Sycuan Cultural Resource Committee

August 21, 2023

VIA FEDEX & EMAIL
(CHRISTOPHER.JACOBS@SDCOUNTY.CA.GOV)

Christopher Jacobs
Planning & Developments Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123 or emailed to.

Re: **Sycuan Comments on the Recirculated Draft Environmental Impact Report for the Proposed Cottonwood Sand Mine Project (SCH#2019100513; PDS2018-MUP-18- 003; PDS2018-RP-18-001; PDS2018-ER-18-19-007) ("Project")**

Dear Mr. Jacobs:

R-T1-1

On behalf of the Sycuan Band of the Kumeyaay Nation (the "Tribe"), we submit the following comments to the County's Recirculated Draft Environmental Impact Report for the above referenced Project (the "Recirculated DEIR"). The foregoing comments are in addition to the comments to the Draft Environmental Impact Report ("DEIR") for the Project that the Tribe submitted to the County, which is dated February 28, 2022, a copy of which is enclosed for your reference (the "February Comment Letter").[1] The February Comment Letter provides the County notice of significant flaws in the project description, unsupported assumptions being used, inadequate historical and cultural analysis and unsupported statements regarding biological impacts and restoration activities. The majority of our comments/concerns raised in the February Comment Letter, which require the addition of substantial additional information in order to reasonably complete a full analysis of the proposed project, remains unaddressed in the Recirculated DEIR, a disappointing indication that the County does not intend to revise its analysis to address our concerns.

R-T1-2

The Project description was revised to include changes related to the use of imported backfill, which is expected to add 58 additional truck trips to the site per day; however, no other changes were made to the Project description. In our February Comment Letter, we highlighted the lack of transparency in the Project description. Specifically, we noted:

(1) The Project description fails to inform the public regarding the inconsistency of the proposed land use with the existing zoning and surrounding land uses;

[1] The Tribe acknowledges that the Tribe is continuing to consult with the County regarding the cultural impacts that would be caused by the project, which are significant and remain unresolved.

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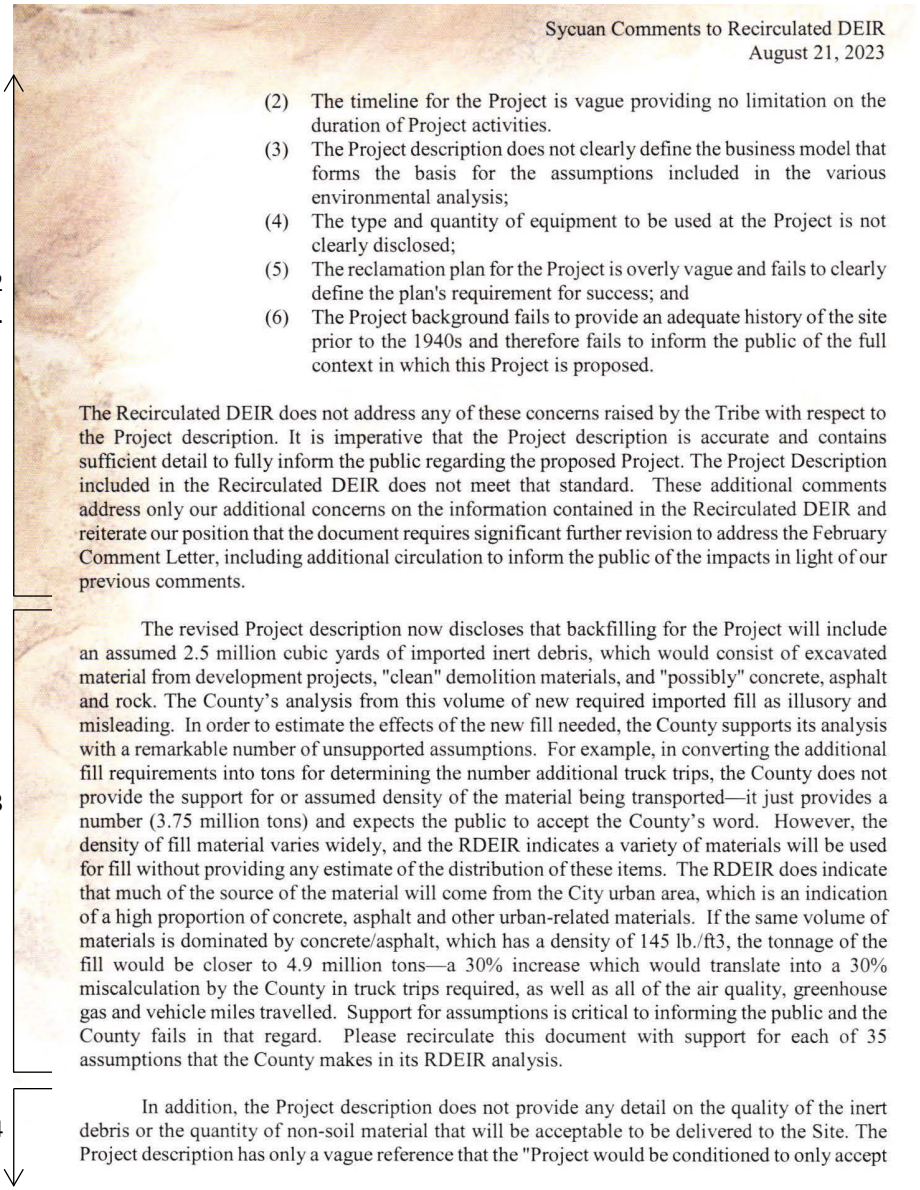
R-T1 — Sycuan Band of the Kumeyaay Nation

R-T1-1 The County acknowledges these introductory comments and the comments submitted to the County during public review of the DEIR in the enclosed letter dated February 28, 2022. Please see the responses below to specific comments raised in this letter, which address more specific comments related to the Proposed Project's potential impacts to TCRs, as well as Responses to Comments D-T1-1 through D-T1-145.

R-T1-2 This comment lists several concerns related to the transparency of the Project description. Specific responses to each of the numbered concerns are provided below:

1. Please see Topical Response 11, *Consistency with Plans and Policies,* regarding the Project's consistency with the County's zoning requirements, land use plans, policies, ordinances, and codes, which allow extractive use within the MUP area.
2. The Project timeline is described in RDEIR Section 1.2.1, *Project's Component Parts*, as a sand mining operation that would be conducted in three phases over 10 years. A fourth phase for cleanup, equipment removal, and final reclamation would occur over an additional 2 years. Mining phases would be separated into subphases, which are detailed in Table 1-2, *Mining Phases*. Additional detail related to removal of existing facilities and construction of new uses related to the mining operations are provided in Table 1-3, *Existing and Proposed Facilities and Structures*.



Sycuan Comments to Recirculated DEIR
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(2) The timeline for the Project is vague providing no limitation on the duration of Project activities.
(3) The Project description does not clearly define the business model that forms the basis for the assumptions included in the various environmental analysis;
(4) The type and quantity of equipment to be used at the Project is not clearly disclosed;
(5) The reclamation plan for the Project is overly vague and fails to clearly define the plan's requirement for success; and
(6) The Project background fails to provide an adequate history of the site prior to the 1940s and therefore fails to inform the public of the full context in which this Project is proposed.

The Recirculated DEIR does not address any of these concerns raised by the Tribe with respect to the Project description. It is imperative that the Project description is accurate and contains sufficient detail to fully inform the public regarding the proposed Project. The Project Description included in the Recirculated DEIR does not meet that standard. These additional comments address only our additional concerns on the information contained in the Recirculated DEIR and reiterate our position that the document requires significant further revision to address the February Comment Letter, including additional circulation to inform the public of the impacts in light of our previous comments.

The revised Project description now discloses that backfilling for the Project will include an assumed 2.5 million cubic yards of imported inert debris, which would consist of excavated material from development projects, "clean" demolition materials, and "possibly" concrete, asphalt and rock. The County's analysis from this volume of new required imported fill as illusory and misleading. In order to estimate the effects of the new fill needed, the County supports its analysis with a remarkable number of unsupported assumptions. For example, in converting the additional fill requirements into tons for determining the number additional truck trips, the County does not provide the support for or assumed density of the material being transported—it just provides a number (3.75 million tons) and expects the public to accept the County's word. However, the density of fill material varies widely, and the RDEIR indicates a variety of materials will be used for fill without providing any estimate of the distribution of these items. The RDEIR does indicate that much of the source of the material will come from the City urban area, which is an indication of a high proportion of concrete, asphalt and other urban-related materials. If the same volume of materials is dominated by concrete/asphalt, which has a density of 145 lb./ft3, the tonnage of the fill would be closer to 4.9 million tons—a 30% increase which would translate into a 30% miscalculation by the County in truck trips required, as well as all of the air quality, greenhouse gas and vehicle miles travelled. Support for assumptions is critical to informing the public and the County fails in that regard. Please recirculate this document with support for each of 35 assumptions that the County makes in its RDEIR analysis.

In addition, the Project description does not provide any detail on the quality of the inert debris or the quantity of non-soil material that will be acceptable to be delivered to the Site. The Project description has only a vague reference that the "Project would be conditioned to only accept

R-T1-2 cont.

R-T1-3

R-T1-4

R-T1-2 (cont.)

3. It is unclear what this comment is referring to related to defining the "business model" used in evaluating potential environmental impacts. Detailed project description information is provided in FEIR Chapter 1.0.
4. The types, quantities, and uses of equipment proposed to be used in the construction and operation of the Project are listed in Table 1-1, *Project Mobile Equipment*, and Table 1-4, *Plant and Conveyor Equipment*.
5. Revegetation performance standards are specified in Section 3.8, *SMARA Revegetation Performance Standards*, of the Revegetation Plan. This section details information related to implementation of revegetation goals and success criteria, including revegetation performance standards for each vegetative cover type; requirements for recording of soil preparation procedures, seeding techniques, and erosion control measures; and preparation and submittal of annual monitoring reports to the County to demonstrate that the approved success criteria have been met and approved by the County. More detailed revegetation plan information is provided in the Conceptual Revegetation Plan and Conceptual Wetland Mitigation Plan (Appendices N and O of the Biological Resources Technical Report recirculated with the RDEIR, respectively), which would be finalized prior to ground disturbance.
6. The Project background provided in Chapter 1.0 focuses on prior uses/projects and existing land entitlements to increase understanding of the Project. Additional background information is provided in FEIR Subchapter 2.3, *Cultural Resources*, and Subchapter 2.6, *Tribal Cultural Resources*; and Appendix D, *Archaeological Inventory and Assessment*.

The Project description is accurate and contains sufficient information to evaluate potential environmental impacts. Please see also Responses to Comments D-T1-1 through D-T1-145 that address the February Comment Letter, specifically Responses to Comments D-T1-37 through D-T1-46 related to the Project Description.

R-T1-3 Please see Topical Response 5, *Imported Material and Backfilling Process*, which summarizes the revisions to Chapter 1.0 of the RDEIR that were added to describe the imported materials that would be used to backfill the site and the requirements for inert debris imported to the Project site. The import truck trips were calculated by multiplying the amount of material necessary to backfill the site (2.5 million cy) by a conversion factor of 1.5 to get tons (3.75 million tons) and dividing by the number of years of the project (10), tons per truck (25), and number of operational days per year (260). This results in an average import truck trips per day of 57.7, rounded up to 58 trips. The imported

R-T1-3 **(cont.)** material would consist of inert debris that meets the definition in Title 14, California Code of Regulations, Section 17388, and excavated soil material from development projects. A conversion factor of 1.5 tons per cy was used to quantify the amount of material that would need to be imported to the site, which is a standard conversion factor for materials that have a medium to high density such as those proposed to be imported. While it is unknown the exact percentage of each type of material that would be accepted at the site, the 1.5 tons per cy conversion factor is appropriate for the type of inert debris materials that could be imported to the Project site.

Given current and reasonably likely future development patterns within the San Diego region, it is assumed that the majority of new development is anticipated to take place within urban areas of the City of San Diego, although the RDEIR conservatively uses a longer import trip distance to evaluate VMT and air pollutant and GHG emissions. It is reasonable to assume that the backfill material would be imported from development sites within the San Diego region; however, the RDEIR does not assume that these materials would be predominantly concrete, asphalt, and other urban-related materials as the comment implies. Please refer to the above explanation of the import truck trip calculations, which provide support for the assumptions used to evaluate potential impacts.

It is unclear which "35 assumptions that the County makes in its RDEIR analysis" the comment is referring to. Please see Topical Response 2, *CEQA Requirements for Responding to Comments*.

R-T1-4 This comment cites information presented in the RDEIR related to backfill material and questions the suitability and oversight associated with receiving backfill material at the site. As described in Chapter 1.0 and further clarified in Topical Response 5, imported backfill material accepted at the site must meet the definition of inert debris per Title 14, CCR, Section 17388 and be acceptable for an inert debris engineered fill operation per the Operations Plan for the project. Material would be monitored per the procedures detailed in the Operations Plan to ensure suitable material is being used to backfill the site. Additional revisions to the EIR and further recirculation are not required.

R-T1-4 cont.

materials suitable for the end use of the site." This provides no detail on what the County has determined is the end use for the site, how the County has determined (or will determine) what material is "suitable", and most importantly how the Project will be monitored to ensure the imported materials meet these suitability requirements. It is reasonable to expect that the project proponent and its investors, once the marketable material has been removed from the site, will seek the least costly materials for backfill, regardless of quality or appropriateness for the location. As noted later, the County cannot assume that if material is below the ground surface, the nature of the material is unimportant for the public. The Project description should be revised to include this minimum level of detail.

R-T1-5

The Recirculated DEIR assumes that the backfill material will be imported from development sites within the San Diego region but does not cite any support for that assumption nor does it propose a project condition that would define limitations for this source. This assumption then jumps to another assumption that each truck trip will therefore be 80 miles round trip. The County relies on this assumption to conclude, with actual supporting facts, that no new potentially significant adverse impacts will occur. The Recirculated DEIR should be revised to provide support for each of the County's support for each underlying assumption upon which the entire Recirculated DEIR is based.

R-T1-6

Despite the significant change to the Project description, the Recirculated DEIR only analyzes the potential impacts of the revised Project description relative to the additional 58 round-trip truck trips (i.e. air quality, health risks, greenhouse gas emissions, and traffic), and as mentioned, that analysis may be off by as much as 30%. The Recirculated DEIR does not analyze potential impacts this imported "inert" (undefined, but likely waste) debris will have on any other resources, including hydrology and water resources, biological resources (including the reclamation plan), and cultural resources. This simplistic approach includes another assumption—if the material is below the ground surface, its qualities are unimportant. The inclusion of the "inert" debris heightens the concerns the Tribe previously raised in our February Comment Letter, particularly that the Project will impact the hydrology of the alluvial system and impede water movement and nutrient exchange for trees, diminish capability of trees, and likely lead to unhealthy riparian systems. However, alluvial soil strata evolved over time after serial flooding, erosion and avulsion events. These processes lead to naturally occurring flow dynamics and biological content that are important for riparian ecosystems and for the retention of water in the alluvial aquifer. Substituting these qualities with waste debris, concrete and asphalt would drastically alter the soil profile qualities; however, these impacts are entirely ignored in the DEIR and the RDEIR. The importation of essentially unknown construction debris immediately adjacent to an important water resource raises serious concerns. The County should revise the Recirculated DEIR to address the impact of the imported backfill on all other resources within the Project site.

R-T1-7

Our February Comment Letter outlines several concerns with the analysis of biological impacts and misleading statements regarding the impacts resulting from the Project. While we appreciate the County's effort to remove some incorrect references to a "previous sand mining

R-T1-5 As described in RDEIR Section S.2.2, *Impact Analysis of Project Description Revisions*, a 40mile one-way truck trip length was assumed for the backfill import truck trips, based on the assumption that the backfill would be imported from development sites within the San Diego region. This is a conservative assumption given that the majority of future development in the region is anticipated to take place in urban areas within the City of San Diego, with Downtown San Diego located approximately 18 miles from the Project site. Although a portion of the import trips would likely be deadhead trips (i.e., trucks importing backfill material would also be transferring produced material away from the site), all import trips were assumed to be round trips, or 80 miles. Additional revisions to the EIR and further recirculation are not required.

R-T1-6 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 discussions of the hydrology and water resources analyses conducted prior to recirculation that are detailed in FEIR Appendix S, *Sediment Load Analysis*, and Appendix T, *Water Quality Evaluation Report*. Additionally, Topical Response 3, under "Appendix S – Sediment Load Analysis," describes the Streamflow Infiltration to Groundwater Technical Memorandum that was prepared to address streamflow infiltration to groundwater during water transfers and potential impacts to surface water or groundwater as a result of proposed sand mining and reclamation activities (FEIR Appendix R2). As discussed therein, the Project would be conditioned to ensure that the top three feet of material used to backfill the site consists of materials with a similar hydraulic connectivity as the existing conditions to maintain downward infiltration and recharge. Please see also Responses to Comments R-A1-1 through R-A1-3 regarding the use of inert debris to backfill mining areas, the requirement of backfill materials to comply with the CCR Title 14 Section 17388.3, and reclamation procedures related to placement of inert debris within the Project site. The Project analysis and compliance with applicable regulatory controls supports a finding of less than significant impact. Additional revisions to the EIR and further recirculation are not required.

R-T1-7 cont.

activity" at the Project site, and the fact that the County updated some of the biological surveys, the remainder of our comments were not addressed in the Recirculated DEIR. Notably, the County continues to rely on the "temporary" impacts of the Project and the unsupported allegation that "higher quality" habitat will be available after mining operations are complete. There is simply no support for either proposition. A temporary impact accounts for temporal loss, and assumes that the previous state is automatically attainable at the cessation of the impact. Given the complete removal of the soil strata (a permanent impact) and the foreign and fabricated nature of the proposed new soil structure, there is no support for these assumptions.

R-T1-8

The proposed Project will result in the removal of 3.8 million cubic yards of soil, completely transforming the Project site and eliminating all of the biological (and cultural) resources within the Project footprint. The impacts to the biological resources on the site are not temporary, they are permanent. This fact is particularly disturbing given that the extent of biological resources to be impacted by the proposed Project has increased as a result of the new and update biological surveys disclosed in the Recirculated DEIR. Continuing to rely on the "temporary impacts" of the proposed Project, the Recirculated DEIR still fails to address impacts to biological resources for the duration of the Project (at least 10 years) and the time period after the completion of Project activities to when the habitats are actually restored to their previous values (if ever).

R-T1-9

In addition, the Recirculated DEIR does not address the impact on the biological resources, including the viability of the reclamation plan, as a result of the 2.5 million cubic yards of inert debris to be imported to the site. As noted above, the Project, including the use of inert debris, will have an impact on hydrology, water quality, and mineral resources (among other impacts), which would then invariably have an impact on the viability of a post-operation reclamation plan. The County should analyze how imported "inert" debris will impact the ability to recreate the riparian system using scientific support for its conclusions, and the reclamation plan should be revised to reflect the changes to the Project description and the updated biological surveys.

R-T1-10

As noted above, some, but not all, of the biological surveys were updated in 2022. The County should update all biological resources prior to finalizing the DEIR, including an update to the Least Bell's Vireo surveys (the County is still relying on a study completed over 4 years old).

R-T1-11

Our February Comment Letter discusses at length the Tribe's concerns with respect to the proposed Project's impacts on cultural resources and highlights that the DEIR significantly undervalues the Project site as a Tribal Cultural Resource. In addition to the Tribe's other comments that are not addressed in the Recirculated DEIR, the impact to cultural resources is still not adequately addressed in the DEIR, particularly with respect to current tribal cultural resources. Completely removing the biological resources, negatively impacting the river's hydrology, and negatively impacting water quality invariably impacts existing cultural resources and obliterates the important ties between the water, the land, plants, and the animals that continue to utilize the Project site. The Tribe is currently working with other San Diego area Tribes and the San Diego Regional Water Quality Control Board to protect the indigenous cultural uses ("CUL") of waters in the San Diego basin. We strongly urge that the County include in its general analysis and in the RDEIR analysis of the use of backfill materials on the CUL water uses of the project site—to date,

R-T1-7 This comment acknowledges the revisions related to the biological resources analysis that were contained in the RDEIR and raises concern that comments in their letter dated February 28, 2022, related to temporary impacts were not addressed. The Project would cover a span of approximately 12 years (including 10 years of mining), and, given the Project would occur in much smaller phases progressively across the site, the entire Project site would not be disturbed for the entire 12year time horizon. Following completion of each mining subphase, the Project Reclamation Plan would be implemented in compliance with SMARA and County requirements. Reclamation plans are developed to identify reclamation measures and establish performance standards for reclamation of mined lands. These measures include protection of wildlife habitat; revegetation; recontouring and erosion control; elimination or reduction of residual public health and safety hazards; and minimization of environmental impacts. Upon Project completion, the reclaimed site would look wholly different than existing conditions, containing better natural habitat than currently exists as a developed golf course. Biological values and potential Project impacts and benefits are discussed in detail in RDEIR Chapter 2.2, *Biological Resources*. Please refer to Topical Response 4, *Reclamation Process, Timing, and Final Use,* for additional details.

R-T1-8 The comment incorrectly states that the Project would eliminate "all of the biological (and cultural) resources within the Project footprint." As stated in FEIR Section 1.2.1, *Project's Component Parts*, approximately 214.4 acres of the approximately 280-acre site are proposed for extractive use. Areas included within the MUP boundary that are not disturbed by mining would be subject to habitat improvement through removal of invasive species in the river channel on the southwest portion of the site or be left in their current condition. The majority of native habitat that currently exists on the site would be retained and the existing Sweetwater River low-flow channel would be retained in place with banks up to a minimum height of 3.7 feet to accommodate the Sweetwater Authority's annual water transfers and maintain the existing channel hydrology through the site.

As disclosed in the RDEIR and described in Topical Response 1, new information regarding the potential for significant impacts to biological resources was identified through updated surveys conducted at the Project site and specific comments raised during public review of the DEIR. Surveys determined that there was potential for the Project to impact three additional special status plant species and six additional animal species. Minor refinements were made to the acreages of existing vegetation communities and land use types present on the Project site, with corresponding changes to the acreages of impacts to vegetation

R-T1-8 **(cont.)** communities/habitat types (RDEIR Table 2.2-5) and jurisdictional wetlands and waterways (RDEIR Table 2.2-6). Impacts to sensitive vegetation communities increased by 0.71 acres (2.34 acres of Tier I and Tier II habitats) compared to the impacts disclosed in the DEIR (1.63 acres of Tier I and Tier II habitats). New biological resources mitigation measures and revisions to existing mitigation measures were identified to reduce potential impacts to biological resources to less than significant.

Please see Response to Comment R-T1-7 regarding the evaluation of "temporary" impacts assessed for the Project, which are evaluated over the anticipated 12-year duration of active mining and reclamation activities.

R-T1-9 Please see Response to Comment R-T1-6 regarding the use of inert debris to backfill mining areas and potential effects related to hydrology and water quality, and Response to Comment R-T1-8 regarding evaluation of biological resources impacts. 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 and evaluated throughout the DEIR. Please see Topical Response 5, 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 CCR Title 14 Section 17388.3 definition of inert debris.

R-T1-10 Please see Topical Response 9, *Wildlife Corridors and Species Connectivity Impacts*, which 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 comments received during the DEIR public review and comment period. Information on the extent, nature, and timing of all surveys conducted for the Project's biological resources analysis are further detailed in Section 1.3, *Methods*, and Table 3, *Biological Surveys*, of the Biological Resources Technical Report. Updated surveys were not conducted for least Bell's vireo because the species was detected during the protocol surveys conducted in 2019 and other (non-protocol) surveys conducted in 2022 and the site contains suitable breeding habitat for the species; therefore, they are assumed to be present. As described in RDEIR and FEIR Section 2.3.8.3, *Special Status Wildlife*, proposed impacts to breeding and foraging habitat would be mitigated through on-site habitat re-establishment, rehabilitation, revegetation, and preservation (M-BIO-3), combined with other Project-specific mitigation

R-T1-10 (cont.) measures such as conducting reclamation grading and installation of salvaged topsoil outside of the nesting season (March 15 through September 15) and pre-construction surveys should such activities be required during the nesting season (M-BIO-4 and M-BIO-5).

R-T1-11 Please see Responses to Comments D-T1-1 through D-T1-145 that address the February Comment Letter, specifically Responses to Comments D-T1-1 through D-T1-30 related to potential impacts to cultural resources and TCRs. Please see also Responses to Comments RT1-6 through R-T1-10 regarding impacts related to biological resources, hydrology, and water quality. Background information regarding traditional tribal use of water and the recognized beneficial use is noted and further addressed in Response to Comment D-T1-25. The San Diego RWQCB has included Tribal Beneficial Use definitions in its basin plan, but designation of waterbodies or parts of a waterbody with Tribal Beneficial uses is still in process. Thus, this was not evaluated in the DEIR.

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 and RA1-3, 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 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 appliable 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 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 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, implementation of the Project would not result in significant

R-T1-11 cont.

these uses are not mention in either document. All of which impact the cultural significance of the site to the Kumeyaay people. Again, the failure to adequately analyze the impact on cultural resources is exacerbated by the inclusion of 2.5 million cubic yards of imported construction debris and soil excavated from other construction sites. The Recirculated DEIR fails to address the impacts to the existing, current cultural resources as a result of the importation of this debris, nor does it address the elimination of those cultural uses into the future. This imported backfill material cannot reasonably be relied on to produce the same quality of habitat that existing today, and which supports the existing cultural resources on the site.

R-T1-12

The Tribe respectfully requests the County to further revise the DEIR to address the comments raised in our February Comment Letter and those enclosed herein.

Respectfully,

Charlene Elliott, Director
Sycuan Cultural Resource Center and Museum
Sycuan Natural and Cultural Resource Committee, Chairperson

cc: Sycuan Tribal Council
Adam Day, Sycuan CAO
Mark Radoff, Sycuan General Counsel

R-T1-11 (cont.) impacts or deterioration of water quality to such a degree that it adversely affects cultural resources.

Background information regarding traditional tribal use of water and the recognized beneficial use is noted and further addressed in Response to Comment D-T1-25. The San Diego RWQCB has included Tribal Beneficial Use definitions in its basin plan, but designation of waterbodies or parts of a waterbody with Tribal Beneficial uses is still in process. Thus, this was not evaluated in the DEIR.

R-T1-12 Please see the above responses to comments addressing the Tribe's requested revisions and Responses to Comments D-T1-1 through D-T1-145 that address the February Comment Letter.