



## United States Department of the Interior

### U.S. FISH AND WILDLIFE SERVICE

Ecological Services  
Carlsbad Fish and Wildlife Office  
2177 Salk Avenue, Suite 250  
Carlsbad, California 92008



In Reply Refer to:  
22-001145\_CEQA-TA\_SD

August 14, 2023  
*Sent Electronically*

Christopher Jacobs  
County of San Diego  
Planning and Development Services  
5510 Overland Avenue, Suite 310  
San Diego, California 92123

Subject: Recirculated Draft Environmental Impact Report for the Proposed Cottonwood Sand Mine Project, San Diego County, California

Dear Mr. Jacobs:

We have reviewed the recirculated draft Environmental Impact Report (Recirculated DEIR) for the proposed Cottonwood Sand Mine project. We previously provided comments dated February 28, 2023, on the DEIR. We have these additional comments on the Recirculated DEIR.

- R-A1-1
1. The Recirculated DEIR does not include an adequate discussion of the proposed use of approximately 2.5 million cubic yards of inert debris for backfilling various areas within the project site following the extraction of the site's sand and gravel resources.
    - a. The term "inert debris" is not adequately defined. According to Section 17388.3 of the California Code of Regulations, inert debris means "solid waste and recyclable materials that are source separated or separated for reuse and do not contain hazardous waste (as defined in CCR, Title 22, section 66261.3 et. seq.) or soluble pollutants at concentrations in excess of applicable water quality." If the types of debris to be disposed of on the project site include additional items not described in the RDEIR, then the document should reference this definition.
    - b. The statement on Page 2.2-61 (The Project would be conditioned to only accept materials suitable for the end use of the site) requires an explanation of what the County defines as material suitable and/or unsuitable for the end use of the site.
    - c. No description is provided of the measures that will be taken to ensure that placement of the inert debris within the 100-year floodplain will be adequately compacted and remain in place in the event of a flood. Any sediment generated by the project during or after project construction, including during a flood, that travels downstream would
- R-A1-2
- R-A1-3

## Federal Agencies

### R-A1 — U.S. Fish and Wildlife Service

**R-A1-1** The proposed use of the inert debris is to backfill mining areas to meet the elevations of the reclamation plan and the final end use of the Project site as open space. The use of the imported materials would be no different than the use of wash fines and other mined materials undesirable for processing, as previously described in the DEIR project description. Please see Topical Response 5, Backfill, which provides additional detail regarding inert debris processing, waste discharge requirements, material types, contamination, and backfill materials origination. The backfill materials would comply with the California Code of Regulations (CCR) Title 14 Section 17388.3 definition of inert debris.

**R-A1-2** Please see Topical Response 5. Consistent with the Inert Debris Engineered Fill Operation (IDEFO) definition and requirements, fill material imported to the Project site would be appropriate for the end use of the Project. As part of the reclamation process, the majority of the Project site—approximately 150.7 acres of the 214.4 acres proposed for extractive use—would ultimately be preserved, rehabilitated, and restored habitat through placement of these areas within a biological open space (BOS) easement. Potential end uses of the remaining areas of the Project site not preserved within the BOS easement would include uses allowed under the current General Plan and County zoning designations for the site. Materials would be suitable for the creation and preservation of the biological open space and other approved end uses.

**R-A1-3** A discussion of the proposed procedures to achieve the final landform of the Project site is described in FEIR Section 1.2.1.2, *Reclamation Component*, under “Landform.” The described procedures (e.g., minimum relative compaction of 85 percent in the floodway area and 90 percent in upland areas) were developed in accordance with standard compaction practices, including the Uniform Building Code, County Grading Ordinance (Section 87.404), American Society for Testing and Materials (ASTM) D1557 standard test method. To ensure that placement of inert debris within the 100-year floodplain would be adequately compacted and remain in place in the event of a flood, the Project would be subject to the inspection and reporting requirements included in the Project Operation Plan prepared and implemented pursuant to CCR Title 14 Section 17388.3.

While the original DEIR did not include the import of additional backfill materials, it did describe the use of wash fines and other extracted materials undesirable for processing as saleable product being transported to backfill areas for the same purpose as the imported backfill materials added in the RDEIR. As described in Response to Comment D-A2-3, updated sediment erosion modeling was conducted for the Project to address the additional backfilling activity and materials. As documented in Appendix S of the FEIR, erosion modeling was conducted to evaluate a worst-case scenario where no best management practices (BMPs) are applied and all sediments estimated for an entire year during Phase 1 reach Sweetwater Reservoir in a single storm event. The minor amount of increased erosion estimated to occur under these conservative assumptions would be below the applicable water quality criteria and is considered less than significant relative to the County’s thresholds (see also FEIR Section 3.1.5.3 under “Water Quality” and “Alteration of Existing Drainage Patterns”). Although not factored into the erosion modeling, the Project would be required to implement a Storm Water Pollution Prevention Plan (SWPPP), erosion control plan, and associated BMPs to reduce water quality impacts to the Sweetwater River. Erosion and sedimentation control measures, at a minimum, would be designed for the 20-year, 1-hour storm event in accordance with Surface Mining and Reclamation Act (SMARA) guidelines. Temporary erosion control measures would be retained until vegetation becomes sufficiently established to serve as an effective erosion control measure. In the post-mining (reclaimed) condition, the Project site would include a greater amount of native vegetation than the existing golf course condition, which would likely reduce water quality impacts to Sweetwater River from the Mexican Canyon drainage compared to existing conditions. Therefore, sedimentation within the downstream Sweetwater River segment that passes through the San Diego National Wildlife Refuge (SDNWR)

Christopher Jacobs (22-001145\_CEQA-TA\_SD)

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R-A1-3  
cont.

represent a significant impact to the resources protected within the San Diego National Wildlife Refuge.

R-A1-4

d. Is the project subject to compliance with California Code of Regulations Title 14 Section 17388.3 (Inert Debris Engineered Fill Operations) and/or Regional Water Quality Control Board waste discharge requirements for placement of inert debris within or adjacent to the 100-year floodplain? If not, what actions will be taken by the County to ensure the material imported to the site complies with Title 14 and that the Regional Board waste discharge requirements are implemented?

R-A1-5

2. Section S2 of the Recirculated DEIR indicates that inert debris could be stockpiled on the project site until needed for backfilling. Although the Recirculated DEIR addresses handling/onsite movement of the material, it does not address where it would be stockpiled or what measures would be taken to prevent wind and water erosion.

R-A1-6

We anticipate that our original comments and these additional comments will be addressed by the County, including comments on wildlife connectivity, lack of survey results, future functional characteristics of the habitat, effects on adjacent conserved lands, and missing details related to the project description. Our original comment letter is attached.

We appreciate the opportunity to comment on the DEIR. If you have any questions regarding these comments or our recommendations, please contact [Eric Porter](#)<sup>1</sup> of this office.

Sincerely,

**ANDREW  
YUEN**

Andrew Yuen  
Project Leader  
San Diego National Wildlife Refuge Complex

Digitally signed by  
ANDREW YUEN  
Date: 2023.08.14 09:36:17  
-07'00'

**JONATHAN  
SNYDER**

Jonathan D. Snyder  
Assistant Field Supervisor  
Carlsbad Fish and Wildlife Office

Digitally signed by  
JONATHAN SNYDER  
Date: 2023.08.11  
17:20:29 -07'00'

Attachment: US Fish and Wildlife Service comment letter on DEIR dated February 28, 2023

<sup>1</sup> [Eric\\_Porter@fws.gov](mailto:Eric_Porter@fws.gov)

**R-A1-3 (cont.)** would not result in significant impacts or deterioration of water quality to such a degree that it adversely affects resources protected within the refuge.

**R-A1-4** The Project is subject to compliance with CCR Title 14 Section 17388.3 and Regional Water Quality Control Board (RWQCB) waste discharge requirements for placement of inert debris within or adjacent to the 100-year floodplain. Compliance with applicable requirements would ensure that the appropriate waste discharge procedures are implemented. See also Topical Response 5, which further describes IDEFO RWQCB waste discharge requirements.

**R-A1-5** The stockpile locations are shown on the Project's Plot Plan, Figures 1-5a and 1-5b of the FEIR. Potential effects related to wind and water erosion would be addressed through implementation of the Project's SWPPP, which would be prepared and submitted to the State Water Resources Control Board (SWRCB) prior to construction in accordance with the Industrial General Permit Order 2014-0057-DWQ, effective July 1, 2015. The SWPPP and erosion control plan would define BMPs to prevent erosion and the discharge of sediment to surface waters. Refer also to FEIR Section 1.2.1.1, *Sand Mining and Processing Component*, under "Storm Water and Erosion Control."

**R-A1-6** Please see Responses to Comments D-A1-1 through D-A1-22 for the U.S. Fish and Wildlife Service (USFWS)'s DEIR comment letter dated February 28, 2022. However, the County notes that many of these comments addressed the adequacy of the biological resources analysis circulated with the original DEIR, which was superseded by the biological resources analysis circulated in the RDEIR.



August 21, 2023

County of San Diego Planning & Development Services  
 5510 Overland Avenue, Suite 310  
 San Diego, CA 92123  
 Attn: Christopher Jacobs  
[christopher.jacobs@sdcounty.ca.gov](mailto:christopher.jacobs@sdcounty.ca.gov)

Re: Cottonwood Sand Mine PDS2018-MUP-18-023; PDS2018-RP-18-001; Log No. PDS2018-ER-18-19-007; SCH# 2019100513 Recirculated Draft EIR

Dear Mr. Jacobs,

The San Diego County Air Pollution Control District (District) appreciates the opportunity to provide comments on the proposed Cottonwood Sand Mine project. The District requests a response when specific comments are made that reference a section of the CEQA document. General comments contained in this letter are for information/education of District rules and requirements and do not require a response. The District decision to comment on some issues does not constitute an admission or concession that it substantively agrees with the lead agency's findings and conclusions on any issues on which the District does not submit comments.

Project Description as Described by the District

The Cottonwood Sand Mine Project (project) is located in the unincorporated portion of the County, in the Valle De Oro Community Planning Area. The Project proposes to convert the two golf courses within the Cottonwood Golf Club to a sand mining operation that would be conducted in three phases over 10 years. Approximately 214.4 acres of the approximately 280-acre site are proposed for extractive use.

General Information About the District

The District is mandated under federal and state law to regulate air pollutant emissions and improve air quality to protect public health and the environment. Accordingly, the District operates countywide air quality permitting, monitoring, and enforcement programs to ensure compliance with applicable air pollution regulations for healthful air quality. The District's jurisdiction covers all of San Diego County, including both the incorporated and unincorporated areas.

Specific Comment on Air Quality Summary on Page S-14 – S-17

The re-circulated draft environmental impact report (RDEIR) indicates operational emissions were re-modeled to account for more truck trips and sand extraction activities and fugitive dust emissions were changed based on guidance from SDAPCD. Therefore, Table S-2 (Operational Emissions) and Table S-3 (Health Risks from TAC Emissions) were revised. However, the modified air quality analysis was not re-circulated, so the District is unable to verify all the suggested changes were made.

10124 Old Grove Rd. San Diego California 92131-1649  
 (858) 586-2600 Fax (858) 586-2601  
[www.sdapcd.org](http://www.sdapcd.org)

## Local Agencies and Districts

### R-A2 — San Diego County Air Pollution Control District

**R-A2-1** The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the RDEIR. Please see the responses below to specific comments.

**R-A2-2** Please see Topical Response 1, Reason for the Recirculation of the DEIR and the Recirculated DEIR Process, which describes why only portions of the DEIR were recirculated for public review; and Topical Response 3, EIR Errata and Updated Technical Reports, for a discussion of the revisions to the air quality analysis. 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 technical revisions to the analysis result in new significant impacts,



R-A2-2 cont.	<p>The RDEIR also indicated an additional 58 truck trips per day would be required for operational needs. Although the re-modeled operational emissions show values under the screening level thresholds, the District recommends whenever possible to use zero emission technology or the cleanest tier 4 engines to minimize the impacts on the surrounding community.</p>
R-A2-3	<p><u>General Information About Equipment Potentially Requiring Permits</u></p> <p>The District's permitting program has been established to minimize air pollution by specifying operating and compliance requirements for stationary and portable sources that emit air contaminants. District <a href="#">Rule 10</a><sup>1</sup> requires that any person building, erecting, altering or replacing any article, machine, equipment or other contrivance, the use of which may cause the issuance of air contaminants or the use of which may eliminate or reduce or control the issuance of air contaminants, shall first obtain written authorization for such construction from the District. Examples of air contaminants include carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, sulfur dioxide or toxic air contaminants, which can negatively impact public health. District <a href="#">Rule 11</a><sup>2</sup> lists exemptions for equipment or processes that do not emit a significant amounts of air pollutants.</p>
R-A2-4	<p><u>Specific Comment on Permitting</u></p> <p>This project will likely require a permit with the District and will be evaluated per District <a href="#">Rule 1200</a><sup>3</sup>. Rule 1200 applies to any new, relocated, or modified emission unit which may increase emissions of one or more toxic air contaminant(s) and for which an Authority to Construct or Permit to Operate is required. The evaluation of a project for compliance with Rule 1200 will require a health risk assessment.</p>
R-A2-5	<p><u>General Information About Dust</u></p> <p>Projects or operations that can generate fugitive dust emissions may be subject to the following District rules:</p> <ul style="list-style-type: none"> <li>- District <a href="#">Rule 50</a><sup>4</sup> <i>Visible Emissions</i>, which states air contaminants shall not be discharged into the atmosphere for a period or periods aggregating more than three minutes in any period of 60 consecutive minutes which is darker in shade than a number 1 on the Ringlemann Chart (20% opacity).</li> <li>- District <a href="#">Rule 51</a><sup>5</sup>, <i>Nuisance</i>, which states "a person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property. The provisions of this rule do not apply to odors emanating from agricultural operations in the growing of crops or raising of fowls or animals."</li> </ul> <p><sup>1</sup> SDAPCD Rule 10 - <a href="https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-10.pdf">https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-10.pdf</a>  <sup>2</sup> SDAPCD Rule 11 - <a href="https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-11.pdf">https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-11.pdf</a>  <sup>3</sup> SDAPCD Rule 1200 - <a href="https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-1200.pdf">https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-1200.pdf</a>  <sup>4</sup> SDAPCD Rule 50 - <a href="https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-50.pdf">https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-50.pdf</a>  <sup>5</sup> SDAPCD Rule 51 - <a href="https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-51.pdf">https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-51.pdf</a></p>

**R-A2-2 (cont.)** or substantially more severe significant impacts, than were disclosed in the original DEIR.

With regard to use of zero emissions technology or the cleanest tier 4 engines, Section 1.3.2 *Construction and Mining Operation Best Management Practices*, of the Air Quality Technical Report included as Appendix I to the RDEIR acknowledges that, "Diesel exhaust emissions from on- and off-road equipment would be required to implement BACT for reduction of exhaust particulate matter, involving replacement of older equipment with equipment meeting the U.S. Environmental Protection Agency (USEPA) Tier-4 specifications or retrofitting equipment with diesel particulate filters, in accordance with California Air Resources Board (CARB) regulations and implementation schedules." As noted in the comment, re-modeled operational emissions show values under the screening level thresholds; therefore, mitigation requiring use of tier 4 engines is not required.

**R-A2-3** Please see Response to Comment D-A4-9.

**R-A2-4** Please see Topical Response 6, Public Health Effects, regarding the concerns raised in this comment. A Health Risk Assessment was prepared for the Project which determined that health risks would be less than significant based on the appropriate air quality thresholds and BMPs.

**R-A2-5** Please see Response to Comment D-A4-11.

R-A2-5  
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Please note the District has received complaints in the past in regard to sand, rock and aggregate operations when in close proximity to residences. Common factors which contribute to these complaints are proximity and elevation of a project in relation to residences, wind patterns, air pollution controls or mitigations implemented and moisture content of haul roads and aggregate processing lines and piles. The District would like to reiterate the importance of the Fugitive Dust Control Plan from the original DEIR to mitigate potential issues. Measures included in the Fugitive Dust Control Plan include but are not limited to: designating a Fugitive Dust Control Site Coordinator to respond to dust-related concerns of neighboring property owners and monitor the effectiveness of the dust control measures; implementing control measures related to vehicle travel on unpaved roads, such as limiting vehicle speeds, watering roadways, and applying soil stabilizers; implementing control measures related to vehicle travel on paved roads, such as limiting vehicle speeds, sweeping roadways, and/or utilizing rumble grates and wheel washers; and conducting employee and contractor awareness training.

In addition to the rules listed above, any commercial construction or demolition activity capable of generating fugitive dust emissions may be subject to District [Rule 55<sup>6</sup>](#), *Fugitive Dust Control*. This rule has restrictions for airborne dust beyond the property line and visible roadway dust as a result of active operations, spillage from transport trucks, erosion, or track-out/carry-out.

R-A2-6

#### General Information About Off-Road Construction Equipment

Any project using off-road vehicles that are diesel-powered, self-propelled, and 25 horsepower or greater must be registered under the current owner with the California Air Resources Board (CARB) Diesel Off-Road Online Reporting System (DOORS). Each vehicle is assigned an Equipment Identification Number (EIN) which must be labeled on both sides of the vehicle. Fleets must meet emission targets.

Fleets must limit their unnecessary idling to 5 minutes; there are exceptions for vehicles that need to idle to perform work (such as a crane providing hydraulic power to the boom), vehicles being serviced, or in a queue waiting for work.

Written Idling Policy – Medium fleets (total max hp 2,501 – 5,000) and large fleets (total max hp greater than 5,000 hp) must also have a written idling policy that is made available to operators of the vehicles and informs them that idling is limited to 5 consecutive minutes or less.

We appreciate the opportunity to comment on this project. Should you have any questions about these comments or District requirements please contact Supervising Air Resources Specialist, Eric Luther (858) 586-2893 or [eric.luther@sdapcd.org](mailto:eric.luther@sdapcd.org).

Sincerely,

*Eric Luther*

Eric Luther  
Supervising Air Resources Specialist

<sup>6</sup> SDAPCD Rule 55 - <https://www.sdapcd.org/content/dam/sdapcd/documents/rules/current-rules/Rule-55.pdf>

**R-A2-6** Please see Response to Comment D-A4-12.



## SWEETWATER AUTHORITY

505 GARRETT AVENUE  
CHULA VISTA, CALIFORNIA 91910  
(619) 420-1413  
FAX (619) 425-7469  
www.sweetwater.org

### GOVERNING BOARD

HECTOR MARTINEZ, CHAIR  
PAULINA MARTINEZ-PEREZ, VICE CHAIR  
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GENERAL MANAGER

ROBERTO YANO  
ASSISTANT GENERAL MANAGER

August 18, 2023

Christopher Jacobs  
Land Use/Environmental Planner  
County of San Diego  
5510 Overland Avenue, Suite 310  
San Diego, CA 92123

Subject: Comments on the Recirculated Environmental Impact Report for the  
Cottonwood Sand Mining Project, PDS2018-MPA-18-004  
SWA File: (Gen) Land Use and Environmental

Mr. Jacobs:

R-A3-1

Thank you for providing Sweetwater Authority (Authority) with a Notice of Availability for Recirculation of a Draft Environmental Impact Report (Recirculated DEIR) for the proposed Cottonwood Sand Mining Project (Proposed Project). The Authority, which is a major stakeholder in the Sweetwater River, has provided three letters outlining its concerns regarding the topics of Hydrology and Water Quality, as well as regarding impacts to Utilities and Services as this project has the potential to have significant impacts to the Authority's operations. Previous correspondence includes a response letter to the DEIR, dated February 24, 2022, which is attached to this letter. Additional comments were provided in two prior letters, dated December 13, 2018 and September 27, 2019. Below are the Authority's additional comments on the Proposed Project, per review of the Recirculated DEIR:

R-A3-2

The Recirculated DEIR omits revisions to a Drainage Study for the Proposed Project. Based on discussions between the Authority, the County of San Diego, and representatives from the project applicant on June 23, 2022 and August 24, 2022, the Authority was under the impression that the Drainage Study previously included with the DEIR as Appendix O (Drainage Study) would be revised to address comments provided by the Authority in its response letter dated February 24, 2022, and in the follow up meetings between the agencies. On October 11, 2022, County of San Diego staff provided a revised Drainage Study to Authority staff, prepared by the project applicant, and the revised Drainage Study has been omitted from the Recirculated DEIR. The revisions to the Drainage Study included additional water transfer data from Loveland Reservoir to Sweetwater Reservoir, but appeared to not have used key historical flow data, including flows from a February 14, 2019 storm event that reached 820 cubic

A public water agency serving National City, Chula Vista and Bonita



## R-A3 — Sweetwater Authority

**R-A3-1** The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the RDEIR. Please see the responses below to specific comments.

**R-A3-2** Please see Topical Response 1, Reason for the Recirculation of the DEIR and the Recirculated DEIR Process, which describes why only portions of the DEIR were recirculated for public review. As noted in the comment and described in detail in Topical Response 3, EIR Errata and Updated Technical Reports, under "Appendix O – CEQA-Level Drainage Study," the study was revised to include additional information supporting and clarifying the hydrologic and hydraulic conclusions of the DEIR to address comments submitted by Sweetwater Authority. In response to this comment and as part of the FEIR Chapter 1.0 revisions, the on-site Sweetwater River channel design capacity has been increased to convey flows of 820 cubic feet per second (cfs) by maintaining the bed and lower portion of the existing banks of the trapezoidal channel at 3.7 feet high. This would be adequate to convey Sweetwater Authority water transfers at the noted historic rainfall level.

Cristopher Jacobs  
 Re: Cottonwood Sand Mining Project – Comments on the Recirculated Draft Environmental Impact Report  
 August 18, 2023  
 Page 2 of 3

R-A3-2  
 cont. ↑  
 feet per second at the Dehesa stream gauge located in the Sweetwater River, further upstream of the Proposed Project site. Historical data from the United States Geological Survey's Dehesa Stream Gauge can be found at the following website:

<https://waterdata.usgs.gov/monitoring-location/11016200/#parameterCode=00065&period=P7D>

The Recirculated DEIR should have included revisions to the Drainage Study, to address flows through the Proposed Project site associated with water transfers from Loveland Reservoir to Sweetwater Reservoir, and other flows associated with natural watershed runoff. The proposed expanded river floodplain could result in less natural watershed runoff at the existing low-flow channel of the river due to the larger surface area of the floodplain, potentially resulting in less runoff to Sweetwater Reservoir and water losses to the Authority that would not occur without expanding the river floodplain.

R-A3-3  
 R-A3-4  
 R-A3-5  
 In addition, comments previously provided by the Authority through the letters referenced above were not addressed in the Recirculated DEIR, including revisions to Appendix S of the DEIR (Sediment Load Analysis Report). The Proposed Project has the potential to add significant sediment loading to Sweetwater Reservoir, resulting in water quality impacts to the reservoir and less water storage capacity. Potential overtopping of the existing low flow channel of the river, as a result of natural watershed runoff, could result in flooding to the Proposed Project site, with sediments mined from the Proposed Project site potentially being washed downstream to Sweetwater Reservoir. Therefore, the Authority requests that a comprehensive Drainage Study and Sediment Load Analysis be included in the DEIR, taking all historical documented flow data into consideration, before certification of the environmental document occurs, to avoid or minimize impacts to the Authority's operations such as water transfers from Loveland Reservoir to Sweetwater Reservoir, water quality impacts to the reservoir, and potential reductions in water storage capacity as a result of the Proposed Project. The Authority also requests that mitigation measures are provided in the environmental document to address impacts to the Authority's operations, per the letter dated February, 24 2022.

The Authority appreciates the opportunity to review and comment on the Recirculated DEIR and is open to continue to work with the County of San Diego and the project applicant to ensure that Sweetwater Reservoir, located downstream of the Proposed Project site, is not impacted by and that water losses to the Authority do not occur or are minimized as a result of the Proposed Project. Authority staff looks forward to the development of solutions that will fully mitigate impacts or potential impacts to the Authority.

**R-A3-2 (cont.)** Please refer to the CEQA-Level Drainage Study included as Appendix O to this FEIR for additional details related to the conveyance of water through the Sweetwater River channel. As shown in these revised analyses, none of the technical changes made result in new significant impacts, or substantially more severe significant impacts, than were disclosed in the originally circulated DEIR.

**R-A3-3** Refer to Response to Comment R-A3-2, above, as well as Responses to Comments D-A6-1 through D-A6-50 for the Sweetwater Authority's letter dated February 24, 2022.

**R-A3-4** Refer to Response to Comment D-A6-5, which addresses comments related to mitigation measures from the February 24, 2022, DEIR comment letter.

**R-A3-5** The County acknowledges these comments and the opportunity to continue coordinating with the Sweetwater Authority on the Project. These comments do not raise an issue concerning the environmental analysis or adequacy of the RDEIR.



Cristopher Jacobs  
Re: Cottonwood Sand Mining Project – Comments on the Recirculated Draft Environmental  
Impact Report  
August 18, 2023  
Page 3 of 3

If you have any questions on the Authority's comments, please contact Israel Marquez,  
Land and Environmental Manager, at 619-409-6759 or [imarquez@sweetwater.org](mailto:imarquez@sweetwater.org).

Sincerely,

SWEETWATER AUTHORITY



Erick Del Bosque, P.E.  
Director of Engineering and Operations

EDB:PO:IM:mm

R-A3-6 enclosures: as cited

cc: David Gibson, California Regional Water Quality Control Board  
Eric Becker, California Regional Water Quality Control Board  
Sean Sterchi, Water Resources Control Board, Division of Drinking Water  
Bill DiBiase, Water Resources Control Board, Division of Drinking Water  
Dwane Binns, U.S. Fish and Wildlife Service  
Kyle Dahl, U.S. Army Corps of Engineers  
County of San Diego, Clerk of the Board of Supervisors  
County of San Diego, Supervisor Vargas  
Valle De Oro Community Planning Group  
Roxanne Gores, Community Member  
Lessa Ritzma, Community Member  
Robert Collins, Community Member  
Carlos Quintero, Sweetwater Authority  
Roberto Yano, Sweetwater Authority  
Paul Oberbauer, Sweetwater Authority  
Justin Brazil, Sweetwater Authority  
Mark Hatcher, Sweetwater Authority  
Israel Marquez, Sweetwater Authority

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Recirculated EIR - 08-18-2023.docx

**R-A3-6** Refer to Response to Comments D-A6-1 through D-A6-50, where the Sweetwater Authority's comment letter dated February 24, 2022, that was enclosed with the August 18, 2023, RDEIR comment letter is included in full. The duplicative letter is not enclosed herein.

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State of California – Natural Resources Agency  
**DEPARTMENT OF FISH AND WILDLIFE**  
 South Coast Region  
 3883 Ruffin Road  
 San Diego, CA 92123  
 (858) 467-4201  
[wildlife.ca.gov](http://wildlife.ca.gov)

GAVIN NEWSOM, Governor  
 CHARLTON H. BONHAM, Director



August 29, 2023

Robert Hingtgen  
 Planning & Development Services  
 County of San Diego  
 5510 Overland Avenue, Suite 310  
 San Diego, CA 92123  
[Robert.Hingtgen@sdcounty.ca.gov](mailto:Robert.Hingtgen@sdcounty.ca.gov)

**Subject: Proposed Cottonwood Sand Mine Project (PROJECT), Recirculated Draft Environmental Impact Report (RDEIR), SCH #2019100513**

Dear Robert Hingtgen:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a Recirculated DEIR from the County of San Diego (County) for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code. The Project details referenced here are based on information provided in the RDEIR and its associated documents, as well as through prior meetings and correspondence between the CDFW and Project proponents.

CDFW provided comments on the Draft EIR (DEIR) in a letter dated February 28, 2022. In that letter, CDFW's comments focused on hydrology, the County's obligations under Fish and Game Code section 1600 *et seq.*, and species-specific Project impacts. While we understand that changes to the Biological Resources section of the EIR have not been recirculated, CDFW has additional comments pertaining to the natural resources for which we are a Trustee Agency [Fish & G. Code, §§711.7, subdivision (a) & 1802; Pub. Resources Code, §21070; California Environmental Quality Act (CEQA) Guidelines, §15386, subdivision (a)].

Regarding the analysis of habitat types within the Project area, CDFW agrees with the analysis provided by the Sierra Club, Hamilton Biological, and other concerned citizens, that habitat types described in the DEIR as "disturbed" have reverted to a more natural state since the surveys were conducted in 2020. CDFW acknowledges that the former classification follows the environmental baseline as defined under CEQA (§15063(d)(1)).

<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 *et seq.* The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

## State Agencies (LATE)

### R-A4 — California Department of Fish and Wildlife (LATE)

**R-A4-1** The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the RDEIR. Changes to the Biological Resources section of the DEIR (Subchapter 2.2) and the Biological Resources Technical Report (Appendix C) have been recirculated, as described in the Summary of the RDEIR and Topical Response 1, Reason for the Recirculation of the DEIR and the Recirculated DEIR Process. Please refer to Responses to Comments D-A2-1 through D-A2-29 addressing the California Department of Fish and Wildlife (CDFW)'s letter dated February 28, 2022. Further, as discussed further in Topical Response 2, CEQA Requirements for Responding to Comments, neither CEQA nor the CEQA Guidelines require a lead agency to respond to comments submitted to the agency after the close of the public comment and review period. The public review and comment period for the RDEIR closed on August 21, 2023.

**R-A4-2** The abandoned former golf course area, which is no longer irrigated and intensely managed, has been left in a primarily unmaintained state apart from occasional mowing. Bermuda grass was installed as a golf course turf grass for this area, and, since abandonment of the golf course, this species has naturalized, along with other ruderal and disturbance-tolerant species, creating an herbaceous layer of successional vegetation. The functional loss resulting from impacts to this area is offset by the Project's proposed revegetation of native habitat within BOS, which would restore all land temporarily impacted by mining operations, including lands east of Steele Canyon Road that are currently part of the active golf course.

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Robert Hingtgen  
County of San Diego  
August 29, 2023  
Page 2 of 2

R-A4-2  
cont.

However, in implementing the approved Multiple Species Conservation Program Subarea Plan, the County should further consider the loss of non-native grassland that has taken the place of disturbed habitat, as the emerging natural habitat provides potential suitable habitat for sensitive species and connectivity for wildlife movement between preserved areas up- and down-stream of the Project site. We therefore recommend that the functional loss of this habitat should be offset and accounted for in the Reclamation Plan associated with the Project.

R-A4-3

Additionally, CDFW appreciates that our species-specific comments regarding herpetofauna and bats were included in the RDEIR; however, several of our comments, including those regarding hydrological design, were not incorporated. We look forward to reviewing the Final EIR and working with the County on the hydrological aspects of the Project design and other unaddressed comments from our letter on the DEIR.

CDFW appreciates the opportunity to comment on the RDEIR to assist the County in identifying and mitigating Project impacts on biological resources. Questions regarding this letter or further coordination should be directed to Heather Schmalbach, Senior Environmental Scientist Specialist, at [Heather.Schmalbach@wildlife.ca.gov](mailto:Heather.Schmalbach@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
D700B4520375406...

David A. Mayer  
Environmental Program Manager  
South Coast Region

cc: CDFW  
David Mayer – [David.Mayer@wildlife.ca.gov](mailto:David.Mayer@wildlife.ca.gov)  
Jennifer Turner – [Jennifer.Turner@wildlife.ca.gov](mailto:Jennifer.Turner@wildlife.ca.gov)  
Melanie Burlaza – [Melanie.Burlaza@wildlife.ca.gov](mailto:Melanie.Burlaza@wildlife.ca.gov)  
Heather Schmalbach – [Heather.Schmalbach@wildlife.ca.gov](mailto:Heather.Schmalbach@wildlife.ca.gov)  
Kelly Fisher – [Kelly.Fisher@wildlife.ca.gov](mailto:Kelly.Fisher@wildlife.ca.gov)  
Will Arcand – [Will.Arcand@wildlife.ca.gov](mailto:Will.Arcand@wildlife.ca.gov)  
Jeffrey Sanchez – [Jeffrey.Sanchez@wildlife.ca.gov](mailto:Jeffrey.Sanchez@wildlife.ca.gov)  
Cindy Hailey – [Cindy.Hailey@wildlife.ca.gov](mailto:Cindy.Hailey@wildlife.ca.gov)

USFWS  
Jonathan Snyder – [Jonathan\\_D\\_Snyder@fws.gov](mailto:Jonathan_D_Snyder@fws.gov)

OPR  
State Clearinghouse, Sacramento – [State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=10334>

**R-A4-2 (cont.)** As described in the Project's revegetation plan, a total of 120.79 acres of habitat would be restored within the boundaries of the on-site biological open space, with the bulk of the restoration proposed as riparian scrub (84.84 acres), while the Project's total impact to riparian habitat is only 1.14 acres. Restoration of riparian scrub habitat, which includes a mosaic of native shrubs interspersed with lower-growing herbaceous species, would provide higher habitat value than currently exhibited by the abandoned golf course, and would include suitable habitat for sensitive species as well as increased cover and foraging opportunities for wildlife, providing opportunities for live-in habitat and connectivity for wildlife movement. The habitat restoration exceeds the overall habitat mitigation requirements, such that the impacts to 76.1 acres of successional habitat within abandoned golf course areas would be offset by the overall habitat restoration. An additional 29.9 acres of habitat preservation also would occur, for a total of 150.7 acres of on-site biological open space that would connect preserved areas up- and downstream of the site.

**R-A4-3** Refer to Topical Response 3, *EIR Errata and Updated Technical Reports*, for a summary of the revisions to the CEQA-Level Drainage Study (Appendix O) related to hydrology and drainage considerations. As noted, the changes and updates do not affect the significance determination of hydrology and drainage impacts disclosed in the DEIR or otherwise present significant new information, and thus were not recirculated with the RDEIR (refer also to Topical Response 1). Responses to Comments D-A2-2 through D-A2-14 address the CDFW's comments and recommendations related to the hydrological impact analysis, streambed justification and notification, and groundwater analysis provided in the DEIR comment letter.

COMMENTS

RESPONSES