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CHALDEAN CATHOLIC EPARCHY OF ST. PETER THE APOSTLE

Cottonwood Sand Mine Public Comment Letter

Date: August 5, 2023
From: Bishop Emanuel Shaleta
To: Planning & Development Services
Attn: Christopher Jacobs
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Subject: Cottonwood Sand Mine Project (PDS2018-MUP-18-023), (PDS2018-RP-18-001);
Log NO. PDS2018-ER-18-19-007; SCH#2019100513

To Whom It May Concern:

I am writing on behalf of this organization and community regarding our strong opposition to the Cottonwood Sand Mine Project.

First, here is a little bit about us.

We are the Chaldean Catholic Diocese and represent 4 Chaldean Catholic Churches in East San Diego County.

On behalf of our organization and the 30,000+ Chaldeans and community members we represent, we unanimously oppose the Cottonwood Sand Mine, and believe it is not conducive to our community thriving in any way.

I am submitting the following comments in response to the new information presented in the Recirculated Draft Environmental Impact Report (RDEIR) issued on June 29, 2023. Overall, I feel the RDEIR is a flawed and incomplete document that does not adequately analyze the significant environmental impacts of the potential sand mine project to the people, wildlife, water, air, and roads of the community. The RDEIR also does not propose adequate mitigation measures or alternatives to address those impacts.

Revised Project Description includes importing backfill material, adding an additional 58 truck trips per day and a second conveyor.

1627 Jamacha Way • El cajon, CA 92019 • Tel (619) 579-7997 • Fax (619) 588-8281

R-O1 — Chaldean Catholic Eparchy of St. Peter the Apostle

R-O1-1 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-O1-1

R-O1-2

Traffic will increase by 58 truck trips per day on top of the 88 truck trips stated in the original Draft EIR. This totals 146 round-trip truck trips daily or at least one large hauling truck traveling either to or from the project site every 1.3 minutes or 78 seconds. I strongly disagree that this level of truck hauling will not affect the community's streets, air quality, greenhouse gas emissions, health risk, and noise as the RDEIR states. The cumulative traffic impacts have not been adequately analyzed and therefore an updated traffic analysis is needed.

R-O1-3

Biological Resources are significant environmental impacts with incomplete analysis. Mitigation measures proposed involving relocation of species, removing their habitat by eliminating trees and plants, or having minimal setbacks and noise barriers are wholly inadequate. Most mitigation measures proposed in the RDEIR do not address the significant impacts to wildlife habitat during the project timespan. Instead, what is described is deferred mitigation after 10 years of mining has been done.

R-O1-4

Noise: 58 additional round-trip truck trips have been added as well as a second conveyor that will be used to transport backfill material. Noise is a significant environmental impact with incomplete analysis.

R-O1-5

Revised Stormwater Quality Management Plan is generic and lacks specificity. It focuses more on what the final product will look like rather than how the water source in the event of storms will be protected during the 10+ years of the mining operation.

R-O1-6

County Staff admits that "Together, the Draft EIR and Recirculated Draft EIR identify 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". Based on these findings, the Cottonwood Sand Mining Project MUP should not be approved.

Sincerely,



Bishop Emanuel Shaleta
Chaldean Catholic Diocese of St Peter the Apostle
El Cajon, California

R-O1-2

Please see Topical Response 3, *EIR Errata and Updated Technical Reports*, for a discussion of the updates to the information provided in the text of the DEIR and technical studies supporting the analyses of the DEIR. Project-related and cumulative effects to "streets, air quality, greenhouse gas emissions, health risk, and noise" are summarized in the topical response and addressed in the following sections of the FEIR: Subchapter 2.2, *Noise*; Section 3.1.1, *Air Quality*; Section 3.1.3, *Greenhouse Gas Emissions*; and Section 3.1.7, *Transportation/Traffic*. The traffic analysis appended to the FEIR does include an update addressing the additional truck trips. As explained in the updated traffic analysis, and in the RDEIR, the additional truck trips do not result in a new significant threshold exceedance. Please also see Topical Response 10, *Cumulative Impacts*, which describes why the Project would not have a significant cumulative traffic impact.

R-O1-3

Please see Topical Response 2, *CEQA Requirements for Responding to Comments*. This comment states that the biological resources analysis and mitigation are "incomplete," however no details explaining what part of the analysis or which specific mitigation measure is incomplete are provided to allow a complete response. The Project's biological analysis sufficiently analyzes potential impacts on area biological resources resulting from the Project, and identifies mitigation measures sufficient to reduce potential impacts to less than significant impacts. The biological analysis was completed by a qualified technical consultant on the County's CEQA Consultants List for Privately Initiated Projects, consistent with County and CEQA requirements to evaluate sites with potential to contain sensitive biological resources.

R-O1-4

Please see Topical Response 3 for a discussion of the updated noise analysis confirming that noise-related impacts remain less than significant, with the additional truck trips and second conveyor, consistent with the findings in the DEIR. Subchapter 2.2 of the FEIR has been revised to provide additional clarification on noise associated with the truck trips and conveyor.

R-O1-5

The Stormwater Quality Management Plan for Priority Development Projects (PDP SWQMP) included as Appendix P to the RDEIR was prepared using the County's standard form to describe how the Project would comply with the applicable requirements of the County of San Diego BMP Design Manual and the County of San Diego Watershed Protection Ordinance. The PDP SWQMP includes construction stormwater BMPs and structural and significant site design BMPs that would be implemented to satisfy County requirements for managing urban runoff, including stormwater, from land development activities. Implementation

COMMENTS

RESPONSES

R-O1-5 (cont.) of the PDP SWQMP and applicable BMPs would protect stormwater quality during pre-mining and mining activities, including during storm events. Please also see Response to Comment D-A6-12 and D-A6-14.

R-O1-6 The County acknowledges the opposition to the Project expressed in this comment; however, this comment does not raise a specific issue concerning the environmental analysis or adequacy of the RDEIR.



Cottonwood Sand Mine Public Comment Letter

Date: August 3, 2023

From: Your Name & Email Address

To: Planning & Development Services
Attn: Christopher Jacobs
5510 Overland Avenue, Suite 310
San Diego, CA 92123

Subject: Cottonwood Sand Mine Project (PDS2018-MUP-18-023), (PDS2018-RP-18-001);
Log NO. PDS2018-ER-18-19-007; SCH#2019100513

To Whom It May Concern:

I am writing on behalf of this organization and community regarding our strong opposition to the Cottonwood Sand Mine Project. We are all residents of this community.

First, here is a little bit about us.

Our mission is to empower individuals and families by connecting them with resources that address their unique needs and challenges.

Through our network of partners and volunteers, we strive to create a supportive and inclusive community where everyone has the opportunity to thrive. Our programs and services range from education and job training to healthcare and housing assistance, with the goal of fostering self-sufficiency and resilience.

At the Chaldean Community Council we believe that everyone deserves to live with dignity and respect, regardless of their background or circumstances. By working together with our community members and stakeholders, we are committed to building a brighter future for all.

405 E Lexington Ave, El Cajon CA 92020, (619) 728-0910, info@chaldeancouncil.org

R-02 — Chaldean Community Council

R-02-1 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-02-1

<p>R-O2-1 cont.</p>	<p>Our mission becomes greatly impeded upon when our community members can be driven out by this project which pushes them further away from our reach. That is an issue because we facilitate their adjustment to this community through the assistance we help them gain access to.</p> <p>On behalf of our organization and the 1,000 community resident Chaldeans and community members we represent, we unanimously oppose the Cottonwood Sand Mine, and believe it is not conducive to our community thriving in any way.</p> <p>I am submitting the following comments in response to the new information presented in the Recirculated Draft Environmental Impact Report (RDEIR) issued on June 29, 2023. Overall, I feel the RDEIR is a flawed and incomplete document that does not adequately analyze the significant environmental impacts of the potential sand mine project to the people, wildlife, water, air, and roads of the community. The RDEIR also does not propose adequate mitigation measures or alternatives to address those impacts.</p> <p>Revised Project Description includes importing backfill material, adding an additional 58 truck trips per day and a second conveyor.</p>	
<p>R-O2-2</p>	<p>Traffic will increase by 58 truck trips per day on top of the 88 truck trips stated in the original Draft EIR. This totals 146 round-trip truck trips daily or at least one large hauling truck traveling either to or from the project site every 1.3 minutes or 78 seconds. I strongly disagree that this level of truck hauling will not affect the community's streets, air quality, greenhouse gas emissions, health risk, and noise as the RDEIR states. The cumulative traffic impacts have not been adequately analyzed and therefore an updated traffic analysis is needed.</p>	<p>R-O2-2 Please see Response to Comment R-O1-2.</p>
<p>R-O2-3</p>	<p>Biological Resources are significant environmental impacts with incomplete analysis. Mitigation measures proposed involving relocation of species, removing their habitat by eliminating trees and plants, or having minimal setbacks and noise barriers are wholly inadequate. Most mitigation measures proposed in the RDEIR do not address the significant impacts to wildlife habitat during the project timespan. Instead, what is described is deferred mitigation after 10 years of mining has been done.</p>	<p>R-O2-3 Please see Response to Comment R-O1-3.</p>
<p>R-O2-4</p>	<p>Noise: 58 additional round-trip truck trips have been added as well as a second conveyor that will be used to transport backfill material. Noise is a significant environmental impact with incomplete analysis.</p>	<p>R-O2-4 Please see Response to Comment R-O1-4.</p>
<p>R-O2-5</p>	<p>Revised Stormwater Quality Management Plan is generic and lacks specificity. It focuses more on what the final product will look like rather than how the water source in the event of storms will be protected during the 10+ years of the mining operation.</p>	<p>R-O2-5 Please see Response to Comment R-O1-5.</p>
<p>R-O2-6</p>	<p>County Staff admits that "Together, the Draft EIR and Recirculated Draft EIR identify significant environmental impacts to the following environmental factors: Aesthetics; Biological Resources; Cultural Resources; Noise; Paleontological Resources, and Tribal Cultural Resources. Impacts to</p> <p>405 E Lexington Ave, El Cajon CA 92020, (619) 728-0910, info@chaldeancouncil.org</p>	<p>R-O2-6 The commenter's opposition to the Project is noted.</p>

R-O2-6
cont.

Aesthetics, even with mitigation measures, would remain significant and unavoidable". Based on these findings, the Cottonwood Sand Mining Project MUP should not be approved.

Signature



Dr. Nouri Barka



405 E Lexington Ave, El Cajon CA 92020, (619) 728-0910, info@chaldeancouncil.org

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Jamul Dulzura Community Planning Group

P.O. Box 613, Jamul, CA 91935

August 21, 2023

Christopher Jacobs, Christopher.Jacobs@sdcounty.ca.gov

County of San Diego

Planning & Development Services

5510 Overland Avenue, Suite 310

San Diego, CA 92123

RE: Recirculated Draft EIR for Cottonwood Sand Mine Project, PDS2018-MUP-18-003, PDS2018-RP-18-001, PDS2018-ER-18-19-007.

Dear Mr. Jacobs,

Thank you for giving us the opportunity to comment on the RDEIR for the Cottonwood Sand Mine Project. We have carefully reviewed the Recirculated Draft and we have found many flaws and shortcomings. The following is a list of issues that we believe need to be corrected, reevaluated and more realistically studied.

R-O3-1

R-O3-2

R-O3-3

- I. List of Current and Proposed Projects This list needs to be updated as several projects in the area of influence have been withdrawn or canceled and others, especially a significant commercial project, are excluded. Also, newly established conservation areas, like Village 14 in Proctor Valley, that border the USFW reserves that connect to the Cottonwood Sweetwater river basin need to be included. It is another treasure of biodiversity of endangered species in our area and it bolsters the links and connectivity between existing preserves. It must be evaluated in the larger context of the total perspective of cumulative impacts.
- II. Hauling Truck Trips and Usage
 - A. The applicant needs to identify the correct number of all truck usages, on-site and off-site, and accurately estimate GHG, and the impacts on off-site traffic for hauling of all materials to and from the site. In its current state, this information is scattered throughout the document. It needs to be assembled for a precise and clear total to judge the cumulative impact.

R-O3 — Jamul Dulzura Community Planning Group

R-O3-1 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-O3-2 Please see Topical Response 10, *Cumulative Impacts*, which describes the process of identifying the projects evaluated in the cumulative impact analysis, as well as the three additional projects identified by County staff following circulation of the DEIR. Regarding the reference to newly established conservation areas, the baseline existing conditions against which the Project's impacts are measured are the baseline existing conditions in place at the time of the NOP.

R-O3-3 The correct number of trucks, including a water truck, off-road haul truck, on-road haul trucks for aggregate export, and on-road haul trucks for backfill material import, are identified and described in Chapter 1.0, *Project Description, Location, and Environmental Setting*, of the RDEIR. Where the trucks are identified and described in Chapter 1.0 is based on the type of the truck and the use of the truck as related to different components of the mining operation process. The water truck, off-road haul truck, and on-road haul trucks for aggregate export were considered in the analysis provided in the DEIR, including the GHG and transportation analyses. These analyses were updated for the RDEIR to consider the onroad haul trucks for backfill material import (please see Topical Response 3, *EIR Errata and Updated Technical Reports*). As such, all truck trips were comprehensively considered in the GHG and transportation analyses.

R-O3-4

- B. Restrictions on routes for truck travel into the backcountry of Jamul need to be enforced. Roads like Jamul Drive and Steele Canyon Road, which both serve as alternate routes to and from SR-94 in daily travel and for emergency evacuation in wildland fires, need to be permanently and officially off limits to the trucks hauling sand. The Traffic Guidelines prepared by the Traffic Engineering Section, Department of Public Works, County of San Diego, states that:

“The regular use of large commercial vehicles on a residential or subdivision street should be discouraged when a reasonable route is available. Pursuant to Section 35712 of the California Vehicle Code, commercial vehicles exceeding a gross weight of 14,000 pounds may be prohibited on a County-maintained Road located in a residential or subdivision area. Commercial vehicle weight restrictions may be considered when an alternate route is identified and a condition exist such that prohibition of these vehicles will substantially reduce conflicts with pedestrians, bicyclists, or parked vehicles and improve the quality of life (less noise, pollution, etc.).”

In Section(I-9), the DEIR declares that:

“The weight capacity of a standard heavy vehicle for outgoing loads is approximately 25 tons (50,000 LBS) of material transported per truck.”

A fully loaded sand dump truck will exceed this limit by more than 3 times. There are suitable alternate routes and the recent dramatic increase in the number of truck trips only exacerbates the negative effects on local traffic congestion and quality-of-life issues of health, noise, and pollution.

R-O3-5

III. **Reclamation Plan**

- A. This needs much greater specificity and justification for the types of materials listed for use for “backfill”. The 2.5 million Cubic Yards (CY) of “suitable materials” described seem vague and arbitrary with no consideration given to the dangers of importing foreign or contaminated materials from a variety of unknown sites into this very sensitive and biologically diverse river watershed. Using the waste or demolished debris from other construction sites, “thus profiting from a dump operation,” cannot be an option for backfill material. The plan must appropriately articulate how the “suitable materials” will ensure proper “native” habitat restoration. It has been reported that a previous open pit sand mine up the road on Willow Glen Drive, the owners turned it into a dump for anything including cars and other polluting objects and then compacted and built housing.

R-O3-4 The Project’s ingress and egress points are proposed to be constructed along Willow Glen Drive, which would serve as the primary route for the Project to and from Jamacha Road. Based on the proposed haul route for the Project, trucks would not utilize Jamul Drive, Steele Canyon Road, or other residential or subdivision streets in the transporting of materials to and from the site. State law, including the California Vehicle Code, would apply to all trucks.

R-O3-5 Please see Topical Response 5, *Imported Material and Backfilling Process*. Please also see Responses to Comments D-A1-7 and D-A2-27, which describes the requirements for imported materials and additional and corrective measures that may be implemented if certain performance standards are not progressing toward the stated restoration/revegetation goals as identified in the Conceptual Wetland Mitigation Plan and Conceptual Revegetation Plan.

R-O3-6	B. The RDEIR proposes to expand the “floodplain” and the “river basin”. The benefits are vague and not convincing. What is the “peer review evidence” that confirms this is actually more beneficial than the “original” condition of the basin. However, what is clear is that the Applicant will benefit greatly by not having to import more soil, demolition debris and other objects to backfill the pit. The advantages for repopulating plant and animal species to the new layout are not stated. This is largely speculative and wishful thinking. It needs to be substantiated before approval of this project.
R-O3-7	IV. Biological Resources The applicant discloses that there are 3 additional “status plant species” and 5 additional “status animal species” that were missed in the first study of the area. They are added to the previous long list of identified species with “ <i>potential significant</i> ” impacts.
R-O3-8	A. The strategy for preserving species of frogs, toads, and other amphibians and reptiles really needs to be scrutinized beforehand by “peer review” scientists. Ideas like checking the area 2 weeks in advance of commencing digging as adequate time to find and then “...consult with CDFW” or “ <i>qualified biologists</i> ” and prepare “ <i>species specific protocol for proper handling and relocation procedures</i> ”. Where has this been successful in the past? Relocation has many inherent pitfalls. Such protocols, if any exist, should be spelled out in the RDEIR and not 2 weeks prior to the search for them. Also, previous successful efforts using these protocols should be given as confirmation.
R-O3-9	B. To be clear, the habitat and the environment itself will be completely demolished for an open pit mining operation. It will be a “dead zone”, a desert with degrees of toxicity that the applicant speculates can be restored as the operation moves through its phases. Are the species that have been relocated now to be returned?
R-O3-10	C. Declaring that “ <i>Implementation of the Project would result in significant impacts to USACE wetland and non-wetland waters of the U.S., and the Project would also result in significant impacts to RWQCB wetland and non-wetland waters of the State and CDFW-jurisdictional riparian habitat and streambed</i> ” is an accurate statement. To offer mitigation measures M-BIO-16 through M-BIO-18, and M-BIO-20 to reduce potential impacts to a “less-than-significant” level is possibly without any evidence or precedent.
R-O3-11	V. Traffic Impact Study (TIS) An updated Traffic Impact Study must be completed as the previous one was done during the “COVID” shutdown resulting in a study that does not accurately reflect current traffic loads. Since the COVID lock down and the nearly 2 years since the release of the first DEIR Draft, there has been a dramatic increase in traffic along SR-94. We see slow moving bumper to bumper traffic consistently during commuting hours, Monday through Friday, along this ageing 2 lane highway which is

R-O3-6 The purpose of the EIR is to analyze and disclose the potential environmental impacts of the Proposed Project. While the County will consider Project benefits when considering whether to approve the Proposed Project, the purpose of the EIR is not to analyze or identify Project benefits. Nonetheless, as discussed in *Subchapter 2.2, Biological Resources*, expanding the Sweetwater River floodplain would necessarily result in greater habitat area and expand the riparian corridor, which would provide additional foraging and dispersal habitat for special status species, including coastal California gnatcatcher and least Bell’s vireo. An expanded floodplain would also allow peak flows to extend outward from the existing low-flow channel during overtopping events, which would minimize long-term erosion and sedimentation.

R-O3-7 This comment summarizes the additional plant and animal species evaluated in the RDEIR, but does not raise an issue concerning the environmental analysis or adequacy of the RDEIR. Please see the responses below to specific comments related to biological resources.

R-O3-8 The comment references mitigation measure M-BIO-11, included on page 2.2-84 of the RDEIR and Section 3.4 of the Biological Resources Technical Report recirculated with the RDEIR (FEIR and RDEIR Appendix C), which reduces potential direct impacts to special status reptile and amphibian species to a less than significant level. This mitigation measure is based on recommendations provided by CDFW on the DEIR; see Response to Comment DA2-15. If special status reptile or amphibian species are detected during pre-construction surveys, no vegetation removal, grading, and/or other ground disturbance activities would occur within the proposed impact area(s) until consultation with CDFW has been completed. Species-specific protocols and relocation methods would be subject to approval by CDFW.

R-O3-9 The comment asserts that the Project would completely demolish habitat within the Project site. As described throughout Section 2.2 of the RDEIR and the Biological Resources Technical Report recirculated with the RDEIR (FEIR and RDEIR Appendix C), mining activities would primarily occur within portions of the Project site already disturbed by golf course development and operations and would avoid the majority of riparian and sensitive habitat located within the Project site. Avoided native habitat would be preserved within the BOS including 0.55 acre of coastal sage scrub and 21.21 acres of wetland and riparian habitat, 7.36 acres of which would be enhanced through the removal of exotic and invasive species and planting of riparian habitat. Individuals relocated under implementation of Project mitigation measures during mining operations could be relocated to the avoided and preserved habitats in the Project site, as

R-O3-9 (cont.) appropriate. No individuals would be relocated to an open mining pit or other unsuitable areas. Following the completion of mining and reclamation activities and removal of temporary construction fencing, all wildlife, including any relocated species, would be able to freely move into, within, and through the 118.93 acres of revegetated native habitat. Sections 4.0 and 5.1 of the Conceptual Revegetation Plan (Appendix N of the Biological Resources Technical Report recirculated with the RDEIR) and Conceptual Wetland Mitigation Plan (Appendix O of the Biological Resources Technical Report recirculated with the RDEIR) describes the reasons the Project site condition post-mining and reclamation would still be suitable for native habitat revegetation, and therefore, would be successful with implementation of both plans. In addition, please see Topical Response 9, *Wildlife Corridors and Species Connectivity Impacts*, which provides responses related to wildlife movement and connectivity through the site during and after mining.

R-O3-10 The comment references mitigation measures BIO-16 through M-BIO-20, included on pages 2.2-85 through 2.2-87 of the RDEIR and Section 4.4 of the Biological Resources Technical Report recirculated with the RDEIR (FEIR and RDEIR Appendix C), which reduce potential direct and indirect impacts to jurisdictional waters, wetlands, and/or riparian habitats to a less than significant level. The comment inaccurately suggests that there is no evidence or precedent for these mitigation measures. However, these measures are based on those listed in Section 5.1, *Typical Mitigation Measures and Conditions*, of the County of San Diego's *Guidelines for Determining Significance for Biological Resources* and include temporary fencing, biological monitoring, evidence of federal and state permits, and preparation and implementation of revegetation plans.

As stated in FEIR Section 2.2.1.6 and Section 5.5 of the Biological Resources Technical Report (FEIR Appendix C), "Impacts to jurisdictional areas would require permitting through the appropriate regulatory agencies...Final mitigation requirements would be determined through consultation with the USACE [U.S. Army Corps of Engineers], RWQCB, and CDFW..." The mitigation ratios provided in mitigation measures M-BIO-18 and M-BIO-19 are standard ratios required by the regulatory agencies. However, if the regulatory agencies were to require higher a mitigation ratio on any final permits issued for the Project, those ratios would supersede the ones listed in the Project's mitigation measures. As such, the regulatory agencies would review and approve all final mitigation requirements to reduce potential impacts to jurisdictional wetland and non-wetland waters, and streambed and riparian habitat, as part of the wetland permitting process.

- R-03-11 cont. ↑
 R-03-12
 R-03-13
 R-03-14
 R-03-15
 R-03-16
- the lifeline for residents in the Jamul backcountry for an emergency evacuation. Other factors to consider include:
- A. Substantial increase in traffic along the SR-94 corridor from commuting traffic from Tecate border crossings.
 - B. VDT to the Jamul Casino has increased over the last few years adding more congestion to SR-94 at daytime and evening hours. 100% of the casino traffic uses SR-94. The current casino expansion project will add an additional potential “maximum occupancy” of 4,480 people to the already 5,500 maximum capacity allowance for the existing gaming floor for a total of **9,980 people** assembled in one location on 2 acres. This will bring another dramatic increase in traffic and must be included in this traffic study.
 - C. Jamul Casino construction trips from workers and truck hauling deliveries and machinery must be considered.
 - D. For onsite “SALES” of sand, how can traffic be regulated when it is served on an “on-demand” basis? Is there a maximum number of trucks they can serve in one morning? Was this ever estimated and limits placed on it?
 - E. The use of smaller trucks along the conveyor belt corridor totaling 5,600 feet are not accounted for in the activity of daily circulation routes, noise, pollution or GHG. The route under the Steele Canyon Bridge is the connection point of the 2 main site areas. The dust and noise at this bottle neck below this bridge will have an impact on the traffic passing over it.

VI. **Contradictory Claims**

- R-03-17
 R-03-18
 R-03-19 ↓
- A. **False Gift**: Vacant promises (in M-BIO-14 of the Biological Mitigation list) that state ‘....will set aside 150.7 acres for open space after reclamation’ as if it is a generous offering. Previously, to bolster the claim of a “non-growth inducing”, the Applicant states that they are precluded from any further development of the 30 parcels because of the number of restrictions in a flood plain except for 8 residential dwellings and by law must leave 150 acres as open space.
 - B. **Slopes** Also there exists contradictory information on the slopes of the flood plain and the river basin restoration areas. In one section the slope ratio of rise to run is reversed by stating 3:1 and then in English explaining (horizontal/vertical) from which the drawing depicts the correct slope. In another section, it labels the ratio as 3:1 but follows the normal rule of rise/run and that drawing accurately depicts that with a 71.57-degree slope dropping down 20 feet in some locations. This is steep compared to the other, which is 18.43 degrees, more realistic. Which one is true?
- VII. **Growth Inducing** The claims of not being growth inducing are suspect. If one invasive, disruptive project to the natural setting and in conflict with the currently practiced land use has dramatically degraded the landscape, the next phase project will have far fewer

R-03-11 Please see Topical Response 8, *Traffic Impacts*, under “Traffic Count Timing,” which discusses the traffic count timing relative to the pandemic.

R-03-12 Please see Topical Response 8 under “Project Study Area,” which describes the study area that was evaluated for the Project and why evaluating traffic along the State Route 94 (SR 94) corridor is not warranted per County Guidelines.

R-03-13 Please see Topical Response 8 under “Congestion and VMT [vehicle miles traveled],” which discusses that congestion and thereby, the addition of cumulative project trips, is not considered an environmental impact under CEQA per Senate Bill 743. Furthermore, the Local Mobility Analysis (LMA) report was scoped with County staff and conducted per the Board of Supervisors adopted Transportation Study Guidelines. The Jamul Casino is approximately 6 miles from the Cottonwood Golf Course and per the commenter’s assertion, all the casino trips are on SR 94 and not on Project study area facilities such as Willow Glen Drive.

R-03-14 Please see Response to Comment R-03-13, which also applies to cumulative trips associated with construction activity.

R-03-15 As required by CEQA, a best guess estimate of daily truck trips provides the basis for the analysis in the EIR. The best guess estimate is based on expected annual quantity of sand exports, market conditions, and standard truck hauling capacity, and future development projections.

R-03-16 Off-road truck use (i.e., within the Project site) during mining operations would occur to transport wash fines to backfill areas. As stated on page 1-5 of the RDEIR, “[o]ff-road hauling of wash fines is expected to require approximately four to six round trips per day for all modes of transport to backfill areas.” These off-road vehicle trips were included in the air quality, GHG, and noise modeling.

R-03-17 Mitigation measure M-BIO-14, included on page 2.2-85 of the RDEIR, states that the “applicant shall dedicate 150.7 acres of BOS to be managed by a long-term manager approved by the County in accordance with a Resource Management Plan.” This is a condition of approval for the Project. It is also consistent with uses allowed by existing General Plan land use designations and zoning classifications, as well as floodplain restrictions, which preclude the placement of permanent structures for human habitation.

R-03-19
cont.

environmental obstacles. It will be easier to apply for a change in zoning and land use under a General Plan exception. One avenue forward for the Applicant lies with the Ivanhoe Ranch Project. Sooner or later these 2 developers have to join or make a deal for a new hybrid planned community. The Ivanhoe Ranch property borders the Cottonwood site to the east and south and needs a secondary access for ingress and egress (New Calfire codes for Subdivisions) which only the Cottonwood site has. There could be other unforeseen potential deals.

THE LARGER PERSPECTIVE and GENERAL COMMENTS

R-03-20

I. **Cumulative Impacts** As in the first DEIR, this RDEIR again fails to address the “cumulative” effects of totality of the numerous adverse and disruptive elements, even as it is forced to acknowledge new and challenging data points. This mining operation is all about cumulative effects. Considered in isolation the mitigation measures seem reasonable and doable, but compounded together the challenges become insurmountable. For the human species, the effects from silica dust (silicosis) and the spores of a soil-dwelling fungus, *Coccidioides* sp., (*Coccidiomycosis*/Valley Fever) can cause irreparable damage, resulting in debilitation, suffering, and eventually death. There is no recovery. The near doubling of truck trips and the added transporting gravel in the mining pit by smaller trucks to conveyor belts extending a thousand feet or more adds substantially to the constant churning up of the soil that will disperse the harmful particulate matter into the atmosphere. Recent reports have shown a correlation between the increased number of cases of Valley Fever and an increase in the frequency of dust storms, thus the concern we have regarding all the dust that will certainly be coming from this mine over the next decade. The residents in Jamul that live in the vicinity, visit and/or pass through the Cottonwood basin on a daily basis will be as vulnerable as are our neighbors in Valle de Oro.

R-03-21

II. **Precedent** To approve this project would set a horrible precedent for similar future projects. The zoning use for this east county region has progressed naturally over the past 6 decades filling up with rural residential planned communities with schools and recreation. Also growing with much vigor and harmony with the residential communities has been the unique expansion of large swaths of rare, biodiverse lands to form a collective of mutually supporting ecosystems. It is the expressed goal of the Jamul Dulzura Sub Area Plan that we “remain rural ” and “protect and preserve resources for future generations”.

R-03-22

OUR FINAL RECOMMENDATION

This is still a NO BUILD Project

R-03-18 The commenter refers to the slopes of the floodplain, which would be 3:1 (horizontal:vertical), or 1:3 (rise:run), resulting in an approximately 33 percent slope.

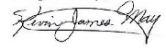
R-03-19 Please see Response to Comment D-A1-17, which describes the currently proposed uses of the Project site following mining. No other future uses are proposed or would be permitted upon approval of the Project, and the Proposed Project does not include any change to the General Plan designation of the Project site. The comment’s reference to a “new hybrid planned community” being proposed in the future is unfounded. No future planned community is currently proposed, known to be proposed in the future, and no future planned community would be permitted with approval of this Project. CEQA does not require that speculative future impacts be analyzed in an EIR.

R-03-20 Please see Topical Response 10, *Cumulative Impacts*, which addresses the requirements and methodology of analyzing the Proposed Project’s cumulative impacts. Please see Topical Response 6, *Public Health Effects*, for discussion regarding silicosis and valley fever.

R-03-21 This comment does not raise an issue concerning the environmental analysis or adequacy of the RDEIR.

R-03-22 The commenter’s opposition to the Project is noted.

Respectfully,



Kevin James May

Chair, Jamul Dulzura Community Planning Group

cc: Supervisor Joel Anderson, District 2, joel.anderson@sdcounty.ca.gov
Nora Vargas, Vice Chairperson, District 1, District1community@sdcounty.ca.gov
Terra Lawson-Remer, District 3, terra.lawsonremmer@sdcounty.ca.gov
Jim Desmond, District 5, jim.desmond@sdcounty.ca.gov
Oday Yousif Jr., *Chair*, VDOCPG odayyousif@gmail.com

To: San Diego Board of Supervisors

R-O4-1 ☐ As a member of the Rancho Villages Community in Rancho San Diego, (I, we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

R-O4-2 ☐ The location of a large sand excavation project in a residential area with home values anywhere from \$500,000 to over \$1,000,000 across the street is very troubling! This will bring all those property values down. The location is about a mile from a shopping center down the road. There is an elementary school right next to this project. The noise caused by the trucks will make it more difficult for students to learn, and it will increase the danger as students walk to and from school. There is also a Senior Living complex, (La Vida Real) within about a mile from the project.


R-O4-3 ☐ More importantly, the well-being of the two wild life refuges and everyone who lives in the area will be at risk due to water, noise, dust, and air pollution. The residents who live at Remington are mostly elderly or families that have small children. We are concerned about the health of our community as well as the health of the elderly people who live at La Vida Real. The increased traffic will not be good for this area with at least three, possibly four schools impacted. Local vehicles could get hit from the fallen debris left behind by trucks.

R-O4-4 ☐

R-O4-5 ☐

R-O4-6 ☐ This would be a huge disruption to the environment and our quality of life for all the residents in the area. Lastly, this is not a county project, but a privately own one that would impact this community for 10 or more years.

Please do not approve the Cottonwood Sand Mine Proposal!

Signature  Parcel # 5022910159

Address 12037 Calle denedio #99
El Cajon 92019

R-O4 — Rancho Management

R-O4-1 The County acknowledges these introductory comments; however, they do not raise an issue concerning the environmental analysis or adequacy of the RDEIR. CEQA requires an analysis of physical impacts to the environment; it does not require analysis of social and economic impacts, such as effects related to property values, unless those social or economic impacts result in physical changes to the environment. CEQA Guidelines Section 15131, subdivision (a), reads: "Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes." Here, there is no evidence of any physical impacts occurring as a result of any economic or social changes, nor is there evidence of economic or social changes.

R-O4-2 The County acknowledges these introductory comments; however, they do not raise an issue

R-O4-3 Please see Topical Response 7, *Noise Impacts*, under "Jamacha Elementary School," which describes how noise levels at Jamacha Elementary School would be lower than 60.7 community noise equivalent level (CNEL), and thus would be within County standard for compatibility with schools (i.e., below 65 CNEL) and would not be significantly impacted by the Project. Similar conclusions would apply to other locations noted in various comments that are further in distance, including the noted La Vida Real Senior Living Complex. Regarding pedestrian safety, an LMA report was prepared for the Proposed Project, which determined that the Proposed Project would have no significant impact on pedestrians.

R-O4-4 Please see Topical Response 8, *Traffic Impacts*, which describes how transportation impacts of the Proposed Project are evaluated as less than significant based on Project-related reduction in overall in VMT, as required by the CEQA Guidelines and Senate Bill 743.

R-O4-5 As indicated on page 7-13 of the DEIR, the Project's designated mine operations manager would prepare, submit to the San Diego Air Pollution Control District for approval, and implement the approved Fugitive Dust Control Plan for

R-O4-5 (cont.) the Project. As part of the Fugitive Dust Control Plan, measures would be implemented to minimize material on public roadways that could result from Project operations, spillage from transport trucks, erosion, and/or track-out/carry-out. Such measures may include, but not be limited to, the use of track-out grates or gravel beds at each egress point, wheel-washing at each egress during muddy conditions, geotextiles, mulching, or seeding; watering, treating, and/or covering aggregate material and/or maintaining sufficient freeboard for out-bound transport trucks; and removal with a sweeper or with manual methods at the conclusion of each Project workday. Implementation of such measures would minimize the potential for debris to be present on public roadways.

R-O4-6 This comment does not raise an issue concerning the environmental analysis or adequacy of the RDEIR.

R-05-1

Dear Residents,

We know there have been a lot of people who have concerns about Cottonwood Sand Mine Proposal. If you agree with the letter and would like to help keep the sand mine from happening, please fill out and sign the letter sent to you. We have written up a letter that you can modify via word document, or you can sign the PDF copy.

If you can't print it, you can stop by unit 1 and I'll give you a copy to sign. You can drop it off at unit 1 or put it under my doormat if I'm not home. Lastly, you can find your parcel number on your property tax bill or online.

Please drop off signed copy or send letter by mail no later than August 14th.

You can also write your own letter and send it to:

Robert Hingtgen
Planning and Development Services County of San Diego
5510 Overland Ave. Suite 310
San Diego, CA 92123

You may also email Robert at: Robert.Hingtgen@sdcounty.ca.gov via email.
If you email, please send email by August 18th.

Again, thank you for your attention in this matter.

Remington H.O.A. Board of Directors

Kathy Sladek
President

R-05 – Remington H.O.A. Board of Directors and Members

R-05-1 The County acknowledges this letter, prepared to the attention of the residents of the Remington Homeowners Association. The comments do not raise an issue concerning the environmental analysis or adequacy of the RDEIR.

R-05-2

To: San Diego Board of Supervisors

As a member of the Remington Condo Community in Rancho San Diego, (I we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

The location of a large sand excavation project in a residential area with home values anywhere from \$500,000 to over \$1,000,000 across the street is very troubling! This will bring all those property values down. The location is about a mile from a shopping center down the road. There is an elementary school right next to this project. The noise caused by the trucks will make it more difficult for students to learn, and it will increase the danger as students walk to and from school. There is also a Senior Living complex, (La Vida Real) within about a mile from the project.

More importantly, the well-being of the two wild life refuges and everyone who lives in the area will be at risk due to water, noise, dust, and air pollution. The residents who live at Remington are mostly elderly or families that have small children. We are concerned about the health of our community as well as the health of the elderly people who live at La Vida Real. The increased traffic will not be good for this area with at least three, possibly four schools impacted. Local vehicles could get hit from the fallen debris left behind by trucks.

This would be a huge disruption to the environment and our quality of life for all the residents in the area. Lastly, this is not a county project, but a privately own one that would impact this community for 10 or more years.

Please do not approve the Cottonwood Sand Mine Proposal!

Kathy Sladek Parcel # 502-040-52-01
Signature

11402 Via Rancho San Diego #1, El Cajon, CA 92019
Address

R-05-2 Each of the enclosed comment letters is a form letter with the same content as the Rancho Management (R-04) letter, above. Please see Responses to Comments R-04-1 through RO46.

R-O5-2
cont.

To: San Diego Board of Supervisors

As a member of the Remington Condo Community in Rancho San Diego, (I, we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

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Please do not approve the Cottonwood Sand Mine Proposal!

Signature 

Parcel # 502-040-52-02*

Address

11402 Via Rancho San Diego Unit #2
El Cajon, CA 92019

R-05-2
cont.

To: San Diego Board of Supervisors

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Please do not approve the Cottonwood Sand Mine Proposal!

Maurice Burris
Signature

Parcel # 502-040-49-08

11452 Via Rancho San Diego #200 El Cajon, Ca 92019
Address

R-05-2
cont.

To: San Diego Board of Supervisors

As a member of the Remington Condo Community in Rancho San Diego, (I, we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

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Please do not approve the Cottonwood Sand Mine Proposal!

OpAnna Holsten Parcel # 502-040-53-03
Signature

11436 Via Rancho San Diego Unit 131 El Cajon CA 92019
Address

R-05-2
cont.

To: San Diego Board of Supervisors

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Please do not approve the Cottonwood Sand Mine Proposal!

Lila J. Frye Parcel # 502-040-55-22
Signature
17434 Via Rancho San Diego - El Cerrito - CA 92109 #120
Address

R-05-2
cont.

To: San Diego Board of Supervisors

As a member of the Remington Condo Community in Rancho San Diego, (I, we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

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Please do not approve the Cottonwood Sand Mine Proposal!


Signature

Parcel #

11434 Via Rancho San Diego #125 El Cajon CA 92019
Address

R-05-2
cont.

To: San Diego Board of Supervisors

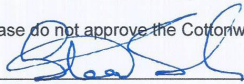
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Please do not approve the Cottonwood Sand Mine Proposal!

 Parcel # 502-040-56-16

Signature

11412 #43 La Rancho SD. ELCA 92019

Address

R-05-2
cont.

To: San Diego Board of Supervisors

As a member of the Remington Condo Community in Rancho San Diego (I we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

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Please do not approve the Cottonwood Sand Mine Proposal!

Reedley J. Kumbel
Signature

Parcel # 502-040-56-04

11410 VIA RANCHO SAN DIEGO #36 EL CAJON, CA 92019
Address

R-05-2
cont.

To: San Diego Board of Supervisors

As a member of the Remington Condo Community in Rancho San Diego, (I, we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

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Please do not approve the Cottonwood Sand Mine Proposal!

Lisa Nudiffer
Signature

Parcel #

502-040-56-02

~~502~~ 56-02

11410 Via Rancho San Diego #34, El Cerrito Ca 92019
Address

R-05-2
cont.

To: San Diego Board of Supervisors

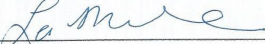
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Please do not approve the Cottonwood Sand Mine Proposal!


Signature Parcel # 502-040-52-04
11402 Via Rancho San Diego #4, El Cajon CA 92019
Address

R-05-2
cont.

To: San Diego Board of Supervisors

As a member of the Remington Condo Community in Rancho San Diego, (I, we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

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Please do not approve the Cottonwood Sand Mine Proposal!

Andru Macdon Parcel # 52-040-52-67
Signature

11402 Via Rancho SD. #7 El Cagn
Address

Ca 92019

R-05-2
cont.

To: San Diego Board of Supervisors

As a member of the Remington Condo Community in Rancho San Diego, (I, we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

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Please do not approve the Cottonwood Sand Mine Proposal!

Signature Janet Huck Parcel # 502-040-52-12
Address 11404 Via Rancho San Diego #12 El Cajon, CA 92019

R-05-2
cont.

To: San Diego Board of Supervisors

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Please, do not approve the Cottonwood Sand Mine Proposal!

Signature [Signature] Parcel # _____
Address 11410 Via Rancho Unit 33 Escondido, CA 92019

R-05-2
cont.

To: San Diego Board of Supervisors

As a member of the Remington Condo Community in Rancho San Diego, (I, we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

The location of a large sand excavation project in a residential area with home values anywhere from \$500,000 to over \$1,000,000 across the street is very troubling! This will bring all those property values down. The location is about a mile from a shopping center down the road. There is an elementary school right next to this project. The noise caused by the trucks will make it more difficult for students to learn, and it will increase the danger as students walk to and from school. There is also a Senior Living complex, (La Vida Real) within about a mile from the project.

More importantly, the well-being of the two wild life refuges and everyone who lives in the area will be at risk due to water, noise, dust, and air pollution. The residents who live at Remington are mostly elderly or families that have small children. We are concerned about the health of our community as well as the health of the elderly people who live at La Vida Real. The increased traffic will not be good for this area with at least three, possibly four schools impacted. Local vehicles could get hit from the fallen debris left behind by trucks.

This would be a huge disruption to the environment and our quality of life for all the residents in the area. Lastly, this is not a county project, but a privately own one that would impact this community for 10 or more years.

Please do not approve the Cottonwood Sand Mine Proposal!

Signature

Parcel # 502 0404708

Address

11438 Via Rancho San Diego #144
El Cajon, 92019

R-05-2
cont.

To: San Diego Board of Supervisors


As a member of the Remington Condo Community in Rancho San Diego, (I, we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

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Please do not approve the Cottonwood Sand Mine Proposal!

Signature  Parcel # 502040 5630
Address 11420 Via Rancho San Diego #78
El Cajon 92019

R-O5-2
cont.

To: San Diego Board of Supervisors

As a member of the Remington Condo Community in Rancho San Diego, (I, we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

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Please do not approve the Cottonwood Sand Mine Proposal!

Signature

Parcel # 502 0404715

Address

11440 Via Rancho San Diego #151
El Cajon 92019

R-05-2
cont.

To: San Diego Board of Supervisors

As a member of the TRISTAN Community in Rancho San Diego, (I, we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

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Please do not approve the Cottonwood Sand Mine Proposal!


Signature _____ Parcel # 5022601933

11350 Via Rancho San Diego #A
Address El Cajon, 92019

R-O5-2
cont.

To: San Diego Board of Supervisors

As a member of the Tristan Community in Rancho San Diego, (I, we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

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Please do not approve the Cottonwood Sand Mine Proposal!


Signature

Parcel # 502 260 2011

11364 Via Rancho San Diego #C
Address

El Cajon 92019

R-O5-2
cont.

To: San Diego Board of Supervisors

As a member of the TRISTAN Community in Rancho San Diego, (I, we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

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Please do not approve the Cottonwood Sand Mine Proposal!

 Parcel # 5022602233
Signature

11378 Via Rancho San Diego #B
Address El Cajon 92019

COMMENTS

RESPONSES

R-O5-2
cont.

To: San Diego Board of Supervisors

As a member of the *Rancho Villages* Community in Rancho San Diego, (I, we) (am, are) very concerned about the proposed Cottonwood Sand Mine.

The location of a large sand excavation project in a residential area with home values anywhere from \$500,000 to over \$1,000,000 across the street is very troubling! This will bring all those property values down. The location is about a mile from a shopping center down the road. There is an elementary school right next to this project. The noise caused by the trucks will make it more difficult for students to learn, and it will increase the danger as students walk to and from school. There is also a Senior Living complex, (La Vida Real) within about a mile from the project.

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Please do not approve the Cottonwood Sand Mine Proposal!


Signature _____ Parcel # *502 2930252*

12665 Calle de Montana #212
Address *El Cajon 92019*

From: [Jim Peugh](#)
To: [Jacobs, Christopher](#)
Cc: ["Andrew Meyer"](#); ["Cristina Santa Maria"](#); ["John Riedel"](#); [bonnie.ripley@goccd.edu](#)
Subject: [External] Comment letter on the Cottonwood Sand Mine RDEIR from San Diego Audubon Society
Date: Monday, August 21, 2023 5:06:17 PM
Attachments: [SD Audubon letter re Cottonwood Mine, dated 8-21-2023.pdf](#)
[Cottonwood EIR comment letter 2022-02-28 SDAS .pdf](#)

Hello Mr. Jacobs,

Please accept the attached comment letter from the San Diego Audubon Society about the Cottonwood Sand Mine Project Recirculated Draft Environmental Impact Report.

We have also enclosed our previous comment letter, February 28, 2022, on this project.

Please let us know that you have received this document and are able to open it. Because of the unfortunate location of this project, we are very concerned about the very likely negative environmental impacts of this project and do not think that the avoidance and mitigation planned will offset those impacts.

Thanks,
Jim Peugh
Conservation Chair
San Diego Audubon Society

R-06 – San Diego Audubon Society

R-06-1 The County acknowledges this electronic transmittal of the San Diego Audubon Society comment letter on the RDEIR. These introductory comments do not raise a specific issue concerning the environmental analysis or adequacy of the RDEIR. Please see the responses below to specific comments.

R-06-1



August 21, 2023

Planning & Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, California 92123

ATTN: Christopher Jacobs, christopher.jacobs@sdcounty.ca.gov

Dear Mr. Jacobs:

Re: Cottonwood Sand Mine Project Recirculated Draft Environmental impact Report

R-O6-2

Thank you for the opportunity to comment on the Cottonwood Sand Mine Project Recirculated Draft Environmental impact Report (RDEIR). We commented on the first Draft EIR and have included that letter with the submission of this letter. 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. Reviewing this RDEIR, the comments provided will refer to the documents presented to the public on the San Diego County website. This letter will ask questions that we request that the City answer. They will be printed in **red** for easier location.

R-O6-3

The main concern while reviewing Subchapter 2.2 Biological Resources is the project location. **Section 2.2 Existing Conditions, Habitat Connectivity and Wildlife Corridors** on page 2.2-22 is a seven-paragraph description of survey observations and descriptions of a flourishing ecosystem. These statements in this section are **Red Flags** for the protection of our regional wildlife. The following excerpts highlight the critically important biological resources, "The Project site is shown as a habitat linkage between the McGinty Mountain/Sycuan Peak-Dehesa Biological Resource Core Area (BRCA) to the east and Sweetwater Reservoir/San Miguel Mountain BRCA to the west, which overlap the extreme southwestern and southeastern portions of the Project site, respectively." Additionally, "The Sweetwater River and Sweetwater Reservoir are expected to be key components to the movement of wildlife in the region, namely birds and mammals. These resources support permanent water sources and provide cover for a wide range of species known to the region." This section should appear at the beginning of this section as it documents the wide array of project impacts to the region. It provides the context for all the remaining disclosures in this section. **Will the final EIR move section Habitat Connectivity and Wildlife Corridors to the beginning of Section 2.2 to inform the reader of an overview of the broad project impacts to biological resources in the region?**

R-O6-4

This DEIR confesses, "The Project site is shown as a habitat linkage in the South County MSCP...". Now let's take a moment to follow some of the statements beginning on page 2.2-29 under **Section County MSCP Subarea Plan**. It begins with, "A total of approximately 38 acres of the Project site lies within the

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

R-O6-2 These introductory comments do not raise a specific issue concerning the environmental analysis or adequacy of the RDEIR. Please see the responses below to specific comments.

R-O6-3 The DEIR and RDEIR were prepared in accordance with the County's Environmental Impact Report Format and General Content Requirements (County 2006). Per County requirements, existing conditions should be included at the beginning of each EIR analysis section. Consistent with the County requirements, existing conditions are included at the beginning of Subchapter 2.2 of the RDEIR. The discussion of habitat connectivity and wildlife corridors referenced in this comment is included in the existing conditions section. The order of topics included in the existing conditions section was provided consistent with the County's Report Format and Content Requirements for Biological Resources (County 2010), which include habitat connectivity and wildlife corridors as the last topic in the existing conditions section.

R-O6-4 Please see Topical Response 9, *Wildlife Corridors and Species Connectivity Impacts*. FEIR Section 2.2.2.4 and Sections 2.4 and 6.0 of the Biological Resources Technical Report recirculated with the RDEIR (FEIR and RDEIR Appendix C) provide a detailed analysis of the Project's potential impact on wildlife movement, wildlife connectivity, and wildlife linkages and corridors.

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

R-O6-4
cont.

South County Segment and is classified by the MSCP as Minor Amendment Area (MAA).” Next is the disclosure that MAA can “...contain habitat that could be partially or completely eliminated (with appropriate mitigation)”, under the condition,” Minor Amendment Areas must meet the criteria and achieve the goals of linkages and corridors described in the County MSCP Subarea Plan and provide mitigation consistent with the BMO.”

However, this section explains, “...the Proposed Project would be exempt from the BMO requirements provided that the following measures are required as conditions of the Project’s MUP.” The very first condition of the MUP states, “a. The facility or project is consistent with the County General Plan, **the MSCP Plan**, and the Subarea Plan as approved by the Board of Supervisors.” This list of acronyms and requirements creates a complete circle. You get to the end and it takes you to the beginning.

- 1) Project site is in MSCP Minor Amendment Area
- 2) Minor Amendment Area allows habitat elimination with BMO mitigation
- 3) Project exempt from BMO mitigation by Project MUP
- 4) MUP must meet the County’s MSCP Plan

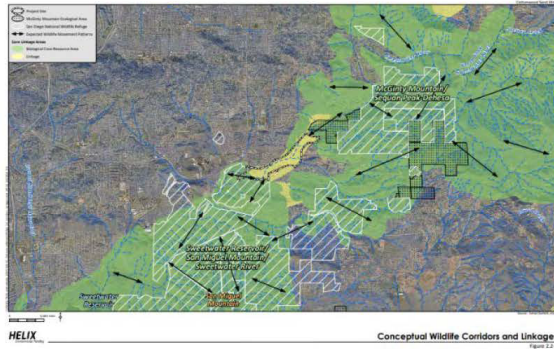
Significant impacts to linkages and corridors inhibit movement of species between areas, which lowers genetic diversity, which reduces species adaptability to external stressors such as climate change. **Can the final DEIR provide a project plan that does not cause prolonged significant loss of connectivity and/or other negative impacts to protected biological resources in the MSCP, PAMA, McGinty Mountain/Sycuan Peak-Dehesa Biological Resource Core Area, Sweetwater Reservoir/San Miguel Mountain BRCA?**

R-O6-5

Guideline 20 on page 2.2-67 concludes that **Impacts associated with habitat linkages and wildlife corridors would be less than significant**. The findings in this DEIR appear to conflict with this conclusion. The reasoning provided is that there is a golf course on the project site and that mining activities won’t interfere with wildlife movement activity. That the post-reclamation conditions will be better if all ecosystem functionality and current wildlife activity can put life on hold for the 10-year timespan of the project. We fully support that the project would ultimately contribute approximately 150.7 acres of preserved, rehabilitated, restored, and revegetated habitat to the linkage, which will be placed within a BOS easement. The Biological Resources Technical Report lists, 9 sensitive vegetation communities, 7 special status plants, and 23 special status animal species. This does not account for all the wildlife that does not get the accordance of being “Special Status” that has the right to a functioning ecosystem waiting on the post-reclamation project. The conclusion of less than significant is not supported by the evidence provided in this DEIR. **Can the final EIR provide adequate, current and ongoing mitigation strategies for the lifetime of project impacts to wildlife corridors and linkages, as they meet the criteria cited in 2.2.2.4 Wildlife Movement and Nursery Sites and are as critical and vast as depicted in Figure 2.2-6 of the DEIR?**

R-O6-5 Please see Topical Response 9.

R-O6-5
cont.



R-06-6

Section 2.2.4 Significance of Impacts Prior to Mitigation and Section 2.2.5 Mitigation provides for significant impacts to Sensitive Species and mitigation to lessen the impact to less than significant. We were not able to locate the timeline for the Biological Open Space Easement (BOS) in any of these resources available below for this DEIR at the County website.

[Notice Availability Legal Ad](#)

[Reader's Guide](#)

Summary

Chapter 1.0 - Project Description, Location, Environmental Setting

Subchapter 2.2 - Biological Resources

Compiled Recirculated Draft Environmental Impact Report

[Appendix C - Biological Resources](#) Parts: [1](#), [2](#), [3](#), [4](#), [5](#), [6](#), [7](#)

Appendix P-2 - Stormwater Quality Management Plan

Without this information, we will are not able to assess the effectiveness of the BOS Easement. **Please make this document available.**

R-06-7

Impact BIO-1a Direct impacts to occupied coastal California gnatcatcher habitat would be potentially significant.

R-O6-6 The BOS easement would be recorded in accordance with County requirements, which may include recordation of easement over avoided BOS areas prior to initiation of authorized activities in combination with phased recordation of additional BOS easement as each subphase of reclamation is completed, or an alternative timing as determined by the County.

R-O6-7 As described in FEIR Section 1.2.1.2, the Project would be mined in three incremental phases, with three to four subphases in each major phase. As such, impacts to potential coastal California gnatcatcher habitat within the Project site would not occur all at once. Table 2.2-5 of the FEIR and Table 8 of the Biological Resources Technical Report recirculated with the RDEIR (FEIR Appendix C) present Project impacts to vegetation communities and habitat types by Project phase. Areas disturbed by resource extraction would be progressively reclaimed in an ongoing process that commences when mining operations have ceased within a given area and continues until all mining-related disturbance is reclaimed and all equipment involved in these operations has been removed. As such, restoration of native habitat within the Project site would occur while mining is active following the completion of the first phase of mining operations and would be on-



R-O6-7
cont.

M-BIO-1 provides for 0.6 preservation of habitat and 11.3 acres of revegetation of habitat in the BOS. If the BOS is post-project so is 11.3 acres of habitat for a protected species. **Can the final EIR provide current mitigation during the project timeline (years 1-10) to avoid that temporal loss of coastal California gnatcatcher habitat?**

R-O6-8

Impact BIO-1b If mining and reclamation activities take place within 500 feet of suitable coastal California gnatcatcher habitat during the gnatcatcher breeding season (March 1 to August 15), indirect impacts related to noise to nesting gnatcatchers would be potentially significant.
M-BIO-2 Provides project avoidance of 500 feet to any occurrence of coastal California gnatcatcher nesting. Table 2.2-5 PROJECT IMPACTS TO VEGETATION COMMUNITIES/HABITAT TYPES shows 1.2 acres of Diegan Coastal Sage habitat of the total 1.8 acres on the project site. It doesn't seem unfeasible to perform project activity in this 1.2 acre outside of the breeding season for the coastal California gnatcatcher. It does not seem reliable enough to have the biologist doing a survey and mapping out 500 yards (or extent feasible) from the nesting location. **Will the final EIR simply provide a mitigation strategy of no project activity impacts occurring during breeding season to 1.2 acres of Diegan Coastal Sage Scrub on the project site?**

R-O6-9

Impact BIO-1c Direct impacts to potentially occupied least Bell's vireo habitat would be potentially significant.
M-BIO-3 Mitigation provides for 128.84 acres of habitat in the BOS. **Will the final EIR provide current mitigation during the project timeline (years 1-10) for direct impacts on 128.84 acres of least Bell's vireo habitat?**

R-O6-10

Impact BIO-2b Direct impacts to potential breeding, wintering, and foraging habitat to the following County Group 1 animal species and/or state Species of Special Concern during mining and reclamation activities would be potentially significant: coastal California gnatcatcher, least Bell's vireo, Cooper's hawk, Lawrence's goldfinch, loggerhead shrike, oak titmouse, peregrine falcon, redshouldered hawk, sharp-shinned hawk, turkey vulture, vermilion flycatcher, white-tailed kite, yellow-breasted chat, yellow warbler, two-striped garter snake, western spadefoot, Mexican long-tongued bat, Townsend's big-eared bat, western mastiff bat, and western red bat.
M-BIO-7 Mitigation provides for a 300-foot buffer from clearing and grubbing of vegetation during the avian breeding season. This mitigation measure should be improved by adding dissemination of information. If active nests or nesting birds are observed within the area, the biologist shall flag the active nests and construction activities shall avoid active nests....", and this information will be passed on to all construction workers in a pre-shift meeting with their supervisors. This mitigation is only effective without miscommunication. **Can the final EIR specify that pre-shift meetings between project biologist supervisors and construction crews shall actually occur to communicate work sites that are temporarily off limits?**

R-O6-11

Impact BIO-2c Direct impacts to nesting Cooper's hawk, red-shouldered hawk, white-tailed kite, and other raptors, and/or indirect noise impacts to nesting raptors within 300 feet of construction, mining, or reclamation areas would be potentially significant.

4

R-O6-7 (cont.) going as later phases are completed. The total amount of native habitat to be restored within each mining phase is summarized in Table 2, *Compensatory Mitigation and Reclamation Revegetation Phasing*, of the Biological Resources Technical Report recirculated with the RDEIR (FEIR Appendix C). Table 5 of the Project's Conceptual Revegetation Plan (Appendix N of the Biological Resources Technical Report recirculated with the RDEIR) provides an approximate timing of mining, reclamation, and revegetation activities by Project phase and subphases. Figure 2.2-13 of the RDEIR and Figure 6 of the Biological Resources Technical Report recirculated with the RDEIR depict the progress of extraction and mining operations disturbance area by Project phase along with the corresponding reclamation and native habitat restoration and revegetation areas, showing the progression of site reclamation to the final end-use of the site.

R-O6-8 Please see Response to Comment R-O6-7 for discussion of Project impacts to vegetation communities by Project phase. The comment suggests a revision to M-BIO-2 that would prohibit all Project activity during breeding season in a 500-foot buffer area around the existing 1.2 acres of Diegan coastal sage scrub on the Project site. However, M-BIO-2, as currently drafted, reduces potential impacts to a less than significant level and no further mitigation is required. Implementation of mitigation measure M-BIO-2, included on page 2.2-82 of the RDEIR and Section 3.4 of the Biological Resources Technical Report recirculated with the RDEIR (FEIR Appendix C), would avoid and minimize direct and indirect impacts to coastal California gnatcatcher during the species' breeding season (March 1 to August 15) by requiring a pre-construction survey(s) to determine the species presence and breeding status within 500 feet of proposed impact area(s) and implementation of a 500-foot avoidance buffer from where any gnatcatchers are observed nesting or displaying breeding/nesting behavior. Pre-construction surveys and staking of buffer areas are an industry-standard mitigation approach. No revisions to the mitigation measure are required.

R-O6-9 Please see Response to Comment R-O6-7 for discussion of Project impacts to vegetation communities by Project phase. As with gnatcatcher, impacts to least Bell's vireo habitat within the Project site would not occur all at once. No additional mitigation is required.

R-O6-10 The commenter's suggestions on mitigation measures M-BIO-7, included on page 2.2-84 of the RDEIR and Section 3.4 of the Biological Resources Technical Report recirculated with the RDEIR (FEIR Appendix C), are noted. As stated in M-BIO-7, "If active nests or nesting birds are observed within the area, the biologist shall flag the active nests and construction activities shall avoid active nests until a

R-O6-10 (cont.) qualified biologist has determined that nesting behavior has ceased, nests have failed, or young have fledged.” The flagging of avoidance areas would ensure that construction personnel are aware of any temporary “off limit” areas and that active nests are not destroyed. Furthermore, mitigation measure M-BIO-17, included on pages 2.2-85 to 2.2-86 of the RDEIR and Section 4.4 of the Biological Resources Technical Report recirculated with the RDEIR (FEIR Appendix C), requires that the biologist conduct a pre-construction environmental training session for construction personnel prior to all phases of construction to inform them of the sensitive biological resources on-site and avoidance measures to remain in compliance with Project approvals. Communication procedures would be discussed during these trainings, including the use of flagging for avoidance areas, and the biologist(s) contact information would be provided to construction personnel. No further revisions to the mitigation measure are required.

R-O6-11 This comment references Impact BIO-2c, included on page 2.2-79 of the RDEIR, which states “Direct impacts to nesting Cooper’s hawk, red-shouldered hawk, white-tailed kite, and other raptors, and/or indirect noise impacts to nesting raptors within 300 feet of construction, mining, or reclamation areas would be potentially significant.” However, the comment then refers to mitigation measure M-BIO-2, which provides species-specific mitigation for coastal California gnatcatcher. Implementation of mitigation measure M-BIO-5, included on page 2.2-84 to 2.2-85 of the RDEIR and Section 3.4 of the Biological Resources Technical Report recirculated with the RDEIR (FEIR Appendix C), would avoid and minimize direct and indirect impacts to nesting raptors during the raptor nesting season (January 15 to July 15). As discussed in detail in the EIR, these mitigation measures reduce impacts to a less than significant level. No further revisions to these measures are required.



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

- R-06-11 cont. M-BIO-2 Please refer to the comments under the discussion of Impact BIO 1b above for this mitigation measure.
- R-06-12 M-BIO-4 Grading or clearing of riparian habitat during the breeding season of the least Bell's vireo (March 15 through September 15) shall be avoided to the extent feasible. This phrase is used extensively in the mitigation measures and language matters. It is often explained as a term for worker safety. That is of the highest priority. But it can be said that to the extent feasible is a very subjectable use of words that are open to a broad range of interpretation. The mitigation measure is malleable to the extent feasible. Can the final EIR include some reasons why the term to the extent feasible can be used so the readers can understand what could cause it to be infeasible. The interpretation of this phrase will have a great impact on whether this mitigation measure will be successful or not
M-BIO-7 Please refer to the comments relating to MBIO 2b above for this mitigation measure
- R-06-13 Impact BIO-2d Direct impacts to nesting coastal California gnatcatcher, Cooper's hawk, least Bell's vireo, Lawrence's goldfinch, loggerhead shrike, oak titmouse, red shouldered hawk, vermilion flycatcher, white-tailed kite, yellow-breasted chat, and yellow warbler individuals would be considered potentially significant.
M-BIO-7 Please see comments above for this mitigation measure
- R-06-14 Impact BIO-2f Direct impacts to County Group 1 roosting bats, including Mexican long-tongued bat and western red bat would be potentially significant.
M-BIO-13 This measure should include a clear acknowledgment from CDFW that they received and reviewed the data submitted to them and that they have determined that project activities will not cause a negative impact to these species. Can the final EIR include a clear statement something like: "A letter report summarizing the survey methods and results of the survey, including negative findings, shall be submitted to the County and CDFW for review at least two weeks prior the commencement of Project activities and the activity will not begin until it is approved by both agencies."
- R-06-15 Impact BIO-3c Direct impacts to nesting barn owl, California horned lark, Canada goose, great blue heron, green heron, western bluebird, small-footed myotis, Yuma myotis, and yellow warbler individuals would be considered potentially significant.
M-BIO-7 Please see comments for Impact 2b above for this mitigation measure.
- R-06-16 Impact BIO-3d Direct impacts to County Group 2 roosting bats, including small-footed myotis and Yuma myotis, would be potentially significant.
NO Mitigation can be found for this Impact in Table 2.2-10 SUMMARY OF BIOLOGICAL RESOURCES MITIGATION MEASURES. Please indicate what measures will be implemented to avoid impacts to these species by this project.
- R-06-17 Impact BIO-5 If construction or mining activities would be initiated within 500 feet of suitable habitat during the breeding seasons for California gnatcatcher (March 1 to August 15), nesting raptors (January

R-06-12 The commenter's concerns regarding the terminology "to the extent feasible" is noted and this statement has been removed, though removal of this statement does not alter the overall requirements of this measure. Implementation mitigation measure M-BIO-4, included on page 2.2-84 of the RDEIR and Section 3.4 of the Biological Resources Technical Report recirculated with the RDEIR (FEIR Appendix C), would avoid and minimize direct and indirect impacts to nesting least Bell's vireo if grading or clearing of vegetation were to occur during the species' breeding season (March 15 through September 15) by requiring a pre-construction survey(s) to determine the species presence and breeding status within 500 feet of proposed impact area(s) and implementation of a 500-foot avoidance buffer from where any vireos are observed nesting or displaying breeding/nesting behavior.

The comment also references mitigation measure M-BIO-7. Please see Response to Comment R-06-10.

R-06-13 Please see Response to Comment R-06-10.

R-06-14 The commenter's suggestions on mitigation measure M-BIO-13, included on pages 2.2-84 to 2.2-85 of the RDEIR and Section 3.4 of the Biological Resources Technical Report recirculated with the RDEIR (FEIR Appendix C), are noted. The mitigation measure is based on recommendations provided by CDFW on the DEIR, and no additional comments or revisions on the measure were provided by CDFW in their RDEIR comment letter. Alternatively, CDFW's comment letter stated "CDFW appreciates that our species-specific comments regarding herpetofauna and bats were included in the RDEIR". No further revision to the measure is required.

R-06-15 Please see Response to Comment R-06-10.

R-06-16 Potentially significant direct impacts to roosting small-footed myotis and Yuma myotis would be reduced to a less than significant level through implementation of mitigation measure MBIO-13. Table 2.2-10 of the FEIR has been updated to reflect that mitigation measure MBIO-13 would provide mitigation for Impact BIO-3d.



Fostering the protection and appreciation

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

R-06-17
cont.

15 to July 15), or least Bell's vireo (March 15 to September 15), indirect noise effects would be potentially significant.

M-BIO-2 Please see comments BIO 1b above for this mitigation measure

M-BIO-4 Please see comments BIO 2c above for this mitigation measure

M-BIO-7 Please see comments BIO 2b above for this mitigation measure

R-06-18

Included in the **Section Special Status Animal Species with Potential to Occur**, surveys for Quino checkerspot butterfly (*Euphydryas editha quino*) (Quino) were not conducted because the project site was deemed to lack suitable habitat. The findings stated in this DEIR arrive at a different conclusion. This section lists Quino habitat as, "open-canopied habitats such as **sage scrub**, open chaparral, grassland, and open oak and juniper woodland communities." This section also states that a golf course presents unsuitable conditions because of maintenance and golf course operation. There is an obvious observation that Quino could habitat the project site regardless of these limited activities as so stated on Page 2.2-24, "Birds, butterflies, and bats are expected to move freely through the site." Also, Table 2 lists **Coastal Sage Scrub** as a vegetation community on the project site. Furthermore, the Biological Resources Technical Report has confirmed sightings of Quino during 2018 and 2019 surveys. A focused survey for Quino is a requirement for this project and appropriate mitigation for the duration of the project. **Will the Final EIR be updated with a current and focused Quino checkerspot butterfly with associated habitat with mitigation strategies if warranted?**

R-06-19

In the Summary Chapter, **Section RDEIR S.1.3 New Information Added to Draft EIR**, is the information regarding the number of additional truck haul trips generated by the Proposed Project is alarming. Specifically, after circulation of the Draft EIR, it was determined that an additional 58 truck trips per day, averaged over the 10-year operation of the Proposed Project, would be required to import suitable backfill material to achieve the Project's proposed post-reclamation elevation. This daily 12-hour workday/58 truck trips per day comes to 4.8 trucks per hour. This increased traffic is not considered or discussed in the **Fugitive Dust Section or Exotic Plants Species Section**. This section outlines how fugitive dust production by construction and extraction operations has the potential to disperse onto preserved vegetation, which may reduce the overall vigor of individual plants by reducing their photosynthetic capabilities and increasing their susceptibility to pests or diseases. The watering down procedures described is the only method outlined for this impact and the Fugitive Dust Control Plan in Appendix cannot be located in the documents released to the public. **How will the additional 68 truck trips per day exacerbate these impacts? Are there more proactive strategies such as tarps or barriers to contain fugitive dust that escape the watering down process? Can the final EIR address these issues and disclose the Fugitive Dust control Plan so it can be reviewed for effectiveness and improvement?**

R-06-20

Exotic Plant Species otherwise labeled as invasive plants can enter the site by worker boots and tools construction equipment and hauling trucks. The detrimental effects are noted, "...potentially increase flammability and fire frequency, change ground and surface water levels, and potentially adversely affect native wildlife dependent on native plant species." The increased 58 trucks per day have a very high potential to introduce invasive plant seeds and material into the project site. This additional impact is not addressed in this section. Methods to mitigate are quarterly weed inspections, the Reclamation

R-06-17 Please see Responses to Comments R-06-8, R-06-10, and R-06-12.

R-06-18 This comment suggests that suitable habitat for Quino checkerspot butterfly occurs within the Project site. As described in the USFWS Recovery Plan (2003) for the species, "Vegetation types that support the Quino checkerspot butterfly include coastal sage scrub, open chaparral, juniper woodland, and native grassland. Soil and climatic conditions, as well as other ecological and physical factors, affect the suitability of habitat within the species' range. Urban and agricultural development, invasion of nonnative species, habitat fragmentation and degradation, and other human-caused disturbances have resulted in substantial losses of habitat and declines in habitat suitability throughout the species' historic range." Section 2.2.1.1 of the RDEIR and Section 1.4.10 of the Biological Resources Technical Report recirculated with the RDEIR (FEIR Appendix C) address the Project site's suitability for Quino checkerspot butterfly and state the following: "The Project site consists of a developed golf course lacking suitable habitat for the species, and focused surveys are not required. Construction of the golf course resulted in the conversion of previous habitat, which primarily consisted of wetland- and riparian-associated habitat along the Sweetwater River, to non-native vegetation and developed areas associated with the current commercial uses of the site. Ongoing golf course maintenance and operation since the 1960s has resulted in further degradation and disturbance to the site, creating unsuitable conditions for quino checkerspot butterfly occupation."

The commenter references the presence of Diegan coastal sage scrub within the Project site, but as detailed in the species' Recovery Plan, other ecological and physical factors affect habitat suitability besides the habitat type present. A total of 1.8 acres of Diegan coastal sage scrub was mapped within the 276.6-acre Project site, representing 0.65 percent of the Project site. Furthermore, as shown on Figure 2.2-3 of the RDEIR, Diegan coastal sage scrub occurs as four separate patches. Two of these patches represent narrow bands of disturbed habitat located along slopes bordering the road shoulder of Willow Glen Drive and Steele Canyon Road and the golf course greens (active and abandoned). These small patches of habitat are isolated and surrounded by development and other non-suitable land uses for the species, are of insufficient size to support Quino