

Fostering the protection and appreciation



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

February 28th, 2022

To:

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Planning & Development Services
5510 Overland Avenue, Suite 310
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Regarding Cottonwood Sand Mining Project Environmental Impact Report Issued 12/16/21
(PDS2018-MUP-18-023), (PDS2018-RP-18-001); LOG NO. PDS2018-ER-18-19-
007; SCH# 2019100513
–Due 2/28/22–

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

Critical Link To Existing Conserved Area

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



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

Comprehensive Wildlife Survey Lacking

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

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

Cumulative Impacts on Wildlife Corridor

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

Mitigation Measures Lacking

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

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



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

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

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

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

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

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

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

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

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

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

Sincerely

James Peugh
Chair, Conservation Committee
San Diego Audubon Society

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A handwritten signature in blue ink, which appears to read "John Riedel".

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