



Hydrology | Hydraulics | Geomorphology | Design | Field Services

August 15, 2023

Ms. Carmen Borg  
Shute, Mihaly & Weinberger LLP  
396 Hayes Street  
San Francisco, CA 94102-4421

Subject: Review of Recirculated Draft Environmental Impact Report  
Cottonwood Sand Mine Project, San Diego County, CA

Dear Ms. Borg:

I have been retained by Shute, Mihaly & Weinberger LLP (SMW) to review the Recirculated Draft Environmental Impact Report (RDEIR dated June 2023) for the Cottonwood Sand Mine Project located in San Diego County, California. The purpose of this review is to evaluate if the project may impact surrounding properties and the environment. Previously, I reviewed and commented on the DEIR issued in December 2021. My comment letter (dated February 24, 2022) on the 2021 DEIR is provided as Attachment A.

My review of the RDEIR included Chapter 1.0 (Project Description, Location, and Environmental Setting), Appendix C (Biological Resources Technical Report), and Appendix P (Stormwater Quality Management Plan [SWQMP] for Priority Development Projects). My comments are restricted to materials presented in this chapter and appendices including how new information addresses or expands on my comments to the original DEIR. Based on my review of these materials, it is my professional opinion that the RDEIR is inadequate in evaluating the potential significant impacts of project actions on hydrology, water quality and biological resources. The rationale for this opinion is presented below.

### **1. Inaccurate Hydraulic Analysis of Flood Impacts**

The Conclusions and Certification section of the SWQMP (PDF page 39 of Appendix P) states that prior hydraulic (HEC-RAS) modeling results presented in Appendix O (CEQA-Level Drainage Study for the Cottonwood Sand Mining Project) of the 2021 DEIR are correct. Item #1 of my prior comment letter (Attachment A) describes how hydraulic model analysis of the final (Phase 4) project grades is inaccurate and do not support the conclusion that the project will not significantly impact the 100-year flood water surface levels. Therefore, the DEIR conclusion of less than significant impacts to flooding hazards is not substantiated as Comment #1 in my February 24, 2023, letter is still applicable.

### **2. Inaccurate Estimate of Future Water Demands and Impacts on Groundwater Supply**

DMA Exhibit 1 (on-site) Mining Phases (pdf page 16 of RDEIR Appendix P [SWQPM]) cites, "Per Geo-Logic, the November 5, 2021, Groundwater Investigation Report indicates that the depth range for shallow groundwater is 25 to 70 feet below grade." As indicated on Figure 9 the November 5, 2021, Groundwater Investigation Report by Geo-Logic, the depth to groundwater in monitoring wells at the site range from 0 to 33 feet below ground surface (bgs); recorded water levels are 0' to 25' bgs in Lakes#11 monitoring well and 6' to 33' in the Ivanhoe #11 monitoring well). These monitoring data indicate groundwater conditions at the site are much shallower than reported in the RDEIR SWQPM.

Regarding where groundwater may be encountered and exposed in the three excavation pits during various phases of the project, the RDEIR states (page 1-22), "Exposure of groundwater as a free water surface at any given time in each of three pits would be limited to approximately five acres in size." However, as documented in Item #2 of my February 2022 comment letter (Attachment A), groundwater conditions under final project grades will lead to much more extensive exposure (in space and time) leading to significant evaporative losses that aren't quantified or accounted for in the original DEIR and RDEIR. Thus, the RDEIR has not adequately evaluated or substantiated how the project will impact groundwater supply and Comment #2 in my February 24, 2022, letter (Attachment A) still applies.

### **3. Incomplete Analysis of Sediment Erosion and Water Quality Impacts**

A note on DMA Exhibit 1 (on-site) Mining Phases (pdf page 16 of RDEIR Appendix P [SWQPM]) states, "There are no permanent storm water control BMPs for the Mining Areas." This implies that there are no permanent erosion and water quality control BMPs associated with the 20-foot-tall rock riprap channel erosion barriers (drop structures) that span the entire project floodplain width located at the upstream end of the project and Steele Canyon Road. In addition, there is nothing new in the RDEIR and SWQPM pertaining to the description/design of the drop structures that alter my prior Comment #3 in Attachment A. Therefore, my Comment #3 to the DEIR (Attachment A), which concludes that the project does not evaluate potential drop structure erosion impacts on water quality, is still relevant and applicable.

### **4. Potential Impacts of Reclamation Grading Plan**

The revised Project Description in the RDEIR indicates that 2.5 million cubic yards (CY) of backfill material will need to be imported to achieve final (Phase 4) site grades. Section 1.2.1.1 of the RDEIR states that most of this backfill material will include “inert” debris, “consisting of excavated soil material from development projects, clean demolition materials, and possibly concrete, asphalt and rock”, all imported from off-site. However, the RDEIR does not indicate how the project will ensure that this “inert” material is uncontaminated. If contaminated, imported backfill can significantly impact water quality to domestic and ecological supplies. It is my professional opinion that the RDEIR Project Description and SWQMP fails to indicate that imported backfill used onsite will be screened in compliance with the San Diego Regional Water Quality Control Board (RWQCB) Order #R9-2014-0014, the EPA Region 9 Regional Screening Levels (RSLs), and the California Department of Toxic Substances Control (DTSC) Soil Screening Levels (SSLs) for Soil for Residential or Commercial/Industrial use. In addition, the Project Description and SWQMP fails to indicate that the placement and exposure of backfill material consisting of concrete, asphalt, and rock, especially in the floodplain and channel, will be completed in a manner that prohibits scour and erosion.

The RDEIR project description now includes additional truck trips (58 per day over a 10-year period) to import backfill material. The mechanical placement and grading of this material per project plans will also be necessary. Page S-14 of the RDEIR indicates that Air Quality and GHG potential impacts were reanalyzed, but the results of these analyses are not included in recirculation of DEIR for public review and comment because it was determined that no significant impact would occur. Although the additional fill import truck trips are discussed as having been incorporated into the new analyses, it is unclear if the additional backfill “mobile and processing equipment” were too. The RDEIR also states that the reanalysis included “correcting overly conservative assumptions applied in the DEIR.” If there have been significant changes to the analysis, the RDEIR should include this “new information” regardless of findings of significance. This same comment applies to the Health Risk Assessment (HRA), VMT and noise assessments.

## **5. Potential Impacts to Existing Riparian Habitat**

There is nothing new pertaining to the RDEIR Project Description that alters my prior Comment #5 to the DEIR (see Attachment A) about potential impacts to existing riparian habitat. Therefore, because the RDEIR has not sufficiently analyzed potential adverse impacts and mitigations to existing riparian habitat areas, my Comment #5 to the DEIR is still valid.

## **6. No Analysis on Impacts of Aggregate Wash Fines Reuse**

There is nothing new in the RDEIR Project Description that alters my prior Comment #6 to the DEIR (see Attachment A) pertaining to the potential impacts associated with the final placement of wash fines in the channel and floodplain corridor. Therefore, it is my opinion that the RDEIR has not sufficiently analyzed potential adverse impacts and mitigations to water quality, water resources, and ecological conditions and my Comment #6 to the DEIR is still justified.

Please feel free to contact me with any questions regarding the material and conclusions contained in this letter.

Sincerely,



Greg Kamman, PG, CHG  
Senior Ecohydrologist



**ATTACHMENT A**

**Kamman's February 24, 2022, Comment Letter to DEIR**