition of the visual environment, including as viewed from Willow Glen Drive, a County-designated scenic highway corridor. Mining and reclamation activities would create notable physical changes in the composition of the visual environment, as viewed from Willow Glen Drive, Steele Canyon Road, and surrounding recreational and residential areas that would result in reduced visual quality of the site and surrounding area."
- "...visual impacts were assessed as potentially significant and would result in conflicts with applicable goals and policies."
- "...the visual change in the Project site and associated visual landscape experienced from Willow Glen Drive would be notable, strong, and perceived negatively. Thus, the Project would not protect and enhance the appearance of the scenic landscape experience from Willow Glen Drive, resulting in a conflict with scenic highways policies."

Despite the Land Use and Planning element of the draft EIR clearly stating many of the negative impacts from the proposed project as being inconsistent with and in violation of County policies, it concludes with the opinion that the impacts associated with the County General Plan, Valle de Oro Community Plan, and Zoning Ordinance are "less than significant." The document further states that the Project would comply with the County goals and policies **"to the extent feasible for an extractive use..."** That appears to be carefully chosen wording. The level of feasibility to appropriately mitigate the impacts of a long-term extractive use in the middle of an established

D-O13-11 Please see Response to Comment D-O10-52, which addresses the same comments related to visual impacts.

DO13-11
cont.

residential area remains highly in question, due to the contradictions and inconsistencies inherent in the draft EIR.

2. Valle de Oro Community Plan

The Project is inconsistent with the Valle de Oro Community Plan and the Land Use Element of the County of San Diego General Plan, which designates the project site as Open Space-Recreation, which applies to large, existing recreational areas and allows for active and passive recreational uses. However, the DEIR Section 3.1.6.4 "Significance of Impacts" erroneously concludes:

DO13-12

Based on the analysis provided above, while the Project would result in short-term conflicts with goals and policies related to aesthetics, the environmental effects of which are evaluated in Subchapter 2.1 of this EIR, the Project would comply with applicable goals and policies to the extent feasible for an extractive use and would implement a comprehensive reclamation plan to ensure that mined areas are backfilled and revegetated with appropriate plant communities. The Project would be consistent with all applicable goals and policies in the long-term reclaimed condition. As such, the Proposed Project would have less than significant impacts related to land use and planning.

The Valle de Oro Community Plan identifies critical goals and policies that are inconsistent with the project's characteristics and impacts. These impacts are not only significant, but they are unmitigable.

DO13-13

1. Community Character: The impact of industrial sandmining operations on the general quality of life and community character is significant and unmitigable.

*Community Character Goal: Retain the unique balance of urban, semi-rural agricultural and open space land uses within the community, with open space and low-density buffers that separate the community from adjacent cities and unincorporated communities, while new development within the community conserves natural resources and topography.*⁴

The Project would transform existing recreational use and open spaces into an extractive, industrial operation for approximately 15 years. During operations, the Project would install fencing with screening mesh and targeted landscaping to block views of the processing plant and mining activities from adjacent land uses and viewers. The Project introduces an extractive use that with the existing balance of urban, semi-rural agricultural and open space land uses within the community. Further, mining activities would create strong contrasts in form, line, and color that would degrade existing visual character.

⁴ Valle de Oro Community Plan, at p. 4. Available at:
https://www.sandiegocounty.gov/content/dam/sdc/pds/docs/CP/Valle_de_Oro_CP2.pdf.

D-O13-12 Please see Response to Comment D-O8-52 regarding evaluation of the Project's consistency with the Valle de Oro Community Plan.

D-O13-13 Please see Response to Comment D-O8-53 regarding evaluation of the Project's consistency with the Valle de Oro Community Plan Community Character Goal.

D-013-14

2. **Land Use – Industrial:** Because landscaping cannot even reach maturity during the mining operation period, the negative impacts to land use are both significant and unmitigable.

Industrial Goal: Provide for the kind of industrial development that does not detract from the existing character of the community.

- *Policy 2:* Industrial areas as identified on the Land Use Map or Specific Plan shall be (1) of sufficient size to allow adequate internal circulation, (2) located in areas which are served by an adequate transportation system, and (3) adequately buffered from surrounding uses.
- *Policy 3:* All industrial activities shall provide buffering or screening when located adjacent to residential areas.
- *Policy 4:* Require strict regulation of all extraction industries to minimize dust, noise, traffic, unsightly views, undesirable accumulation of water, and safety and health hazards.⁵

As a threshold matter, neither the Land Use Map nor the Rancho San Diego Specific Plan identify the project site as industrial. Furthermore, adequate screening and landscaping are clear requirements within these policies. Because landscaping cannot even reach maturity during the mining operation period, the negative impacts to land use are both significant and unmitigable.

D-013-15

2. **Land Use – Open Space:** By destroying and eliminating open space, the Project imposes negative impacts to open space that are both significant and unmitigable.

Open Space Goal: The preservation of open space including sensitive habitat, steep slopes, canyons, floodplains, and agricultural lands; and regulation of the use of open space within the community.

- *Policy 5:* Utilize open space as a buffer between incompatible land uses.
- *Policy 6:* Buffer industrial and commercial land uses from surrounding residential uses.

Appropriate setbacks would be established from the property line, and existing and proposed vegetation would be used to provide buffering screening of the Project site from adjacent residential areas.

D-013-16

2. **Land Use – Community Design:** The impact on community design as a land use element is significant and unmitigable.

Community Design Goal: Preserve, maintain, and enhance distinct community identities within the Valle de Oro Planning Area by encouraging quality design and appropriate land use patterns.

⁵ *Id.*, at p. 17.

D-013-14 Please see Response to Comment D-08-54 regarding evaluation of the Project's consistency with the Valle de Oro Community Plan Industrial Goal and Policies 2, 3, and 4.

D-013-15 Please see Response to Comment D-08-55 regarding evaluation of the Project's consistency with the Valle de Oro Community Plan Land Use – Open Space Goal and Policies 5 and 6.

D-013-16 Please see Response to Comment D-08-53, related to the Project's consistency with the Valle de Oro Community Plan Land Use – Community Design Goal and Policy 2 Please see Response to Comment D-08-57 regarding consistency with policies related to scenic highways.

DO13-16
cont.

- *Policy 2: Mature trees, shrubs, and significant landforms should be conserved in all public and private development projects.*⁶

The Project neither preserves, maintains, nor enhances the community identity. Rather, it exploits the community and its character to extract minerals. There is nothing consistent or compatible about the land use, operation, or design of the Project with the community design. Worse, the Project proposes to remove approximately 67 trees (or 14 percent of the existing trees along Willow Glen Drive). The impact on community design as a land use element is significant and unmitigable.

8. Scenic Highways: The DEIR fails to account for aesthetic impacts as Land Use and Planning impacts in accordance with the Community Plan.

*Scenic Highways Goal: Utilize scenic highway corridors as one method of protecting and enhancing the appearance of scenic, historical, and recreational areas.*⁷

The Community Plan designates Willow Glen Drive as a scenic highway corridor. Even with landscaping and buffer, the DEIR identifies that the aesthetic impacts are both significant and unmitigable. However, the DEIR fails to account for these aesthetic impacts as Land Use and Planning impacts, including this inconsistency with the Community Plan.

DO13-17

11. Noise: The DEIR is incomplete in its Noise Analysis:

- The site was eliminated from the San Diego Region Aggregate Supply Study 2011 as a viable location for sand mining, because the site is too close to the developed residential areas and environmentally protected areas.
- The DEIR did not include the extent that noise will be generating from the engine and exhaust stacks from the Project's heavy equipment.
- The DEIR must be revised to state the unmitigable significant impact sand mining activity noise will have to wildlife.
- The DEIR must be revised to accurately assess the Project's ability to meet the following Valle de Oro Community Plan requirements related to Noise: 1) encourage land use and circulation patterns which will minimize noise in residential neighborhoods and sensitive wildlife habitat, and 2) support limiting truck traffic to designated routes to reduce noise in residential areas.

Noise Goal: Protect and enhance Valle de Oro's acoustical environment by supporting the control of noise at its source, along its transmission path, and at the site of sensitive receivers.

- *Policy 2: Require site design and building design controls to minimize noise emissions from noise sources.*⁸

⁶ *Id.*, at p. 18.

⁷ *Id.*, at p. 44.

⁸ *Id.*, at p. 48.

D-O13-17 Please see Responses to Comments D-O10-10 through D-O10-15, which address the same comments related to the evaluation of Project noise impacts, as well as Topical Response 7, *Noise Impacts*. Please also see Response to Comment D-O8-58 regarding additional evaluation of the Project's consistency with the Valle de Oro Community Plan Noise Goal and Policy 2.

DO13-17
cont.

The Project would result in significant increases in noise in the community. The DEIR states that sand mining activities will occur with only a 100-foot setback from residences and that proposed mining setbacks in areas adjacent to residential properties were increased from 50 to 100 feet. When discussing mitigation measures (M-N-1), the DEIR proposes that sand mining activities will occur within 400 feet of noise sensitive land uses. The Sweetwater River on the property site was included in the San Diego Region Aggregate Supply Study 2011 funded by the San Diego Association of Governments. In this study, Sweetwater River is listed as a potential source of high-quality sand of over 100 acres. The site was eliminated from the study's analysis early in their surveys, as a viable location for sand mining, because the site is too close to the developed residential areas and environmentally protected areas.

The San Diego Region Aggregate Supply Study 2011 indicates that "A 1,300-foot setback from residential areas is considered in the County of San Diego's mineral resource evaluation methodology guidelines to mitigate noise." This 1,300-foot setback needs to be employed in the DEIR analysis of the sand mine and its operations.

Per the County of San Diego General Plan, extractive (mining) operations typically involve a range of noise-generating equipment, operations, and sometimes include blasting noise. Heavy equipment used in quarry and mining activities and blasting operations may generate noise levels that are incompatible with surrounding land uses. Additionally, off-site noise may be generated associated with the transportation of materials to and from the mining facility. Some noise-generating activities such as blasting or pile-driving as part of mining or construction operations may also result in excessive levels of ground borne vibration that may affect nearby land uses.

The DEIR did not include the extent that noise will be generating from the engine and exhaust stacks from the Project's heavy equipment. Both the engine and exhaust stacks are very close to or higher than the proposed noise barriers of 8 feet and 12 feet that will deem them ineffective. Measurements of proposed equipment is as follows:

CAT 988K Loader

- Height to top of hood (engine enclosure) – 10.9 feet
- Height to top of exhaust – 14.8 feet
- Height to top of ROPS (cab) – 13.8 feet

CAT 740 Haul Truck

- Height to top of hood (engine enclosure) – 8.2 feet
- Height to top of exhaust – 12.3 feet
- Height to top of ROPS (cab) – 12.3 feet

CAT 349F Excavator

- Height to top of hood (engine enclosure) – 9.7 feet
- Height to top of exhaust – 10.7 feet
- Height to top of ROPS (cab) – 10.7 feet

DO13-17
cont.

The proposed sand mining project is in a valley with residences up the sides of the valley in an elevated position. The direction of the equipment noise will travel to these communities unencumbered by the existing project site topography, vegetation or the sound barriers proposed. The DEIR must be revised to include a more thorough analysis of the potential noise impact as it relates to the equipment proposed to be used as well as the more complex analysis of noise impacts for all surrounding residences/communities both level to the project property site and at a variety of elevated positions.

The DEIR states that "construction-related noise generated from mining and reclamation activities could temporarily impact wildlife" due to daily use of heavy equipment resulting is wildlife being temporarily displaced from or avoid the Project site during construction activities "but would be expected to return to the area as activities have ceased." The DEIR goes onto state that impacts would be less than significant due to mining the property one section at a time rather than the entire property. The impact of noise on the wildlife of the area, including gnatcatchers, vireos, and raptors, was not addressed. Noise has been shown to have significant effects on many wildlife species including these endangered and special species.

The DEIR must be revised to state the unmitigable significant impact sand mining activity noise will have to wildlife. The DEIR states that, over the 10-year mining period "the Project would generate elevated noise levels during operation of its individual components that would have the potential to affect nearby Noise-Sensitive Land Uses (NSLUs)" such as people and wildlife. A list of prominent operational noise sources is provided including "on-road haul truck activities – up to 18 trucks per hour traveling west of the Project driveway along Willow Glen Drive." The DEIR states that barriers would be placed between excavation activities and certain residences when excavation is occurring within 400 feet of those locations. These barriers would be moved according to excavation activities.

The DEIR must be revised to address how noise impacts (with noise levels resulting in an increase of 3dB or exceeding the 60dB threshold) associated with existing noise, cumulative traffic noise along Willow Glen Drive, and Project noise (both onsite and on-road truck hauling) will be mitigated. Moving barriers obviously will not address this significant impact. In addition, the DEIR states that mining extraction will occur below grade therefore producing less noise. The DEIR needs to provide the proof that this measure will be an effective mitigation technique given that the property is a valley and that residences are located around the perimeter of the property and go from grade to much higher on ridges around the valley.

The DEIR must be revised to accurately assess the Project's ability to meet the following Valle de Oro Community Plan requirements related to Noise:

- Encourage land use and circulation patterns which will minimize noise in residential neighborhoods and sensitive wildlife habitat.
- Support limiting truck traffic to designated routes to reduce noise in residential areas.

15

D-O13-18

III. Conclusion

The VDO CPG opposes development that is incompatible with our community plan, established land uses, and existing quality of life. We oppose projects that carry high potential to reduce quality of life, increase health risks, and reduce economic stability of our properties. We maintain that the community can only thrive if development and land uses within the Planning Area are compatible with surrounding land uses and consistent with the Community Plan. The Project contravenes the Community Plan. Accordingly, the VDO Community Plan should be adequately and appropriately considered in the environmental review process for all proposed new development that will impact the community, such as the Project.

Sincerely,



Oday Yousif Jr.
Valle De Oro Community Planning Group, Chair

D-O13-18 The County acknowledges this conclusion; however, however, it does not raise an issue concerning the environmental analysis or adequacy of the DEIR. Please see the responses above to specific comments raised in this letter.

COMMENTS

RESPONSES

D-013-19

ATTACHMENT A

PUBLIC COMMENTS DIRECTED TO THE VALLE DE ORO COMMUNITY PLANNING GROUP PRIOR TO AND DURING THE REGULARLY SCHEDULED 02/01/2022 MEETING

Larry Olds to Everyone (7:25 PM)

Why is there even a question, no one wants this other than one person.

Abram Jimenez to Everyone (7:28 PM)

I've lived in the community for less than two years. It seems unconscionable and unbelievable that this project would be considered. Sandwiched in between a community of homes and school, I find it hard to believe that that any bureaucracy would consider a sand mine viable. There are numerous concerns that I have, most notably elementary students' health and noise impacting teaching and learning. As a bureaucrat, please note that a firm denial of the project moving forward is imperative.

Marlene Barr to Everyone (7:30 PM)

The Cottonwood Sand Mine would have an extremely adverse impact on the surrounding neighborhoods. The sand mine project does not belong in such close proximity to an elementary school, a county park, a wildlife refuge, and residential neighborhoods. The silica dust and excavated soil would be extremely dangerous to health, particularly the health of children and elderly residents. In addition, the large trucks and mining machinery would increase fire danger in an area that already has a very high level of fire risk.

Miranda Franks to Everyone (7:32 PM)

Who is going to monitor the revegetation?

Amy DeNoble to Everyone (7:33 PM)

Many mining operations claim bankruptcy prior to the reclamation phase and skip out on any reclamation responsibilities. This concern is one of many. I have lived in this area (within one mile of the proposed sand mine site) for 34 years. Rancho San Diego was a "Master Planned Community" when we purchased a home here in 1988. There was NO MENTION of a sand mining operations in the master plan. What happened?

Miranda Franks to Everyone (7:34 PM)

D-013-19 Attachments to the letter contains public comments directed to the Valle de Oro Community Planning Group. The attachments are in the form of an online chat and do not individually raise specific issues with the environmental analysis for the Project, but are addressed as applicable in response to the bracketed comments in the enclosed letter. No additional responses are provided.

A-2

We have two granite mining operations. Tons of dust and blasts. What will be the barriers against both noise and dust...?

Ken Norton to Everyone (7:35 PM)

An 8-12-foot wall won't reduce noise to residents that live above the canyon and look down on the project

Kathy Ellis to Everyone (7:36 PM)

The mitigation methods for aesthetics and noise will not mitigate the effects for those homeowners that look down on the site.

Amy DeNoble to Everyone (7:36 PM)

Silica causes cancer.

Teri Davies-Storm to Everyone (7:37 PM)

Can't control dust

Kathy Ellis to Everyone (7:38 PM)

Dust control mitigations will not help; the dust and silica particulate matter that ends up in our lungs, our backyard and our pool.

Amy DeNoble to Everyone (7:38 PM)

More giant trucks blocking already challenged exit routes in an emergency fire or earthquake.

Miranda Franks to Everyone (7:39 PM)

Rancho is getting so congested. We have a great deal of trucks traveling through now. Our streets are not large enough to allow for additional big rigs to travel. Many schools are close to this site and school buses and parent pickups will be impacted.

Teri Davies-Storm to Everyone (7:39 PM)

Can't mitigate biological or cultural resource damages

A-3

Barbara's iPad to Everyone (7:40 PM)

Please do the right thing. Deny this!

Amy DeNoble to Everyone (7:40 PM)

Dust caused by trucks can impede the photosynthesis of plants.

Miranda Franks to Everyone (7:41 PM)

Homeowners do not want this. o.k. the Tribes should now weigh in.....

Karen Romano to Everyone (7:42 PM)

We have lived next to the Cottonwood Golf Course for 25 years. It's a beautiful property. Wildlife uses it as a thoroughfare and the Loveland reservoirs releases water that goes into the watershed. How a sand mine can be considered amongst the homes and schools is unfathomable. The health of our air is a huge concern. I hope our elected officials do the right thing by not allowing this project to continue.

Amy DeNoble to Everyone (7:43 PM)

It has to be remembered that the sand once removed cannot be replaced in the next generation. It will take centuries for replacement. Source: Impacts of Sand Mining on Environment- A Review found in SSRG International Journal of Geoinformatics and Geological Science Volume 4; Issue 1; Jan. to April 2017.

Miranda Franks to Everyone (7:43 PM)

What is your plan for mitigation????

Bonnie and Joe Duncan GPC Chairs to Everyone (7:45 PM)

The DEIR seems to categorize serious major issues as "Less than significant Impact". How can hundreds of huge trucks laden with sand not have a significant impact on air quality and traffic. The Developer has produced a smoke and mirrors report that does not seriously deal with the very negative major effects this ill-conceived project would have on the area, which includes private homes, an elementary school, and a shopping center.

A-4

Marlene Barr to Everyone (7:45 PM)

The risk from silica dust is very significant, especially for children who would be exposed every day at the elementary school and during extended day care at the school, as well as for elderly residents who are home during the day and who may already have pre-existing health concerns. Steele Canyon County Park could not be used as it is now, with soccer, volleyball, tennis, and softball games being played there on most days of the week. The dust would be too hazardous for such activities.

Teri Davies-Storm to Everyone (7:45 PM)

No project at all!! Preserve the land!!

Phil to Everyone (7:46 PM)

This project will have a significant negative impact on the Rancho San Diego community. I have lived in the community for over 30 years. No one who lives in the community want this scourge thrust on us. A mining operation on this scale has no place in our residential community. Our community and quality of life will be changed forever. Just say NO.

Sanford Ehrlich to Everyone (7:46 PM)

There is a long history of violations of state, federal, and local laws by many mining operations. Operators have often found it to be more profitable to violate all of the standards set forth in these proposed mitigation approaches since inspectors are usually not onsite, and fines are often not levied. I doubt that this operator will behave any different, operating a sand mine in a residential community with a sensitive riparian habitat and ecosystem.

Tim Schneider to Everyone (7:47 PM)

Increased traffic saturation of heavy trucks at willow glen and Jamacha is just not going to be good. Stripping the land near the Sweetwater River that flows to directly out to the ocean is worse. Allowing the mining of silica which is a known carcinogen and known to cause cancer in a place hit by onshore (west to east) winds as well as Santa Anna (West to east) seems stupid from a public health standpoint. How does anyone justify moving forward with obstructing the lives of so many residents while also stripping the community of peace and quiet, healthy air, and the desecration of the natural land just for one landowners profit motive. I say no, not in my back yard. Not now and not ever. Money is not an excuse for effecting so many in a negative way. I can't even imagine having a child in the elementary school a few yards away. Cancer is not insignificant or less than significant to the ones who get it. VOTE NO.

jean to Everyone (7:47 PM)

A-5

The EIR conclusions of “less than significant” for the issues of noise, traffic, air quality, etc., could only be deduced by someone who does not, nor will not, live in the general area. The conclusions seem prejudiced to be in favor of the project with disregard to any residents. A resident’s opinion on these issues needs to be weighed more strongly than any scientific statistics that can be used to purport “less than significant impact.” Claiming that 8-12-foot walls lessen noises is ridiculous—noise travels upwards as well as sideways! For the city to support demolishing a beautiful valley surrounded by homes and schools to save them money on sand purchases for beach erosion would be disgusting!

Miranda Franks to Everyone (7:47 PM)

Please everyone, write your comments and submit in aN authorized as they advised.

Barbara’s iPad to Everyone (7:48 PM)

The Pasatiempo community vehemently opposes this project.

Robert Stall to Everyone (7:49 PM)

If the project is not approved, what will happen to the property? Will it be developed as new homes? If the project is approved, will the land be designated as open property forever?

Abram Jimenez to Everyone (7:49 PM)

Who are the bureaucrats that believe the project will leave “less than significant” impact? They weren’t mentioned at the beginning of the presentation.

pjs to Everyone (7:49 PM)

This project needs to be denied. There are too many negative impacts to this small community. Health being the biggest impact.

R Pinson to Everyone (7:50 PM)

My family and myself cannot understand why this is a need in our backyard. Dust and noise control cannot be stopped with ugly walls. The company wanting to come into our neighborhood and start this operation does not live in our neighborhood. Traffic has already increased with extra housing. I cannot imagine putting more large mining trucks in our area. Depending on the weather we can already hear extra traffic noise. I can’t imagine hearing an operating mine. I have a student at Jamacha elementary, with this proposal you are stating the silica in the air will not affect elementary kids on their playground?

A-6

How??? I hope our elected officials vote against this project that does not make any positive impact for our neighborhood.

Denise S. to Everyone (7:50 PM)

Who is responsible for conducting research as to the adverse impacts to home values? When will this be disclosed to and discussed with the residents?

iPad to Everyone (7:52 PM)

I am concerned there is no provisions for monitoring and penalties for noncompliance by the company if the mining proceeds. What controls will be in place for example, the trucks operate outside the stated hours. What if the company goes bankrupt before reclamation occurs? Will there be money in an "escrow" account or insurance account to guarantee reclamation?

Miranda Franks to Everyone (7:53 PM)

We have a beautiful wildlife happening there now. Please stop the destruction.

R Pinson to Everyone (7:53 PM)

What about all the wildlife? I hear them every night. They don't just reappear when you decide to build trails several years after you pushed them out.

Andrew Young to Everyone (7:54 PM)

So, we are going to cause all of these significant impacts to hundreds of residents and environmental and wildlife harm will be caused for a 6–10-year TEMPORARY project for the developer with zero benefit to the community. You can never return the environment to its original state or confirm wildlife would return. I hope the developer has deep enough pockets for all the lawsuits that will occur because of the damage he is going to cause.

rrobi to Everyone (7:54 PM)

I can't believe this has gone this far. Already the traffic is horrible cannot imagine with all their truck going and coming how it will be. I wonder if the animals are getting hotel rooms until the project is over.

Abram Jimenez to Everyone (7:55 PM)

I am vehemently opposed to this project!

A-7

Miranda Franks to Everyone (7:56 PM)

We all purchased in Rancho to be away from ever expanding growth. Golf courses and running water equals a healthy lifestyle. Don't remove healthy wildlife and watershed to rape the land and then "replace" nature.

Brianna Chaney to Everyone (7:56 PM)

There have been multiple accidents and 1 fatality on Willow Glen in January alone. Every day we deal with people who drive fast cars and pass on blind corners, semi-trucks, and drunk\impaired drivers. This would be catastrophic to our community and the generations to come.

Teri Davies-Storm to Everyone (7:57 PM)

No one in this Community wants this project! It will ruin the natural environment. We all live there because of the beauty of the area. This is not the place for a Sand mine. You can't mitigate damages to the endangered species or other wildlife. In addition, cultural resources will be damaged, lost or stolen. This project possesses a significant health risk to surrounding residents, such as Valley Fever and cancer from silica.

Susan Holtz to Everyone (7:57 PM)

Have yet to hear of any benefit this project would bring to our community, only damage to be "mitigated."

Greg to Everyone (7:57 PM)

Building a wall around this project would be as pointless as putting a 6-foot fence around an aviary.

jean to Everyone (7:57 PM)

I don't care how beautiful the company can make the land when they are done mining, it is the ten or so years of HELL that residents have to live with that is NOT WORTH IT. The company profits, but what's in it for residents — reduced property values and constant headaches!!!!

Bonnie and Joe Duncan GPC Chairs to Everyone (7:57 PM)

The visual impact screen on the Steele Canyon Bridge is a joke. It looks from the simulation that it is about two feet high.

A-8

Miranda Franks to Everyone (7:57 PM)

Susan Holtz, I agree with you

Teri Davies-Storm to Everyone (7:57 PM)

Me too

Tim Schneider to Everyone (7:58 PM)

pros: One sand mine makes money and actually lives up to their Pollyanna-sounding promises.

rrrobi to Everyone (7:58 PM)

Are they going to use well water for this????

Tim Schneider to Everyone (7:58 PM)

Cons: Everything else

Renee Shaffer to Everyone (7:59 PM)

Why can't we use this property for public use, This is an beautiful piece of property that many different types of native wildlife, and vital native plants that makes this project very WRONG to just dig it up, and destroy these habitats, also we can make this beautiful area into a place where we can enjoy. Trails, maybe a dog park or riding trails whould be awesome, let's keep it beautiful.

Rob to Everyone (7:59 PM)

Concerns of passing through water table, affect to water source from the Sweetwater water supply. 10 years plus affect to our air quality (Silica). Does the school district, teacher unions, local business owners and their employees? This will affect at least a ten-mile radius, multiple schools and housing areas. My understanding is the EIR has a lot of missing information that will indicate hazardous environment. Traffic impact to already impacted roads (*i.e.*, willow glen, Steele Canyon Road bridge. The original meeting presentation to the community was lack luster. No benefit to community, a lot of benefit to sand mining company. Unless you view the sand mining area from the community location you do not see the impact. From the golf course location, it looks as though it is low population. It talks about 88 trucks; however, this is in addition to the already impacted roads.

COMMENTS

RESPONSES

A-9

jean to Everyone (7:59 PM)

You all need to be sure to put your comments in writing and send in!

Bonnie and Joe Duncan GPC Chairs to Everyone (7:59 PM)

The sand and gravel trucks on Willow Glen now are already a serious problem.

Marlene Barr to Everyone (8:00 PM)

88 trucks per day is EXTREMELY significant.

Miranda Franks to Everyone (8:00 PM)

Community is not in favor of this project.

Kathy Ellis to Everyone (8:00 PM)

Yes, please send letters to the county as instructed.

Brianna Chaney to Everyone (8:00 PM)

They blast and don't care about boulders rolling down to the residents' homes below. And don't care about the noise now as it is. They only care about their bank accounts.

Sherrie Aldrich to Everyone (8:00 PM)

What is the impact of this project to our property values? Our beautiful community is going to be decimated.

R Pinson to Everyone (8:00 PM)

Can someone provide the email?

To send comments against this project. Thank you

iPad to Everyone (8:00 PM)

Again, if the mining occurs, will the project pay for the additional wear and tear on the roads and the bridge. We should not be taxed so a mine can make a profit.

A-10

Amy DeNoble to Everyone (8:01 PM)

Please ask EnviroMine to share an extensive list of the benefits to the community. I cannot think of one! Stop Cottonwood Sand Mine.

Theresa McKenna to Everyone (8:01 PM)

CANCER CONCERNS: The Helix Environmental Planning Air Quality Technical Report (November 2021) states, on page 22: "...the cancer burden only evaluates residential exposure (not schools or worksites)."

It also states, "...cancer burden was estimated for the project...of an increase in cancer cases in the population of 0.5..."

On page 36: Project Mitigation: "Because the project would not result in significant impacts, no mitigation is required."

Please help me understand how a project determined to have a known increase in cancer impact is deemed not significant.

With an elementary school less than ¼ mile away, please also explain why the health impacts to the children at the elementary school not evaluated?

Alan Levin to Everyone (8:01 PM)

88 trucks equal 176 one-way trips over 6 and a half hours that's a truck every 2 minutes 21 seconds

Kathryn Clayton to Everyone (8:02 PM)

88 trucks accessing the site daily. How many trips each.

Cynthia Ehrlich to Everyone (8:02 PM)

There is not one upside benefit for our community. This new owner is raping the land, putting a band aid on all the negative impacts on our health, and natural beauty of our community. There will never be accountability if they violate the parameters of their proposals. I 100% oppose this projected project. You can spin it any way, but there is NO benefit for anyone in our community.

Cyndi Denny to Everyone (8:03 PM)

I would like to ask Vanessa T if she would like this sand mine project in her backyard? Would anyone from Helix Environment Planning want this project in their backyard? How is construction debris going to meet aesthetics? Also how is this mining project going to affect Steele Canyon Road Bridge with

A-11

removal of the Sand, thus with construction debris not being able to slow down water flow as sand does, how does this impact this bridge? If anyone would like to see what a sand mine project looks like, just go to Lakeside which is nothing but mining operations which has ruined the aesthetics of the Lakeside Community. You cannot do this to Rancho San Diego. SanDag 2011 report is inadequate.

Tim Schneider to Everyone (8:04 PM)

Their DEIR is not complete because their thoughts are not complete. Do we have to put us through this process for more steps? Can you Just vote NO now?

iPhone to Everyone (8:04 PM)

The fact that this is so close to a school is minging bobbling. absolutely no one has mentioned the effects of traffic and air pollution so near to homes and schools. this should have been a denied project from the get-go. nothing from this report makes sense. things always go wrong, and nothing is beneficial in any way to our health and community.

Robert Stall to Everyone (8:04 PM)

88 trucks driven into the site and then 88 trucks driven out of the site over 6.5 hours. That means one truck arriving every 4.4 minutes and one truck leaving every 4.4 minutes. In other words, large trucks will be arriving or leaving every 2.2 minutes.

BBQ Eric to Everyone (8:04 PM)

Jamacha Elementary is less than an eighth of a mile from the site; the noise, the air pollution and the traffic will destroy our neighborhood

Miranda Franks to Everyone (8:05 PM)

Thank you, Danielle. Please everyone take down this information.

Nancy to Everyone (8:06 PM)

We are new residents to this peaceful area. We oppose the sand mines which would disturb our peace, quiet and health.

pjs to Everyone (8:06 PM)

Thank you, Barry and StopCottonWoodSandMine Committee!!

A-12

Greg D to Everyone (8:07 PM)

WHO will own the land after reclamation? Will the SD County own the land or still privately owned?
Can you or anyone in the SD County confirm that the reclaimed land will never be developed ever again
?

BBQ Eric to Everyone (8:07 PM)

There is a mine off Jamacha already and they are noisy all day long from 8am until after 5pm not
including the double trailers coming and going all day. One mine here is more than enough.

Tim Schneider to Everyone (8:07 PM)

Actually, there are already two mines nearby

RUSTY JAMES to Everyone (8:07 PM)

This DEIR is flawed and incomplete. I do not believe that many of the aspects are significant and
unmitigable rather than less than significant. Beyond that \

Rudy Marik to Everyone (8:08 PM)

Many of the conclusions stated in the Draft EIR are based upon conditions at the completion of the
project. They must be revised to reflect the significant impacts during the 10-year period of
performance of the MUP. The project lacks compliance with the VDO Plan and is contrary to good
urban planning principles and practices. The MUP must be DENIED and the project must be REJECTED!

Rob to Everyone (8:08 PM)

The incomplete is recurring from the first meeting a few years, The lack of detail in effort by the sand
mining company is a strong indicator of how they will conduct business.

Owner to Everyone (8:09 PM)

Mitigate noise by building a 12-foot wall. How do you mitigate the loss of view caused by the wall?

Greg D to Everyone (8:09 PM)

There are enough trucks on our roads already from the Quarry on Willow Glen. Adding another 88
trucks per day is insane!!!

A-13

Brianna Chaney to Everyone (8:10 PM)

10 years of mining will cause CENETUIRES of damage. And we all know it will go on longer than 10 years. Our way of life will be gone for good.

Rob to Everyone (8:11 PM)

At the first meeting the sand mining representative stated " if anyone has a problem they can come to my house, and I live in El Cajon on street xxx:

Kathy to Everyone (8:12 PM)

The DEIR says the access road off of Ivanhoe Ranch Rd would be used as needed, primarily for equipment deliveries and/or reclamation maintenance & monitoring. Use of Ivanhoe Ranch Rd means large trucks & equipment would drive directly past Jamacha Elementary and through the crosswalks used by all students accessing the school. Ivanhoe Ranch Rd is also the only point of access in/out for residents in that housing development.

RUSTY JAMES to Everyone (8:12 PM)

This project is not compatible or consistent with the community, which is mainly residential and light retail. This project will negatively affect the quality of life for thousands of residents in the area for 10 to 20 years.

Renee Shaffer to Everyone (8:12 PM)

Who wants to see this beautiful peaceful area turned into a filthy, open pit sand mind with a 12-foot wall, really!

Rob to Everyone (8:14 PM)

Home values

Lisa Healey to Everyone (8:14 PM)

Absolutely no one Renee Shaffer! Only the applicant who stands to tons of money!

*make

A-14

CYousif to Everyone (8:20 PM)

What are the benefits of this project with regards to our community life, considering that all signs are pointing toward a negative impact to our daily living conditions? There is very little mitigation to combat the damages to the landscape, wildlife, and residential health. This project isn't practical, considering that we have an elementary school nearby and homes overlooking the site.

Brianna Chaney to Everyone (8:22 PM)

No one cares Cloud.

Tim Schneider to Everyone (8:22 PM)

So, is this guy in on the deal?

Brianna Chaney to Everyone (8:22 PM)

He is

Teri Davies-Storm to Everyone (8:22 PM)

What!!!!

Rob to Everyone (8:22 PM)

high school and sand mine is different scales

Tim Schneider to Everyone (8:23 PM)

Mines were here first...dohQ

Teri Davies-Storm to Everyone (8:23 PM)

Schools are much different....

Tim Schneider to Everyone (8:23 PM)

Mines don't show up after the community is built

A-15

Clay Cox to Everyone (8:24 PM)

Thanks to, and I fully agree with, the Stop Cottonwood Sand Mine Organization. Also, thanks to the Valle de Oro Planning Group for pointing out the inadequacy of the DEIR. This seems to me how it's supposed to work. Scoring? How about common sense? In a valley, walls don't do much to stop noise.

CYousif to Everyone (8:25 PM)

There is clearly a difference between infrastructure that promotes community life and sand mining which sucks the life out of everything

Amy DeNoble to Everyone (8:25 PM)

A sand mine does not belong in an established residential area. My house was built long before this.

Rob to Everyone (8:25 PM)

water table affected, water ebbs and floods

Cyndi Denny to Everyone (8:26 PM)

Mining operations has NOT been crowded by housing in Lakeside, and I don't see mining operations in La Jolla, Del Mar, Carmel Valley, Del Mar Mesa, Torrey Pines, etc.

Teri Davies-Storm to Everyone (8:26 PM)

Right!C Yousif

Tim Schneider to Everyone (8:27 PM)

They don't care about your money or values of others property

Denise S. to Everyone (8:27 PM)

Yes, I understand that... but who is, then, responsible?

pjs to Everyone (8:27 PM)

A-16

Ridiculous comment made by Jon about how civilization needed quarries to build them when the community here already exists. He lives in the area.

Brianna Chaney to Everyone (8:28 PM)

He does, as well as his family.

Robert Stall to Everyone (8:28 PM)

The existing granite mine in Rancho San Diego was in existence long before the Master Planned Community was built, so home buyers knew about it before purchasing their homes. The granite mine is also much smaller than the proposed sand mine. There was also a plan to close that granite mine and build a road through that property. That road plan was later cancelled.

Tracy Weekley to Everyone (8:28 PM)

There is a difference in choosing to build your home near an existing mine vs. allowing a mine to endanger your existing neighborhood. We are absolutely against the approval of the permit that would allow this project to move forward.

Jon to Everyone (8:28 PM)

Regarding Sweetwater authority There used to be a sand mine at the backside of Sweetwater res. If sand mining were ACTUALLY an issue with water quality would Sweetwater had allowed Nelson Sloane to have mined sand out of the backside of the res for some 20 years? ... If sand mining were a hazard to water quality would Sweetwater have plans to mine the sand in both Sweetwater and Loveland to add water storage capacity?

Bonnie and Joe Duncan GPC Chairs to Everyone (8:28 PM)

Who would be the logical entity to file a lawsuit preventing this monstrosity?

Greg D to Everyone (8:28 PM)

Make the money first with Sand Mine, then build high density units after that.

Jon must be invested in the company?

A-17

David Nichols, Greystone Drive to Everyone (8:29 PM)

Is there a public record regarding financial contributions from the project sponsors to the County officials who will vote to approve or disapprove the project? What is the mechanism for releasing this information to the public?

Brianna Chaney to Everyone (8:29 PM)

sure is!!

Stephen Kapp to Everyone (8:30 PM)

Note that the EIR (any EIR) does not address loss of property values (10-30%?) from adjacent homeowners, thus the County Board of Supervisors needs to weigh this IF the Planning Commission recommend the project move forward.

Greg D to Everyone (8:31 PM)

No worry, Plan B is to build high density units if Sand Mind is denied, so either way the developer win.

Stephen Kapp to Everyone (8:31 PM)

Modeling (in this case by the California Emissions Estimator Model are only as good as the quality of the data input, the accuracy/relevancy of the inputs, and the proper interpretation of the results.

Silica dust is likely to travel downwind to residential, senior center and elementary school most of the time from prevailing westward winds, and eastward during Santa Ana winds to retail and recreators and wildlife in the immediately adjacent wildlife refuge.

No mining activity when sustained winds over 25mph occur gives one the illusion that such winds would not affect dust and silica transport, but this only refers to simultaneous mining activity during such winds (like Santana Ana winds) and does not address such wind transport of these particulates in general for the open pit mining site.

Greg to Everyone (8:32 PM)

In reaction to the comment by Jon: There are many atrocities our society is built on. It doesn't give us full access to continue to exploit the environment, indigenous cultures, children and the elderly, which this project would negatively impact.

A-18

Stephen Kapp to Everyone (8:32 PM)

The plan apparently includes dust mitigation via spraying active areas with water to minimize dust and silica transport, but to think this would be reliability applied by personnel for the 10-year term is idealistic, not to mention the amount of scarce water expended. The EIR analysis that this water use is <20% of the annual water use by the (old) golf course) is misrepresentative since that has not been its current use for years.

steve to Everyone (8:32 PM)

Is the letter dated 2/22/2022

Stephen Kapp to Everyone (8:34 PM)

Although the Draft EIR appears rigorous on first pass, it has inaccuracies and deficiencies on assumptions and is incomplete, it also is evident to most upon even a casual yet honest review of the EIR that no EIR could sufficiently mitigate a project of this nature in this location.

pjs to Everyone (8:34 PM)

What's being overlooked are the people who live here and have to deal with this mess.

Stephen Kapp to Everyone (8:35 PM)

Relative to Noise (Chapter 2.4) ~ "Significant Impacts Mitigated to Less than Significant"

...to think a 12-foot wall with homes located both to the North and South of the site, and above by many feet – is laughable.

Greg D to Everyone (8:35 PM)

East County is not Million Dollar home community like North County.

Rob to Everyone (8:36 PM)

the wall will not mitigate noise from surrounding housing such as cottonwood

A-19

jean to Everyone (8:36 PM)

Greg — we do have million-dollar homes in this community and what is your point?

Miranda Franks to Everyone (8:36 PM)

Thank you for that. We do oppose.

Jon to Everyone (8:37 PM)

Understanding that RSD has changed a lot over the years, for those who believe they have lived here a long time and don't want to see things change ... I've lived here long enough to have taken trash and yard waste to the dump at the steel bridge in RSD. Most people living in the area today don't even know that there was a County dump there. I've also lived here long enough to have done "Touch and Go's" off Lamp field in a Cessna 172 as a child with my uncle at the controls and a neighbor named Nat Eggart. Lamp field is the property behind Valhalla HS.

Robert Stall to Everyone (8:37 PM)

I would recommend adding page numbers to the bottom of each page of the VDO PG letter.

pjs to Everyone (8:38 PM)

Greg needs to look at Zillow home prices in the adjacent areas to this proposed mess....

Stephen Kapp to Everyone (8:38 PM)

This project cannot meet a Major Use Permit requirement per Sec. 7358a (Pg. 6-13):

<https://www.sandiegocounty.gov/content/dam/sdc/pds/zoning/z7000%20REV%2010-21.pdf>

Teri Davies-Storm to Everyone (8:38 PM)

The DEIR also does not adequately describe the potential impact to Cultural Resources. The potential loss to Kumeyaay heritage is unmitigable!!

Greg D to Everyone (8:38 PM)

Wendy is right

A-20

Amy DeNoble to Everyone (8:38 PM)

I suggest the use of bold italics for the sentence stating, "The Project contravenes the Community Plan."

Miranda Franks to Everyone (8:39 PM)

Dust also

Stephen Kapp to Everyone (8:40 PM)

For a site zoned for recreational nested between residential, retail, senior centers and educational facilities, it is a slap in the face of residents who have purchased such properties (many decades ago) to attempt to convert this site into an industrial use operation, temporary or not.

Rudy Marik to Everyone (8:40 PM)

Developments should not only be compatible and consistent with existing community plans, but developments should also provide some positive benefit to the community, *e.g.*, jobs, convenience, services.

Stephen Kapp to Everyone (8:40 PM)

Reclamation of the site is expected to be a minimum post-production phase but does not address or alleviate the active production period of approximately 10 years. Further, the natural condition of the site currently includes the sand and silt beds part of the watershed characteristic that has occurred for hundreds of years – that will not be restored and the filtration benefit amongst others it provides will no longer occur.

iPhone to Everyone (8:41 PM)

What about all of us who have wells? My well is only 35 feet down. What's going to happen when my well goes dry from this proposed project?

Marlene Barr to Everyone (8:43 PM)

Statement needs to strongly emphasize that the sand mine project is inconsistent with the existing community plan.

Andrew Young to Everyone (8:46 PM)

A-21

question - if they are not going to blast or grind how are they planning to mine below grade? are they planning on fracking?

Rob to Everyone (8:46 PM)

its inadequate and incomplete

Stephen Kapp to Everyone (8:46 PM)

Crystalline silica is a common mineral found in the earth's crust. Materials like sand, stone, concrete, and mortar contain crystalline silica. Respirable crystalline silica—very small particles at least 100 times smaller than ordinary sand—is created when cutting, sawing, grinding, drilling, and crushing stone, rock, concrete, brick, and mortar. Potential health risks resulting from inhalation of respirable crystalline silica include silicosis, an incurable lung disease; lung cancer; chronic obstructive pulmonary disease; and kidney disease (U.S. Occupational Safety and Health Administration [USOSHA] 2018). Source: <https://www.osha.gov/silica-crystalline>.

Miranda Franks to Everyone (8:46 PM)

Michael is correct. We should review the data submitted and counter act with additional and updated data.

Teri Davies-Storm to Everyone (8:46 PM)

There are two rock quarries already in Rancho area. What is the combined impact?

Stephen Kapp to Everyone (8:47 PM)

In addition to respirable crystalline silica, the dust from mining operations and processing plants can contain very small amounts of toxic metals and elements including arsenic, beryllium, cadmium, copper, chromium, manganese, mercury, nickel, and selenium. Significant exposure to these toxic metals and elements can result in a wide range of health effects including cancer, long-term chronic conditions, and short-term acute effects. Source: <https://www.osha.gov/silica-crystalline>

Miranda Franks to Everyone (8:49 PM)

The planning commission needs to review all data and consider independent review. I agree.

A-22

Tom C to Everyone (8:49 PM)

There isn't any statement about the afterhours maintenance of the trucks and the light towers while the trucks are being serviced.

Amy DeNoble to Everyone (8:50 PM)

I agree, we need an objective analysis of this proposed project. Not written by EnviroMine.

Tom C to Everyone (8:50 PM)

Was there a comment about retail sales at the cite?

Jon to Everyone (8:50 PM)

A comment made to Cyndi Denny regarding quarries and houses. La Jolla doesn't have an aggregate resource. All of Mission Valley was mined at one time, Fashion Valley, Mission Valley shopping centers, Ikea and the communities in the valley, several of them were built as the mining operations were on going. The mining operations in the Miramar area and Carlsbad/Vista area all had housing built right up to their property lines as they were crushing rock.

Stephen Kapp to Everyone (8:51 PM)

Significant loss of property valuation is an inevitability, and according to a retired realtor who spoke, could easily lose 10-30% of their property values. Inverse condemnation is a legal concept that entitles property owners to just compensation if their property is damaged by a public use.

Inverse condemnation has its roots in the Takings Clauses of the U.S. and California Constitutions as the flip side of eminent domain, the process by which a government agency can take property for public benefit as long as the property owner is adequately compensated. The "inverse" means that if property is damaged by a public benefit (*i.e.*, providing mining resources), damages can be sought and awarded.

Tom C to Everyone (8:52 PM)

If they are removing all the sand and aggregate to 30' below the existing grade, what's the procedure for bringing the area back to the original grade?

Denise S. to Everyone (8:52 PM)

A-23

Thank you, Allison! "Out of the scope" should not be used for tongue tying purposes. Someone needs to talk to us about it.

Teri Davies-Storm to Everyone (8:53 PM)

100% wrong. Thank you, Allison.

Tom C to Everyone (8:55 PM)

Does anyone remember when the river well outside the banks causing damage the bridges at Singing Hills and Cottonwood golf courses.

Teri Davies-Storm to Everyone (8:55 PM)

I agree Allison

Stephen Kapp to Everyone (8:55 PM)

If the mine was in existence prior to development of the adjacent communities - it would be a totally different picture - but it wasn't.

Marlene Barr to Everyone (8:56 PM)

Financial gains to the county from sand mining would be eliminated by all of money the county would have to pay out to area residents because of damage to property values.

Robert Stall to Everyone (8:57 PM)

The costs to the County for road repair over the 10-to-20-year period could well be millions of dollars. That does not appear to have been addressed in the

1/13/22, 3:23 PM



Tim Snyder <tsnydersvcp@gmail.com>
To: odayyousif@gmail.com

Wed, Jan 19, 2022 at 8:03 PM

This is our letter being sent to County officials:

January 17, 2022

From: Spring Valley Community Planning Group

Re: Opposition to the Proposed Cottonwood Sand Mining Project

At the regularly noticed meeting of January 11, 2022, the elected members of the Spring Valley Community Planning Group (SVC PG) voted to oppose the proposed Cottonwood Sand Mining Project.

Although the Cottonwood Sand Mining Project is not within our planning area, the project has the potential for increased traffic congestion on Jamacha Blvd and State Route 94 caused by frequent sand truck trips throughout the week. The additional noise from this project on these and adjacent roads and the project's trucks potentially damaging the local roads are significant factors that could harm local communities for many years to come.

The resulting excavated pit from the mine could produce significant environmental impact to wildlife, erosion to the Sweetwater River effecting water quality downstream, operational noise and dust disrupting wildlife well beyond the immediate project area, and other environmental concerns. Local air quality could significantly deteriorate and the resulting pit may require massive remediation for years after the project is complete, with potentially little guarantee that the scarred watershed would not be permanently damaged.

The Spring Valley Community Planning Group unanimously opposes this project.

Sincerely,

Tim Snyder, Chair
Spring Valley Community Planning Group

[https://na-jspoc.econline.com/na-jspoc/c=daclda5216&w=018344%7Cm=na-j-sp-3:1722444870635710583&a=no-maj-fn-3:1722444870635710583](#)

COMMENTS

RESPONSES

Gmail - Spring Valley Community Planning Group Opposition to Cootenwood Sand Mine

1/19/22, 9:29 PM

tsnydersvcpg@gmail.com
619-607-0492

3ma - NO SAND MINING IN COTTONWOOD

2/2/22 12:39 PM



Oday Yousif <odayyousif@gmail.com>


No SANDMINING IN COTTONWOOD

Linda Nickerson <lindamountnickerson@gmail.com>
To: odayyousif@gmail.com

Tue, Feb 1, 2022 at 5:10 PM

I live near Sandmining in Lake side

Concerns for Residents in Cottonwood:

1. Dehesa Rd not set up for tandem trucks and traffic.
2. In the event of  fire will residents and their trailers with animals be blocked by these trucks to escape???
3. Valley fever - many who live near sandmining in Lakeside have Valley fever. In these Covid days they face a double life threatening risk. You are not ever cured of Valley Fever
4. NOISE POLLUTION- Residents and Children in schools close by should not be exposed to NOISY huge trucks making multiple trips, our kids are at risk for Valley Fever as well.
5. This property in a residential neighborhood could be a tract development of homes, not industrial sandmining. The owner would still make a profit without spoiling the beautiful cottonwood neighborhood and environment.
6. What do you think will happen to real estate values if the new neighbor is a SandMine???

Most Sincerely,
Linda Mount Nickerson

Date: January 28, 2022

From: Bruce K. Ellis (brucekellis61@gmail.com)
2312 Wind River Road
El Cajon, CA 92019

To: Robert Hingtgen (Robert.Hingtgen@sdcounty.ca.gov)
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, California 92123

CC: Bronwyn Brown (Bronwyn.Brown@sdcounty.ca.gov)
StopCottonwoodSandMine.org (info@stopcottonwoodsandmine.com)

Subject: Cottonwood Sand Mining Project Draft Environmental Impact Report Issued 12/16/21
(PDS2018-MUP-18-023), (PDS2018-RP-18-001); LOG NO. PDS2018-ER-18-19-007;
SCH# 2019100513

Thank you for considering the following comments pertaining to the Cottonwood Sand Mining Project draft Environmental Impact Report issued on December 16, 2021 for public review.

I believe that the Cottonwood Sand Mining Project draft Environmental Impact Report is a flawed and incomplete document that does not adequately analyze the significant environmental impacts of the potential Project to the people, wildlife, water, air, and roads of the community. In addition, your findings, which determined almost all categories to be "Less Than Significant," do not appear to be grounded in reality. Perhaps such conclusions make sense in a clinical setting at a momentary snap shot in time. However, such conclusions will not come close to being "Less Than Significant" for those residents who live in close proximity to the project 365 days a year over the next ten plus years. Furthermore, while I recognize that the intent of the draft EIR may not be to analyze and assess non-environmental and other intangible factors, such as the financial strength of the Developer, loss of property values, and loss quality of life, I believe that it is of the utmost importance for the County of San Diego to take such factors into consideration when rendering a final decision.

Additionally, the Sand Mine Project does not propose adequate mitigation measures or alternatives to address those impacts. The draft EIR does not comply with applicable goals, policies or requirements of the San Diego County General Plan as well as the Valle De Oro Community Plan.

Upon review, it seems that the draft EIR is incomplete and not in compliance with CEQA and therefore must be revised and reissued to the public for review.

The most significant issues noted in the Cottonwood Sand Mining Project draft EIR include:

1. Aesthetics is a significant unmitigable environmental impact.
2. The proposed project is inconsistent with the Valle de Oro Community Plan.
3. Biological Resources are significant environmental impacts with incomplete analysis.
4. The draft EIR states that "the Project would result in significant impacts" to Federally and State Endangered or Threatened Species. Proposed mitigation plans are not sufficient to protect endangered and threatened species in the area.
5. Noise is a significant environmental Impact with incomplete analysis.
6. The health risk associated with Valley Fever is drastically minimized in the draft EIR.
7. The draft EIR appears to gloss over the impact on air quality as not being significant. However, even a moderate impact could be catastrophic and should be considered and studied.
8. The EIR must be revised to describe mitigation related to VMT and GHG that will occur onsite.
9. The draft EIR does not properly address that the Project may have a significant impact to property water wells near the property site.
10. The proposed Project is inconsistent with the Land Use Element of the County of San Diego General Plan. The designation for the entire project site is Open Space-Recreation which applies to large, existing recreational areas and allows for active and passive recreational uses.
11. The Major Use Permit Findings cannot be made.
12. The draft EIR does not specify how the impacts and location of the sand mine will be consistent with the San Diego County General Plan.
13. The draft EIR is incompatible with the Valle de Oro Community Plan regarding Conservation.
14. The draft EIR did not adequately address how its proposed sand mining activities will conserve rather than destroy wildlife habitats.
15. Transportation/Traffic is a significant environmental impact with incomplete analysis.
16. The draft EIR did not address Emergency Access adequately. The report indicates that a "Traffic Control Plan would establish procedures" however these procedures are not described.
17. A Fire Protection Plan has been prepared for the project per the draft EIR. However, it does not state that the plan has been reviewed and approved by the San Miguel Fire District and the County of San Diego.
18. There does no appear to be any assessment of the Developer's financial standing and historical track record. In addition, the draft EIR does not address what, if any, financial protections will be secured from the Developer to ensure successful project completion and full restoration upon completion. In other words, what happens if the Developer declares bankruptcy or sells the business prior to project completion and restoration.

My wife and I live on Wind River Road, and our backyard, which has a swimming pool, overlooks Cottonwood Golf Course. My wife and I both retired recently, and it was our intent to remain in our current home for the foreseeable future, as we love our backyard and the incredible view. There is no doubt that the Cottonwood Sand Mining Project, if approved, will destroy our quality life and lower the property value of our house. We will be severely impacted by the decline in air quality, noise and visual aesthetics. We will no longer be able to enjoy spending time in our backyard or in our pool. My wife already has respiratory issues. We are concerned about the airborne carcinogens that will be

[Page 2 of 2](#)

generated by the Sand Mine Project and cannot imagine how bad the air quality will get once the project is underway, especially in the summer months or when the Santa Ana winds are blowing. We are also concerned that over time the silica in the air will damage our property and create added expense in the form of replacing the pool pump and having to drain/refill the pool on a regular basis. Also, the noise will become a constant nuisance whether we are in the backyard, watching TV or trying to sleep-in in the mornings. Given the elevation of our home, the visual mitigations will do absolutely nothing to help with the aesthetics of the Project. Like other impacted residents, we will be inconvenienced by the increased traffic and put at risk by the steady stream of trucks in the area.

There is no question that the Sand Mining Project will lower the property value of our home, as well as the property values of all other homes in our neighborhood. In the event we decide to move, the existence of the Sand Mining Project would severely hinder our ability to sell our home or sell it without suffering a significant financial loss. To put it another way, I would not want to buy a home and move into an area in close proximity to any mining project.

I recognize that you probably apply and utilize an objective set of criteria and standards when evaluating the environmental impacts of proposed projects. I have to question how well these standards are calibrated taking into account nature and duration of this Project smack in the middle of a residential area, as well as taking into account the weather and air quality conditions throughout the entire year and not just at a single snap shot in time. Let me pose this question to you – In all sincerity, would you or your colleagues want to buy a home or live in Rancho San Diego if this project was to be approved? Alternatively, how would you feel if your parents, children or other close relatives owned homes and lived in Rancho San Diego? Beyond your objective criteria and standards, there must be some common sense, rational thought, and albeit, subjective reasoning applied to the evaluation to the Cottonwood Sand Mining Project.

I stand with hundreds of community members and other stakeholders who are seriously concerned about the significant impacts the Cottonwood Sand Mining Project's twelve-year sand mining operation will have on the residential community in Rancho San Diego, surrounding communities, and to the San Diego National Wildlife Refuge. As much as the sand, for concrete, is a needed commodity, the location proposed by the Applicant seems highly inappropriate. Industrial sand mines do not exist in developed, residential areas – nor should this one at the expense of the community and the environment.

Sincerely,

Bruce K. Ellis
Brucekellis61@gmail.com
2312 Wind River Road
El Cajon, CA 92019
(619) 991-0339

Snail - Opposition to the Cottonwood Sand Mine: Message to the Valle de Oro Planning Commission

2/2/22, 12:21 PM



Oday Yousif <odayyousif@gmail.com>

Opposition to the Cottonwood Sand Mine: Message to the Valle de Oro Planning Commission

Bonnie Price <bjbprice@hotmail.com>
To: "ODAYYOUSIF@gmail.com" <odayyousif@gmail.com>

Tue, Feb 1, 2022 at 2:16 PM

Dear CHAIRMAN YOUSIF:

I write to the Valle de Oro Planning Commission, of which you are the chairman, regarding the proposed sand mine at the former Cottonwood Golf Course.

This proposal is not acceptable to me and the neighboring residents, who bought their homes in a semi-rural area to escape the ills of living in urban areas. In addition to the loss of value to their considerable investments in their homes and neighborhoods, they are threatened by ills that could come from disturbing soil and releasing spores, which, if inhaled, could cause Valley Fever and perhaps death from this incurable disease. Another health hazard could be inhalation of silicone from fine particles of sand, causing silicosis, another life threatening illness. Furthermore, the disturbance of the soil would impact the public's drinking water, downstream, for a sizable population that relies on the Sweetwater River and Reservoir.

In addition, allowing a sand mine would result in trucks hauling tons of sand on roads built for automobiles, not heavily loaded sand trucks, every work day from early morning to late afternoon. Said trucks would pass a school, making loud sounds as they pass by, creating disturbances to the children's learning environment. These young people will also be potential victims of fine particles of sand and spores of Valley Fever. In addition, the overuse of the roads would cause them to crumble sooner than later, requiring more tax expenditures for their repair.

Finally, I understand that sand is needed for concrete for building construction; but, the time is long past that construction should rely on materials that harm our environment. The land that is proposed to become a sand mine should be used to grow hemp, which can be used to make hempcrete, an environmentally friendly substitute for concrete. If more hempcrete were used in construction, it would help insulate buildings and cool our planet, mitigating the climate crisis we are experiencing.

For the above reasons, I urge you to vote against the proposed sand mine at Cottonwood.

Thank you for your willingness to make difficult decisions, as you serve your constituents, in Valle de Oro.

Bonnie Burns Price, Ph.D.
2922 Elm Tree Court
Spring Valley, CA 91978-1963
619.741.6811

Fostering the protection and appreciation



of birds, other wildlife, and their habitats...

February 28th, 2022

To:
Robert Hingtgen (Robert.Hingtgen@sdcounty.ca.gov)
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, California 92123

Regarding Cottonwood Sand Mining Project Environmental Impact Report Issued 12/16/21
(PDS2018-MUP-18-023), (PDS2018-RP-18-001); LOG NO. PDS2018-ER-18-19-007; SCH# 2019100513
-Due 2/28/22-

Thank you for providing the opportunity to comment on the Draft EIR for the Cottonwood Sand Mine (PDS2018-MUP-18-023; PDS2018-RP-18-001; Log No. PDS2018-ER-18-19-007; SCH# 2019100513). The San Diego Audubon Society (SDAS) is a 3,000+ member non-profit organization with a mission to foster the protection and appreciation of birds, other wildlife, and their habitats, through education and study, and to advocate for a cleaner, healthier environment. We have been involved in conserving, restoring, managing, and advocating for wildlife and their habitat in the San Diego region since 1948. SDAS does not support this project and has identified several deficiencies in the DEIR. This parcel is the missing link in a resilient and accessible open space network protecting endangered species habitat, drinking water, and connections to the existing Wildlife Refuge. The following are concerns we hope will be considered as the project moves forward.

Critical Link To Existing Conserved Area

The project site is located between two wildlife protected habitats of the San Diego National Wildlife Refuge (SDNWR) as shown in Figure I-12. Section 1.4.12 Habitat Connectivity and Wildlife Corridors reviews the project location as a viable wildlife linkage/corridor and concludes it's conditions to be untenable for wildlife movement. This is contrary to all the evidence that is discussed in this section. Biological resources currently on the site include a federally- and state-endangered bird (Least Bell's Vireo), four special status plants, 14 special status animal species, critical habitat for several species, and jurisdictional wetlands. Downstream on the Sweetwater River, the San Diego Monitoring and Management Program portal shows the [river channel supports](#) Least Bell's Vireo (*Vireo bellii pusillus*), Cactus Wren (*Campylorhynchus brunneicapillus*), Southwestern Willowflycatcher (*Empidonax traillii extimus*). The San Diego National Wildlife Refuge is upstream and just downstream of the site and supports numerous species in our most-biodiverse county in the nation. Just upstream, the McGinty Mountain Ecological Reserve supports habitat for Hermes Copper butterfly and Least Bell's Vireo. Even more critical than the individual species and habitats that this area supports, the Cottonwood Golf Course represents a needed connection between two pieces of the San Diego National Wildlife Refuge. The 1.5 miles of the Sweetwater River that are currently impacted by the golf course are the lynchpin in connecting existing preserves into an over 5 mile long area managed for the long-term survival of these endangered species. Protection and restoration of this area is the superior option than the project described in this EIR.

858-273-7800 • 4010 Morena Blvd., Suite 100, San Diego, CA 92117 • Fax 858-273-7801 • www.sandiegoaudubon.org

D-O14 – San Diego Audubon Society

D-O14-1 This comment addresses the biological analyses presented in the DEIR. As explained in Topical Response 1, *Reason for the Recirculation of the DEIR and the Recirculated DEIR Process*, the biological resources analysis contained in the DEIR was significantly revised and recirculated as part of the RDEIR based on updates and DEIR comments received. The revised biological resources analysis circulated in the RDEIR wholly supersedes the original biological resources analysis contained in the DEIR. Please see the updated Project impact analyses that were included in the RDEIR (Subchapter 2.2 of the RDEIR) and Biological Resources Technical Report recirculated with the RDEIR (FEIR and RDEIR Appendix C), in response to comment letters received during the DEIR public review and comment period. Please see Responses to Comments R-O6-1 through R-O6-22, which address the San Diego Audubon Society's letter dated August 21, 2023, on the RDEIR.

Additionally, Topical Response 9, *Wildlife Corridors and Species Connectivity Impacts*, summarizes additional biological resource surveys and updated Project impact analyses that were included in the RDEIR (Subchapter 2.2 of the RDEIR) and Biological Resources Technical Report recirculated with the RDEIR (FEIR and RDEIR Appendix C), in response to comment letters received during the public review and comment period from the USFWS and the CDFW. As addressed in detail in Topical Response 9, these additional surveys included the deployment of motion-activated cameras to document wildlife presence, use, and movement throughout the Project site, and further analyze the Project's impacts on wildlife connectivity.

D-O14-1

Fostering the protection and appreciation



of birds, other wildlife, and their habitats...

Will the DEIR be updated to show that the project site is currently a vital and critical wildlife linkage/corridor connecting protected wildlife habitat near and adjacent to the project site?

Comprehensive Wildlife Survey Lacking

It will also be noted the survey limitations of the surveys in Section 1.3.5 that all species using the project site are not recognized in this DEIR. A more expansive wildlife survey, including different seasons and night time observations, including wildlife tracking (San Diego Tracking Team) would provide a more comprehensive analysis of the biological resources of the project site. **Will the DEIR be updated to show the biological value of the existing site with improved wildlife surveys and an analysis of improved Biological Resource value if restored?**

The project implementation includes four-foot-high, four-strand barbed wire fencing as described in Section 1.2.1.5. This is a serious danger to wildlife as snaring could lead to unnecessary injury and death. Prevent intrusion by using wildlife friendly fencing or barriers. The project should ban the routine use of herbicides for weed control or non-native vegetation removal and the routine use of pesticides for pest or vector control as they cause harm beyond its intention. **Will the DEIR be updated to address these concerns?**

Cumulative Impacts on Wildlife Corridor

Section 6.3 Cumulative Impact Analysis follows this erroneous analysis above in regard to the project's impacts on wildlife movement. It states the cumulative impacts of urban infrastructure and the abundance of wildlife activity in the surrounding areas proving the importance of the project site as a wildlife corridor/linkage. Followed by the conclusion, "...project site as a linkage/corridor for wildlife movement is considered low..." The current usage of the site as a golf course is beneficial for wildlife movement providing for the open space and lack of nighttime human activity allowing for nocturnal wildlife movement between protected habitats. The decade of project mining could cause permanent impacts affecting wildlife community health by fracturing and isolating wildlife communities. The project will substantially contribute to cumulative impacts to wildlife linkages/corridors. **Will the DEIR be updated to conclude that the project will contribute to cumulative significant impacts to wildlife corridors/linkages?**

Mitigation Measures Lacking

Section 3.4 lists Mitigation BIO-1 through BIO-11 to reduce significant impacts to Special Status Species and Critical Habitat with a Conclusion in Section 3.5. The concerns to the mitigation strategies will be presented here.

BIO-1 Mitigation for direct impacts to CAGN habitat preservation and revegetation in the post-project BOS easement. This is a deferred mitigation strategy, allowing for significant impacts from the project with no concurrent mitigation strategies. **Can the project implement strategies to mitigate for direct impacts to CAGN during the project timespan?**

858-273-7800 • 4010 Morena Blvd., Suite 100, San Diego, CA 92117 • Fax 858-273-7801 • www.sandiegoaudubon.org

DO14-1
cont.

Fostering the protection and appreciation



of birds, other wildlife, and their habitats...

D-014-1
cont.

BIO-2 Grading or clearing of vegetation by 500 feet of CAGN habitat during breeding season shall be avoided to the extent feasible. The feasible extent is a subjective phrase and does not offer proper protection to CAGN habitat. The 72 hour window of CAGN observation to confirm presence does not provide effective mitigation for potential significant impacts. The biologist could simply miss the observation within the time provided. The mitigation should extend to grading/clearing by 500 feet at all times of CAGN habitat and the project should avoid all CAGN habitat during breeding season because the species is known to occur on-site. **Will the DEIR be updated to include effective mitigation strategies for CAGN habitat?**

BIO-3 The same reply to BIO-1 except replace CAGN with LBVI. **Can the project implement strategies to mitigate for direct impacts to LBVI during the project timespan?**

BIO-4 The same reply to BIO-2 except replace CAGN with LBVI. **Will the DEIR be updated to include effective mitigation strategies for LBVI habitat?**

BIO-5 Mitigation for indirect impacts to CAGN and raptors, during breeding season, is a 72-hour window of species observation onsite within 500 feet of construction or excavation activities. Mitigation is the cessation of excavation activities or construction of a noise reduction berm. Major project activities interfering with breeding season should be performed during non-breeding season and less intrusive project activities should proceed with noise reduction strategies within accepted CFWS standards. Figure 9 provides that special status species habitat is concentrated on the northern and southern sections of the project site. **Will the DEIR be updated to strengthen the mitigation strategies for indirect impacts to CAGN/Raptors during breeding season?**

BIO-6 Mitigation for vegetation clearing potential impacts to nesting birds by a 72 hour window of species observation onsite will be avoided to the extent feasible. The term extent feasible is subjective and the biologist could miss special status species during the observation window. Breeding activities could begin after observation and would be impacted if project activities were to commence. Construction activities for vegetation clearing should proceed during the non-breeding season. Less intrusive project activities should proceed with CDFW adopted distances and not to the extent feasible. **Will the DEIR be updated to strengthen the mitigation strategies for potential impacts to nesting birds during breeding season?**

BIO-7, BIO-8, BIO-9 Beyond the scope of the project, it is the timescale of the project. The prolonged impacts of the project of 10 years could likely result in permanent impacts by fracturing and further isolating wildlife communities. The project's impacts are significant for A, B, D, E and F for Section 6.1. The deferred mitigation statement, "The project would ultimately contribute approximately 142.8 acres of preserved, rehabilitated, restored, and revegetated habitat to the linkage which will be placed within a BOS easement." is not a viable mitigation strategy for significant impacts of years 1 through 10 of the project. The Reclamation Plan with BOS easement is a post-project deferred mitigation strategy. This does not mitigate for significant impacts occurring concurrently during project activities. **Will the DEIR be updated to remove the post-project**

858-273-7800 • 4010 Morena Blvd., Suite 100, San Diego, CA 92117 • Fax 858-273-7801 • www.sandiegoaudubon.org

Fostering the protection and appreciation



of birds, other wildlife, and their habitats...

Reclamation Plan as a mitigation strategy for significant impacts to special status species during the project timeline?

The county has begun a robust suite of programs to tackle our climate challenges, and in light of that effort this parcel should be analyzed for its potential release of greenhouse gas emissions through habitat loss and project components as well as for its potential to sequester carbon over the coming decades through habitat restoration. **Will the DEIR be updated to show the carbon sequestration value of the project site through habitat restoration and the greenhouse emissions of the full timespan of the project?**

Section 1.2.1.2 details post-project activities in a Reclamation Plan including a biological open space (BOS) easement of 1428 acres (52% of the project site). The EIR uses the term BOS Easement 29 times in the Biological Section, but there is no real definition of what this translates to. **What species, what habitat, what ecological value will this BOS easement bring forth, and when will a detailed Management Plan be proposed?** There is no supporting evidence this BOS easement will be able to recover from the project's scope and timespan. There are no figures or descriptions showing the location of the easement or long-term strategies to make it biologically active as its current state. The EIR states the easement will be in perpetuity In the Biological Resources summary. **How can this proclamation be stated when post-project the land can be claimed to be disturbed by mining activities and therefore not a viable biological habitat?** The Bos easement is needed in this critical location for its wildlife linkages value and reasoning should be expressed why it is not 100% instead of 52% as detailed in the EIR. The easement is repeatedly used as a deferred mitigation strategy for significant impacts during the project's lifespan. Reclamation, revegetation, restoring, rehabilitating will not address the impacts to the wildlife using the site today. **Will the DEIR provide a strategy beyond key words and phrases that will show the BOS easement to have biological value to the region's wildlife that will not have to recover from the lifespan and scope of the project?**

We appreciate the opportunity to cover the problems with this project and with this DEIR, and hope to see the project greatly improved for the benefit of our wildlife, our water, and our people.

Sincerely

James Peugh
Chair, Conservation Committee
San Diego Audubon Society

858-273-7800 • 4010 Morena Blvd., Suite 100, San Diego, CA 92117 • Fax 858-273-7801 • www.sandiegoaudubon.org

D-014-1
cont.

COMMENTS

RESPONSES

Fostering the protection and appreciation



of birds, other wildlife, and their habitats...

Bonnie Ridley and John Riedel
Members, Conservation Committee
San Diego Audubon Society

858-273-7800 • 4010 Morena Blvd., Suite 100, San Diego, CA 92117 • Fax 858-273-7801 • www.sandiegoaudubon.org

COMMENTS

RESPONSES