



# StopCottonwoodSandMine.org

Save Our Community

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Subject: Recirculated Draft Environmental Impact Report for Cottonwood Sand Mining Project (PDS2018-MUP-18-023), (PDS2018-RP-18-001); Log No. PDS2018-ER-18-19-007; SCH# 2019100513

Dear Mr. Jacobs,

StopCottonwoodSandMine.org appreciates the opportunity to provide comments regarding the Cottonwood Sand Mining Project's (Project) Recirculated Draft Environmental Impact Report (RDEIR). On behalf of the StopCottonwoodSandMine.org Board of Directors and the more than 5,000 community members and their families we represent, I submit the following points that must be considered regarding the RDEIR documents issued on June 29, 2023.

The purpose of this response is to provide specific input on the new information in the RDEIR which includes the revised Project Description, Traffic, Biology, Noise, and the Stormwater Quality Management Plan. For the reasons discussed below, the Project 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. In fact, the RDEIR increases traffic, emissions, dust, pollutants, health risk, biological impacts and noise that make the

impacts even worse! Additionally, the Project does not propose adequate mitigation measures or alternatives to address those impacts.

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”.

**Because the RDEIR is incomplete, requires updated studies and therefore fails to comply with CEQA, it must be revised and reissued to the public for review.**

**[Project Description \(Section 1.0\) describes significant environmental impacts with incomplete analysis](#)**

It was only after the circulation of the DEIR that it was discovered that the Proposed Project would be required to import 3.75 million tons of backfill material, adding an additional 58 truck trips per day as well as a second conveyor. In addition, the Stormwater Management Plan initially proposed was insufficient addressing only the frontage improvements along Willow Glen Drive rather than the entire sand mining operation. These are significant changes and beg the question of what other significant factors have been overlooked, intentionally or not, by the Project’s applicant. Proposing a sand mine in the middle of a thriving residential community requires an abundance of precautionary measures and there should be no margin for error. The RDEIR Project Description still does not address the true impact of a 10+ year Sand Mine project on the community.

**[Traffic is a significant environmental impact with incomplete analysis](#)**

**The RDEIR overlooks potential traffic impacts.**

The cumulative traffic impacts have not been adequately analyzed and therefore an updated traffic analysis is needed to address not just the impacts from the Proposed Project but the cumulative impacts of both truck and vehicle impacts as well.

The RDEIR Project Description S-4 indicates that an additional 58 truck trips will occur daily on top of the 88 truck trips stated in the original Draft EIR. This totals 146 round-trip truck trips daily. Trucks will be operating Monday – Friday from 9:00am to 3:30pm or 6.5 hours daily. This means a large hauling truck will be traveling either to or from the project site every 1.3 minutes or every 78 seconds. Although the RDEIR documents argue that this level of heavy truck hauling will not affect the community’s streets, air quality, greenhouse gas emissions, health risk, and noise, thousands of community residents strongly disagree with this poor assessment and believe the RDEIR is minimizing the risks. Anyone who travels in the area by vehicle, bike, or on foot can tell you that without a sand

mine nearby, Willow Glen Drive already experiences excessive truck trips due to Robertson's Ready Mix located at 2094 Willow Glen Drive and Hesters Granite Pit at 2268 Willow Glen Drive.

Also, there are some truck travel time and routes that are unknown. For example, if the trucks leaving the site are heading to another site to pick up and haul 2.5 million cubic yards of backfill, where is the accounting for the trucks that leave the sand mine, drop off the sand, then drive to the unknown site for backfill material?

Page S-19, last paragraph, the additional daily trips netting out to a 44.8% reduction is not accurate. How was the 40-mile average one-way trip derived?

Additionally, if traffic surveys were conducted between 2020 and 2022, they must be dismissed and redone because they do not capture an accurate analysis of cumulative traffic impacts. Due to the unusual circumstances during the COVID-19 Pandemic, traffic was changed and halted in many ways. Stay-at-home orders began March 19, 2020, and were not lifted until January 25, 2021. We all can see that traffic is significantly different today in 2023 than it was during California's shutdown. The Applicant's traffic study includes some data collected on August 30, 2018, and other traffic data collected on October 23, 2020. This data must be rejected since it is not an accurate depiction of pre or post COVID-19 Pandemic traffic patterns. The Applicant must conduct a new traffic study for any data to be valid.

### [Backfill of Gross Material could lead to significant environmental impacts](#)

Regarding the Sand Mining and Processing Component (Section 1.2.1.1), community members have tremendous concern about the quality of the backfill which "possibly" will include concrete and asphalt and is thus entirely unsuitable for land that is a riverbed. Whatever backfill goes into the stream bed must meet the requirements of the U.S Environmental Protection Agency, Army Corps of Engineers, U.S. Fish & Wildlife, CA Fish & Wildlife, State Water Quality Control Board, San Diego Water Quality Control Board and Sweetwater Authority. Also, explain the 1.34 million cubic yard hole in the ground. if 4.26 million cubic yards are being extracted, why are only 2.92 million cubic yards being backfilled?

**There is no definition of "inert debris" so how can we be assured that the backfill material will NOT exceed stringent lead and pH thresholds which would preclude its use.**

### [Biological Resources \(Section 2.2\) are significant environmental impacts with incomplete analysis](#)

The RDEIR documents conclude the Project implementation could result in "potentially significant impacts to sensitive plant and animal species, sensitive natural communities and riparian habitat, jurisdictional wetland and non-wetland waters, and consistency with local policies, ordinances and adopted plans protecting biological resources". There were 23 animal species identified as potentially being significantly impacted. 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.

The RDEIR minimizes the fact that the project site is currently a vital and critical wildlife linkage/corridor connecting protected wildlife habitat near and adjacent to the Project site. The Cottonwood Golf Club property is considered the missing link in a resilient and accessible open space network protecting endangered species habitat, drinking water, and connections to the existing San Diego National Wildlife Refuge. A decade of Project mining could cause permanent impacts affecting wildlife community health by fragmenting and isolating wildlife communities. This property is zoned Open Space-Recreational to protect the land and its inhabitants. This commitment must be honored.

The RDEIR admits that the Project would also result in potentially significant impacts to sensitive natural communities and riparian habitat; however, a combination of avoidance through Project design, proposed open space, and mitigation measures to fully compensate the loss of habitat would reduce impacts to below a level of significance, and there would be no net loss of sensitive natural communities and riparian habitat. The Applicant states there would be “no net loss” but there is an inadequate monitoring program put in place to verify this claim. Mitigation is started after each phase of mining is complete. That means there is major disturbance to each mined area and the “sensitive natural communities and riparian habitat” suffers that disturbance for years before any mitigation is commenced thus resulting in the “significant impacts” the Applicant admits to.

**Grouted Riprap Drop Structures (Page 2.2-59) are oversized for the environment, incompatible and don't belong in a natural river bed.**

Permanent Project impacts to jurisdictional wetlands would include the construction of three permanent grouted riprap drop structures within the expanded Sweetwater River floodplain. Two drop structures would be located along the constructed upland slopes bordering the expanded floodplain: one at the eastern edge of the site where the Sweetwater River enters the property along the eastern, western-facing slope; and one east of Steele Canyon Road along the southern, northern-facing slope where the Mexican Canyon Creek flows into the Sweetwater River. These drop structures would protect the slopes against upstream head cutting. A third structure would be located perpendicular to the Sweetwater River on the west side of the Steele Canyon Road bridge and would prevent head cutting of the channel during infrequent, high flow event. One of these drop structures of grouted riprap – at 610 feet wide and almost 20 feet high – is oversized for the environment and an urban intrusion for the rural area and thus, is incompatible with community character. The dimensions of the second permanent grouted riprap drop structure have not been provided but should be.

**The RDEIR states that mitigation efforts will include “mining activities within 500 feet shall be avoided to the extent feasible”. This is a meaningless statement due to the level of interpretation the word “feasible” has. The RDEIR must be revised to state clearly what mitigation plans will be implemented and not leave any part up to chance.**

When writing a mitigation measure, it is imperative that it be possible to determine if the mitigation measure has been enacted. “To the extent feasible” implies a commitment, but what is feasible is subject to dispute, and is not helpful terminology. For example, what mitigation measures M-BIO-2 and M-BIO-3 actually require is that if breeding season cannot be avoided, a survey must be done, and if a nest is found in the area, then the project will have to wait until the chicks have fledged.

**The RDEIR must be rejected because it does not adequately address how the proposed sand mining activities will maintain, protect and conserve rather than destroy wildlife habitats.**

Table 2.2-7 shows that the Proposed Project impacts to sensitive vegetation communities in PAMA total 1.0 acre, representing only 10 percent of on-site PAMA impacts. We believe that all sensitive vegetation communities are important. San Diego County is one of 36 biodiversity hotspots in the world and our region is home to many species that cannot be found anywhere else on the planet – and yet, are endangered and threatened by habitat loss. Therefore, the Applicant indicating that only one acre or 10% of on-site PAMA sensitive vegetation will be impacted is a clear minimization of the impending destruction.

**Mitigation measures do not address the significant direct impacts to wildlife habitat during the Project timespan therefore, the RDEIR should be revised to accurately represent the Biological Resources significant direct impacts.**

Most mitigation measures proposed in the RDEIR documents do not address the significant direct impacts to wildlife habitat during the Project timespan. Instead, what is described is deferred mitigation after 10 + years of mining has been done. The RDEIR documents state 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 Biological Open Space (BOS) easement. This is not a viable mitigation strategy for significant impacts during years one through ten or more of the Project. The Reclamation Plan with a BOS easement is a post-project deferred mitigation strategy which must be rejected since it does not address the significant impacts to special status species during the Project timeline.

### [Noise is a significant environmental Impact with incomplete analysis](#)

The RDEIR documents indicate that a second conveyor will be used to transport backfill material and that the mining operation noise is assessed as potentially significant. Mitigation measures indicated that one area near to the sand mine location will have its proposed noise barrier increased from 8-feet to 12-feet. This potential barrier eyesore in one area will not mitigate the high level of cumulative noise experienced by all community residences around the sand mine location, especially residences at higher elevations.

The proposed project adds 66% more truck trips and 100% more conveyors. The plan to raise a wall to 12 feet instead of 8 feet does NOT do anything to mitigate the noise impacts.

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

The San Diego County Guidelines For Determining Significance And Report Format And Content Requirements, Mineral Resources, July 20, 2008, on page 15, also recommends a 1,300-foot setback. The guidelines state, “Impacts from noise typically require the largest setback and past County approved noise studies indicate a setback of approximately 1,300 feet is needed for most typical extractive operations.”.

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



The RDEIR states that “construction-related noise generated from mining and reclamation activities could temporarily impact wildlife” due to daily use of heavy equipment resulting in wildlife being temporarily displaced from or avoid the Project site during construction activities “but would be expected to return to the area as activities have ceased.” The RDEIR goes onto state that impacts would be less than significant due to mining the property one section at a time rather than the entire property. The impact of noise on the wildlife of the area, including gnatcatchers, vireos, and raptors has been shown to have significant effects on many wildlife species including these endangered and special species.

**The draft RDEIR must be revised to state the unmitigable significant impact sand mining activity noise will have on wildlife.**

**Stormwater Quality Management Plan (Plan) lacking specificity therefore, the RDEIR should be revised**

It is disheartening to see the Applicant miss so much that should have been in the Draft EIR. The revised Stormwater Quality Management Plan is very generic, lacks specifics and focuses more on what the final product will look like rather than how the water source in the event of storms, not just a water transfer from Loveland Reservoir, will be protected during the 10+ years of the mining operation. Due to the substantial changes in the plan, we want to be assured that both the Sweetwater Authority and the Regional Water Quality Control Board have reviewed and commented on the Plan prior to finalization of the EIR.

Has the County and Applicant addressed the impacts described in the letter from the Sweetwater Authority dated February 24, 2022? Does the revised Stormwater Management Plan mitigate their concerns? The Authority is an independent water district that depends on the Sweetwater River watershed and serves and provides drinking water to approximately 200,000 people living in Chula Vista, National City, and Bonita. Their concerns with the proposed mining operation include water quality, hydrology, and the Authority’s ability to transfer water from Loveland Reservoir through the Sweetwater River to the Sweetwater Reservoir and the Perdue Plant. One of their water sources is the capture of local runoff in the Sweetwater River. How will this Plan protect this water source?

#### **CONCLUSION:**

In conclusion, it appears that the focus in the Recirculated Draft EIR is more on the Proposed Reclamation Plan for mitigation rather than the damage that will occur during the time of the mining operation and the horrible irreparable harm to people, the community, and the environment. The RDEIR often uses the word “temporary”, and it states that, “ultimately, the Project would leave the site suitable for uses allowed by the existing land use designation – with the site remaining as open space”. There is no guarantee that the mining operation will be limited to only 10 years. And after the mining is

concluded, how long will the reclamation of the land take? This process could take 10 to 20 years or more and even then, it will never be the same.

Thank you, again, for this opportunity to provide input regarding the Cottonwood Sand Mine Project Recirculated Draft Environmental Impact Report.

Sincerely,

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Chair  
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#### REFERENCES:

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